



THE REGIONAL MUNICIPALITY OF NIAGARA  
COUNCIL ORDER OF BUSINESS

CL 4-2021

Thursday, February 25, 2021

6:30 p.m.

Meeting will be held by electronic participation only

This electronic meeting 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](https://www.niagararegion.ca/government/council/)

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3. DISCLOSURES OF PECUNIARY INTEREST
4. PRESENTATIONS
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6. DELEGATIONS
  - 6.1. Motion from Councillor Insinna respecting Homelessness, Mental Health and Addiction (Agenda Item 9.5 - Minutes PHSSC 2-2021, Minute Item 5.1)
    - 6.1.1. *Wayne Campbell, Resident, City of Niagara Falls*  
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## 9. COMMITTEE REPORTS - OPEN SESSION

- 9.1. Budget Review Committee of the Whole Zalepa 47 - 97  
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- 9.2. Chief Administrative Officer Recruitment Committee Witteveen 98 - 158  
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| 9.7. | <u>Planning and Economic Development Committee</u><br>Minutes PEDC 2-2021, Wednesday, February 17, 2021       | Huson   | 474 - 627 |
| 9.8. | <u>Chief Administrative Officer Recruitment Committee</u><br>Minutes CAORC 3-2021, Tuesday, February 23, 2021 | Redekop | 628 - 640 |

**10. CHIEF ADMINISTRATIVE OFFICER'S REPORT(S)**

None.

**11. MOTIONS**

- |       |   |         |     |
|-------|---|---------|-----|
| 11.1. | <u>Bill 197, COVID-19 Economic Recovery Act, 2020</u><br>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 Sendzik a motion to be brought forward for consideration at the February 25, 2021 Council meeting respecting Bill 197, COVID-19 Economic Recovery Act, 2020. | Sendzik | 641 |
|-------|---|---------|-----|

**12. NOTICES OF MOTION**

**13. OTHER BUSINESS**

**14. CLOSED SESSION**

- |         |   |  |
|---------|---|--|
| 14.1.   | <u>Council Minutes - Closed Session</u>   |  |
| 14.1.1. | Closed Session Minutes CL 1-2021, Thursday, January 21, 2021  |  |
| 14.1.2. | Closed Session Minutes CL 2-2021, Thursday, January 28, 2021 (Special Meeting)  |  |
| 14.2.   | <u>Committee Reports - Closed Session</u>   |  |
| 14.2.1. | Budget Review Committee of the Whole - Closed Session<br>Thursday, January 21, 2021   |  |
| 14.2.2. | Planning and Economic Development Committee - Closed Session<br>Closed Session Minutes PEDC 2-2021, Wednesday, February 17, 2021              |  |
| 14.2.3. | <i>Chief Administrative Officer Recruitment Committee - Closed Session</i><br>Closed Session Minutes CAORC 3-2021, Tuesday, February 23, 2021 |  |

14.3. Confidential Reports Submitted Directly to Council

14.3.1. *Confidential CL-C 13-2021*

A Matter of a Proposed or Pending Acquisition or Disposition of Land by Niagara Region - Niagara Regional Housing Acquisition of Property (Confidential Report NRH 4-2021)

- 14.3.2. A Matter respecting Personal Matters about an Identifiable Individual under s. 239(2) of the Municipal Act, 2001 - Acting Chief Administrative Officer 2020 Performance Appraisal  
*This item will be provided at the meeting.*

15. BUSINESS ARISING FROM CLOSED SESSION

16. BY-LAWS

- |       |  |           |
|-------|--|-----------|
| 16.1. | <u>Bill 2021-12</u><br>A by-law to appoint by-law enforcement officers for the purpose of enforcing By-law No. 2020-79 being the Woodland Conservation By-law.   | 642 - 643 |
| 16.2. | <u>Bill 2021-13</u><br>A by-law to amend By-law 89-2000 to provide for the regulation of traffic on Regional highways (speed limit reduction Regional Road 70 (Thorold Townline Road) in the City of Thorold). | 644 - 645 |
| 16.3. | <u>Bill 2021-14</u><br>A by-law to amend By-law 89-2000 to provide for the regulation of traffic on Regional highways (parking prohibition Regional Road 81 (King Street) in the Town of Lincoln).             | 646 - 647 |
| 16.4. | <u>Bill 2021-15</u><br>A by-law to appoint by-law enforcement officers for the purpose of enforcing the Sewer Use By-law No. 27-2014 as amended, and to repeal By-law 2019-93.                                 | 648 - 649 |
| 16.5. | <u>Bill 2021-16</u><br>A by-law to adopt, ratify and confirm the actions of Regional Council at its meeting held on February 25, 2021.   | 650       |

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](mailto:accessibility@niagararegion.ca) (email).

Submission from Wayne Campbell

Niagara Region Public Health and Social Services has declared mental health, homelessness and addiction as a crisis in the Niagara Region, but calling it a crisis and acknowledging will not result in any immediate resources or funding to address the emergency.

Letters from the Chair can be ignored, and a crisis does not initiate the emergency legislation where the Province is required to respond. Naming a crisis does not give the Region of Niagara any advantage to address these critical issues.

According to the Province of Ontario Emergency Response Plan (2008), Canadian municipalities are free to declare states of emergencies in response to “any situation or impending situation caused by the forces of nature, an accident, an intentional act or otherwise that constitutes a danger of major proportions to life or property.”

11 of 12 of Niagara's local-area municipalities have unanimously endorsed the request for Niagara Regional Council to declare a state of emergency on mental health, homelessness, and addiction.

Niagara rose from 1.6 (consistent across 2018 and 2019) to 2.8 overdose deaths weekly (March to August of 2020) and the number of suspected overdoses rose from 499 in 2019 to 625 suspected overdoses in 2020, as reported by Niagara EMS, and 55 suspected overdoses have already been recorded by Niagara EMS for 2021 [https://www.niagararegion.ca/living/health\\_wellness/alc-sub-abuse/drugs/opioids.aspx](https://www.niagararegion.ca/living/health_wellness/alc-sub-abuse/drugs/opioids.aspx)

The Niagara Region recorded 625 residents- including 144 children in March 2018 and a shelter capacity of 109.4 percent in the first four months of 2018 and furthermore

The number of people found to be experiencing homelessness:	625 (2018)
The occupancy rate of participating emergency shelters on the night of count:	117% (2018)
The number of individuals estimated to be living in transitional housing:	237 (2018)
The number of individuals estimated to be living on the streets:	38 (2018)
The number of individuals estimated to be living in emergency and VAW shelters; crisis beds:	350 (2018)

Niagara has a higher emergency department visit rate for self-harm than the province of Ontario and since 2009, emergency department visits in Niagara related to self-harm have continued to increase significantly. (<https://www.niagararegion.ca/health/statistics/injury/default.aspx#selfharm>)

In 2019, 14.2 per cent of secondary students had seriously considered suicide in the past 12 months.

According to statistics Canada the Niagara suicide rate is 9.8 deaths per 100,000 compared to 7.7 deaths per 100,000 in Ontario.

**I am requesting that Niagara Regional Council direct Regional Chair, Jim Bradley to declare a state of emergency on addiction, homelessness and mental health in the Regional Municipality of Niagara.**

**THE REGIONAL MUNICIPALITY OF NIAGARA  
PROCEEDINGS OF COUNCIL  
OPEN SESSION**

**CL 1-2021**

**Thursday, January 21, 2021**

**Council Chamber/Video Conference**

**Niagara Region Headquarters, Campbell West  
1815 Sir Isaac Brock Way, Thorold, ON**

Council Members Present in the Council Chamber: Bradley (Regional Chair), Insinna

Council Members Present via Video Conference: Butters, Bylsma, Campion, Chiocchio, Darte, Diodati, Disero, Easton, Edgar, Fertich, Foster, Gale, Gibson, Greenwood, Heit, Huson, Ip, Jordan, Junkin, Nicholson, Redekop, Rigby, Sendzik, Steele, Ugulini, Villella, Whalen, Witteveen, Zalepa

Absent/Regrets: Bellows

Staff Present in the Council Chamber: M. Lewis, Client and Support Advisor, A.-M. Norio, Regional Clerk, R. Tripp, Acting Chief Administrative Officer

Staff Present via Video Conference: D. Barnhart, Executive Officer to the Regional Chair, R. Ferron, Deputy Chief/Associate Director, Emergency Medical Services, D. Gibbs, Director, Legal & Court Services, D. Giles, Acting Commissioner, Planning & Development Services, T. Harrison, Commissioner/Treasurer, Corporate Services, Dr. M. M. Hirji, Acting Medical Officer of Health, A. Jugley, Commissioner, Community Services, P. Lambert, Director, Infrastructure, Planning & Development Engineering, K. Lutz, Deputy Chief/Associate Director, Emergency Medical Services, F. Meffe, Director, Human Resources, B. Menage, Director, Procurement & Strategic Acquisitions, D. Rurak, Director, Asset Management Office, K. Smith, Chief/Director, Emergency Medical Services, G. Spezza, Director, Economic Development, M. Trennum, Deputy Regional Clerk, L. Watson, Director, Social Assistance and Employment Opportunities, D. Woiceshyn, Chief Executive Officer, Niagara Regional Housing, N. Wolfe, Director, Construction, Energy, and Facilities Management, B. Zvaniga, Interim Commissioner, Public Works

1. **CALL TO ORDER**

Regional Chair Bradley called the meeting to order at 6:31 p.m.

2. **ADOPTION OF AGENDA**

2.1 **Addition of Items**

Moved by Councillor Edgar  
Seconded by Councillor Butters

That Ed Smith **BE PERMITTED** to appear before Council as an individual delegate respecting Correspondence Item CL-C 1-2021 - Report on Code of Conduct Complaint - IC-221-0720 - Councillor Dave Bylsma.

**Carried**

Moved by Councillor Gale  
Seconded by Councillor Darte

That APG Neuros **BE PERMITTED** to appear before Council as a delegate respecting the issue of turbo blowers.

Council was advised that, in accordance with the Procedural By-law, delegations are only permitted to appear at Council meetings with respect to items on the Council agenda, and as there were no items on the agenda respecting turbo blowers, a two-thirds majority would be required to add the delegation. It was further noted that a report requested by Council concerning turbo-blowers is being prepared for the March Public Works Committee which would be an appropriate time for APG Neuros to delegate.

At this point in the meeting Councillor Gale withdrew his motion.

2.2 **Changes in Order of Items**

There were no changes in the order of items on the agenda.

Moved by Councillor Steele  
Seconded by Councillor Ugolini

That Council Agenda CL 1-2021, **BE ADOPTED**, as amended.

**Carried**



**3. DISCLOSURES OF PECUNIARY INTEREST**

Councillor Gale declared an indirect pecuniary interest with respect to all matters concerning hospital funding, as his daughter is a member of the hospital board, and his son is employed by Niagara Health.

Councillor Steele declared an indirect pecuniary interest with respect to all matters concerning hospital funding, as his wife is employed by Niagara Health.

Councillor Sendzik declared an indirect pecuniary interest with respect to all matters concerning hospital funding, as a member of his family is employed by Niagara Health.

Councillor Redekop declared an indirect pecuniary interest with respect to all matters concerning hospital funding, as his daughter conducts contract work for Niagara Health.

**4. PRESENTATIONS**

There were no presentations.

**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 Report on Code of Conduct Complaint - IC-221-0720 - Councillor Dave Bylsma (CL-C 1-2021 (Agenda Item 8.2.1))

Ed Smith, resident, City of St. Catharines, appeared before Council respecting Report on Code of Conduct Complaint - IC-221-0720 - Councillor Dave Bylsma. Mr. Smith suggested, that in addition to the recommendation of the Integrity Commissioner to reprimand Councillor Bylsma, that Council consider removing him from any taskforces or boards that he sits on where he represents Niagara Region.

7. **ADOPTION OF MINUTES**

7.1 **Council Minutes CL 23-2020**

Thursday, December 17, 2020

Moved by Councillor Witteveen  
Seconded by Councillor Greenwood

That Minutes CL 23-2020 being the Open and Closed Session minutes of the Regional Council meeting held on Thursday, December 17, 2020, **BE ADOPTED.**

**Carried**

8. **CORRESPONDENCE**

8.1 **Receive and/or Refer**

Moved by Councillor Foster  
Seconded by Councillor Chiocchio

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

CL-C 2-2021 respecting Amendment to Waste Management By-law, **BE RECEIVED;**

CL-C 5-2021 respecting Northwest Welland Secondary Plan – Regional Interest, **BE RECEIVED.**

**Carried**

8.2 **For Consideration**

8.2.1 CL-C 1-2021

Report on Code of Conduct Complaint - IC-221-0720 - Councillor Dave Bylsma

Moved by Councillor Witteveen  
Seconded by Councillor Rigby

That Correspondence Item CL-C 1-2021, being Report on Code of Conduct Complaint - IC-221-0720 - Councillor Dave Bylsma, **BE RECEIVED;** and

That Council **CONSIDER** the recommendation of the Integrity Commissioner contained in Report on Code of Conduct Complaint - IC-221-0720 at this time.

Moved by Councillor Huson  
Seconded by Councillor Ip

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

1. That Correspondence Item CL-C 1-2021, being Report on Code of Conduct Complaint - IC-221-0720 - Councillor Dave Bylsma, **BE RECEIVED**; and
2. That Council **CONSIDER** the recommendation of the Integrity Commissioner contained in Report on Code of Conduct Complaint - IC-221-0720 at this time;
3. ***That Regional Council ISSUE a reprimand to Councillor Bylsma, condemning his Radio Interview remarks as referred to in Report on Code of Conduct Complaint - IC-221-0720 (CL-C 1-2021); and***
4. ***That this reprimand BE CIRCULATED to the Township of West Lincoln Council.***

Moved by Councillor Sendzik  
Seconded by Councillor Darte

That the amendment **BE AMENDED** to add the following clause:

***That Councillor Bylsma BE REMOVED from any Agencies, Boards or Commissions representing Niagara Region for the duration of 2021.***

Recorded Vote:

Yes (20): Butters, Campion, Chiocchio, Darte, Disero, Easton, Edgar, Foster, Gale, Gibson, Heit, Huson, Ip, Jordan, Redekop, Sendzik, Steele, Ugulini, Villella, Whalen.

No (9): Diodati, Fertich, Greenwood, Insinna, Junkin, Nicholson, Rigby, Witteveen, Zalepa.

**Carried**

Council requested advice from the Director of Legal and Court Services regarding the amendment to the amendment to remove Councillor Bylsma from any agencies, boards or commissions that he sits on. Staff advised that this information would need to be provided in closed session as it would be legal advice subject to solicitor-client privilege; therefore it was:

Moved by Councillor Zalepa  
Seconded by Councillor Huson

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

A Matter of Legal Advice that is Subject to Solicitor-Client Privilege under s. 239(2) of the Municipal Act, 2001 - Report on Code of Conduct Complaint - IC-221-0720-Councillor Dave Bylsma.

**Carried**

Council resolved into closed session at 8:13 p.m.

Council reconvened in open session at 9:18 p.m. with the following individuals in attendance:

Council Members Present in the Council Chamber: Bradley (Regional Chair), Insinna

Council Members Present via Video Conference: Butters, Bylsma, Campion, Chiocchio, Darte, Diodati, Disero, Easton, Edgar, Fertich, Foster, Gale, Gibson, Greenwood, Heit, Huson, Ip, Jordan, Junkin, Nicholson, Redekop, Rigby, Sendzik, Steele, Ugulini, Villella, Whalen, Witteveen, Zalepa

Absent/Regrets: Bellows

Staff Present in the Council Chamber: M. Lewis, Client and Support Advisor, A.-M. Norio, Regional Clerk, R. Tripp, Acting Chief Administrative Officer

Staff Present via Video Conference: D. Barnhart, Executive Officer to the Regional Chair, R. Ferron, Deputy Chief/Associate Director, Emergency Medical Services, D. Gibbs, Director, Legal & Court Services, D. Giles, Acting Commissioner, Planning & Development Services, T. Harrison, Commissioner/Treasurer, Corporate Services, Dr. M. M. Hirji, Acting Medical Officer of Health, A. Jugley, Commissioner, Community Services, P. Lambert, Director, Infrastructure, Planning & Development Engineering, K. Lutz, Deputy Chief/Associate Director, Emergency Medical Services, F.

Meffe, Director, Human Resources, B. Menage, Director, Procurement & Strategic Acquisitions, D. Rurak, Director, Asset Management Office, K. Smith, Chief/Director, Emergency Medical Services, G. Spezza, Director, Economic Development, M. Trennum, Deputy Regional Clerk, L. Watson, Director, Social Assistance and Employment Opportunities, D. Woiceshyn, Chief Executive Officer, Niagara Regional Housing, N. Wolfe, Director, Construction, Energy, and Facilities Management, B. Zvaniga, Interim Commissioner, Public Works

Moved by Councillor Rigby  
Seconded by Councillor Huson

That the motion **BE DEFERRED** to the Regional Council meeting being held on February 25, 2021, to allow the Integrity Commissioner to be in attendance.

Recorded Vote:

Yes (4): Gale, Insinna, Junkin, Rigby.

No (25): Butters, Campion, Chiocchio, Dart, Diodati, Disero, Easton, Edgar, Fertich, Foster, Gibson, Greenwood, Heit, Huson, Ip, Jordan, Nicholson, Redekop, Sendzik, Steele, Ugulini, Villella, Whalen, Witteveen, Zalepa.

**Defeated**

Moved by Councillor Campion  
Seconded by Councillor Chiocchio

That the question **BE CALLED**.

**Carried**

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

**3. That Regional Council ISSUE a reprimand to Councillor Bylsma, condemning his Radio Interview remarks as referred to in Report on Code of Conduct Complaint - IC-221-0720 (CL-C 1-2021);**

**4. That Councillor Bylsma BE REMOVED from any Agencies, Boards or Commissions representing Niagara Region for the duration of 2021; and**

**5. That this reprimand *BE CIRCULATED* to the Township of West Lincoln Council.**

Recorded Vote:

Yes (21): Butters, Campion, Chiocchio, Darte, Disero, Easton, Edgar, Foster, Gale, Gibson, Greenwood, Heit, Huson, Ip, Jordan, Redekop, Sendzik, Steele, Ugulini, Villella, Whalen.

No (8): Diodati, Fertich, Insinna, Junkin, Nicholson, Rigby, Witteveen, Zalepa.

**Carried**

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

1. That Correspondence Item CL-C 1-2021, being Report on Code of Conduct Complaint - IC-221-0720 - Councillor Dave Bylsma, **BE RECEIVED**; and
2. That Council **CONSIDER** the recommendation of the Integrity Commissioner contained in Report on Code of Conduct Complaint - IC-221-0720 at this time;
3. That Regional Council **ISSUE** a reprimand to Councillor Bylsma, condemning his Radio Interview remarks as referred to in Report on Code of Conduct Complaint - IC-221-0720 (CL-C 1-2021); and
4. That Councillor Bylsma **BE REMOVED** from any Agencies, Boards or Commissions representing Niagara Region for the duration of 2021.
5. That this reprimand **BE CIRCULATED** to the Township of West Lincoln Council.

Clauses 1 and 2 were voted on separately and declared,

**Carried**

Clauses 3 and 5 were voted on separately as follows:

3. That Regional Council **ISSUE** a reprimand to Councillor Bylsma, condemning his Radio Interview remarks as referred to in Report on Code of Conduct Complaint - IC-221-0720 (CL-C 1-2021); and
5. That this reprimand **BE CIRCULATED** to the Township of West Lincoln Council.

Recorded Vote:

Yes (26): Butters, Campion, Chiocchio, Darte, Disero, Easton, Edgar, Foster, Gale, Gibson, Greenwood, Heit, Huson, Insinna, Ip, Jordan, Nicholson, Redekop, Rigby, Sendzik, Steele, Ugulini, Villella, Whalen, Witteveen, Zalepa.

No (3): Diodati, Fertich, Junkin.

**Carried**

Clause 4 was voted on separately as follows:

4. That Councillor Bylsma **BE REMOVED** from any Agencies, Boards or Commissions representing Niagara Region for the duration of 2021.

Recorded Vote:

Yes (20): Butters, Campion, Chiocchio, Darte, Disero, Easton, Edgar, Foster, Gale, Gibson, Heit, Huson, Ip, Jordan, Redekop, Sendzik, Steele, Ugulini, Villella, Whalen.

No (9): Diodati, Fertich, Greenwood, Insinna, Junkin, Nicholson, Rigby, Witteveen, Zalepa.

**Carried**

#### 8.2.2 CL-C 3-2021

Vacancy on the Linking Niagara Transit Committee

Moved by Councillor Steele

Seconded by Councillor Rigby

That Correspondence Item CL-C 3-2021, being a memorandum from A.-M. Norio, Regional Clerk, dated January 21, 2021, respecting Vacancy on the Linking Niagara Transit Committee, **BE RECEIVED**; and

That Councillor Zalepa **BE APPOINTED** to fill the vacancy.

**Carried**

8.2.3 CL-C 7-2021

Recommendations for Consideration from the Budget Review Committee of the Whole meeting held on January 21, 2021

Moved by Councillor Zalepa  
Seconded by Councillor Whalen

That Correspondence Item CL-C 7-2021, being a memorandum from A.-M. Norio, Regional Clerk, dated January 21, 2021, respecting Recommendations for Consideration from the Budget Review Committee of the Whole meeting held on January 21, 2021, **BE RECEIVED**;

That Report CSD 5-2021, dated January 14, 2021, respecting 2021 Levy Operating Budget, **BE RECEIVED** and the following recommendations **BE APPROVED**:

1. That the 2021 net levy budget relating to the Niagara Regional Departments of \$208,777,440 as consolidated in Appendix 1 of Report CSD 5-2021 **BE APPROVED** including the following in accordance with the 2021 budget planning strategy:
  - 1.1 That an increase of \$2,038,765 or 1.0% over the 2020 departmental operating budget **BE APPROVED** to support operating expenses;
  - 1.2 That an increase of \$2,046,918 or 1.0% over the 2020 departmental operating budget **BE APPROVED** to support pay-as-you-go capital financing;
2. That a contribution of \$18,808,401 from the Taxpayer Relief Reserve, which includes Safe Restart Funding, **BE APPROVED** to fund the net pressures related to the COVID-19 pandemic of \$17,196,924 for Regional Departments, and \$1,611,477 for the Agencies, Boards and Commissions COVID-19 pressures, as detailed in Appendix 2 of Report CSD 5-2021, for a net taxpayer impact of \$0;
  - 2.1 That an additional \$4,319,211 draw from the Taxpayer Relief Reserve **BE APPROVED** to reduce the 2021 net levy operating budget to 1.8%;
3. That an additional 1.44% or \$5,664,748 of assessment growth **BE APPROVED** to costs, as detailed in Appendix 3 of Report CSD 5-2021, in alignment with section 4.7 of By-law 2019-79 Budget Planning By-law;



4. That the 2021 net levy operating budget including the Niagara Regional Departments of \$210,083,411 and Agencies, Boards, and Commissions of \$195,217,203 for a total \$405,300,614, **BE APPROVED**;
5. That staff **BE DIRECTED** to prepare a report for the Corporate Services Committee respecting establishment of a 'Hospital Contribution Reserve'; and
6. That the necessary by-law **BE PREPARED** and **PRESENTED** to Council for consideration.

A request was made to vote on clause 5 of the motion separately.

The Regional Chair called the vote on the remaining clauses and declared it,

**Carried**

Clause 5 was considered separately as follows:

5. That staff **BE DIRECTED** to prepare a report for the Corporate Services Committee respecting establishment of a 'Hospital Contribution Reserve'.

Recorded Vote:

Yes (26): Butters, Bylsma, Campion, Chiocchio, Darte, Diodati, Disero, Easton, Edgar, Fertich, Foster, Gibson, Greenwood, Heit, Huson, Insinna, Ip, Jordan, Junkin, Nicholson, Rigby, Ugulini, Villella, Whalen, Witteveen, Zalepa.

No (0).

**Carried**

## **9. COMMITTEE REPORTS - OPEN SESSION**

### **9.1 Public Works Committee**

Minutes PWC 1-2021, Tuesday, January 12, 2021

Moved by Councillor Rigby

Seconded by Councillor Fertich

That Minutes PWC 1-2021 being the Open Session minutes of the Public Works Committee meeting held on Tuesday, January 12, 2021, **BE RECEIVED** and the recommendations contained therein **BE APPROVED**.

**Carried**

9.2 Public Health and Social Services Committee

Minutes PHSSC 1-2021, Tuesday, January 12, 2021

Moved by Councillor Greenwood  
Seconded by Councillor Chiocchio

That Minutes PHSSC 1-2021 being the Open Session minutes of the Public Health & Social Services Committee meeting held on Tuesday, January 12, 2021, **BE RECEIVED** and the recommendations contained therein **BE APPROVED**.

**Carried**

9.3 Chief Administrative Officer Recruitment Committee

Minutes CAORC 1-2021, Tuesday, January 12, 2021

Moved by Councillor Redekop  
Seconded by Councillor Witteveen

That Minutes CAORC 1-2021 being the Open Session minutes of the Chief Administrative Officer Recruitment Committee meeting held on Tuesday, January 12, 2021, **BE RECEIVED** and the recommendations contained therein **BE APPROVED**.

**Carried**

9.4 Corporate Services Committee

Minutes CSC 1-2021, Wednesday, January 13, 2021

Moved by Councillor Foster  
Seconded by Councillor Whalen

That Minutes CSC 1-2021 being the Open and Closed Session minutes of the Corporate Services Committee meeting held on Wednesday, January 13, 2021, **BE RECEIVED** and the recommendations contained therein **BE APPROVED**.

9.4.1 Minute Item 6.3 respecting Next Generation 911 (NG911) Update

The motion contained in Minute Item 6.3 was considered separately as follows:

That Report CSD 3-2021, dated January 13, 2021, respecting Next Generation 911 (NG911) Update, **BE RECEIVED** and the following recommendations **BE APPROVED**:

1. That staff **BE DIRECTED** to continue the planning for the implementation of NG911 in coordination with partner agencies, boards and councils; and
2. That staff **BE DIRECTED** to develop a recommended model of a consolidated emergency dispatch service for Niagara.

Moved by Councillor Steele  
Seconded by Councillor Sendzik

That the motion **BE AMENDED** to add clause 3 as follows:

3. ***That staff BE DIRECTED to provide an interim update report to Regional Council at the March 25, 2021 Council meeting with the final report presented no later than the Regional Council meeting being held on June 24, 2021.***

**Carried**

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

That Report CSD 3-2021, dated January 13, 2021, respecting Next Generation 911 (NG911) Update, **BE RECEIVED** and the following recommendations **BE APPROVED**:

1. That staff **BE DIRECTED** to continue the planning for the implementation of NG911 in coordination with partner agencies, boards and councils;
2. That staff **BE DIRECTED** to develop a recommended model of a consolidated emergency dispatch service for Niagara; and
3. That staff **BE DIRECTED** to provide an interim update report to Regional Council at the March 25, 2021 Council meeting with the final report presented no later than the Regional Council meeting being held on June 24, 2021.

**Carried**

#### 9.4.2 Balance of the recommendations of Corporate Services Committee

The Regional Chair called the vote on the balance of the recommendations from the Corporate Services Committee, and declared it,

**Carried**

9.5 Planning and Economic Development Committee

Minutes PEDC 1-2021, Wednesday, January 13, 2021

Moved by Councillor Huson  
Seconded by Councillor Darte

That Minutes PEDC 1-2021 being the Open Session minutes of the Planning & Economic Development Committee meeting held on Wednesday, January 13, 2021, **BE RECEIVED** and the recommendations contained therein **BE APPROVED**.

9.5.1 Minute Item 6.2 respecting Regional Official Plan Amendment 18 and Local Official Plan Amendment 24 – Northwest Welland Urban Boundary Expansion Request

The motion contained in Minute Item 6.2 was considered separately as follows:

That Report PDS 3-2021, dated January 13, 2021, respecting Regional Official Plan Amendment 18 and Local Official Plan Amendment 24 – Northwest Welland Urban Boundary Expansion Request, **BE RECEIVED** and the following recommendations **BE APPROVED**:

1. That Regional Official Plan Amendment No. 18 – Northwest Welland Urban Area Boundary Expansion **BE APPROVED** (attached as Appendix 2 to Report PDS 3-2021);
2. That Local Official Plan Amendment No. 24 to the City of Welland Official Plan **BE APPROVED** as modified (attached as Appendix 3 to Report PDS 3-2021);
3. That all parties **BE NOTIFIED** of Regional Council's decision in accordance with Planning Act, 1990 requirements;
4. That staff **ISSUE** a declaration of final approval for Regional Official Plan Amendment No. 18 and Local Official Plan Amendment No. 24, 20 days after notice of Council's decision has been given, provided that no appeals have been filed against the decision, in accordance with Planning Act, 1990 requirements; and
5. That this report **BE CIRCULATED** to the City of Welland.

Moved by Councillor Huson  
Seconded by Councillor Junkin

That the motion **BE AMENDED** to add clause 6 as follows:

***6. That all required reports BE DISTRIBUTED to the Town of Pelham and City of Thorold.***

**Carried**

The Regional Chair called the vote on the motion as amended and declared it,

**Carried**

9.5.2 Balance of the recommendations of Planning and Economic Development Committee

The Regional Chair called the vote on the balance of the recommendations from the Planning and Economic Development Committee and declared it,

**Carried**

9.6 Budget Review Committee of the Whole

Minutes BRCOTW 1-2021, Thursday, January 14, 2021

Moved by Councillor Zalepa  
Seconded by Councillor Whalen

That Minutes BRCOTW 1-2021 being the Open Session minutes of the Budget Review Committee of the Whole meeting held on Thursday, January 14, 2021, **BE RECEIVED** and the recommendations contained therein **BE APPROVED**.

9.6.1 Minute Item 5.3 respecting Hospital Funding Contribution Policy

The motion from Minute Item 5.3 was considered separately as follows:

That Report CSD 13-2021, dated January 14, 2021, respecting Hospital Funding Contribution Policy, **BE RECEIVED** and the following recommendations **BE APPROVED**:

1. That Council **APPROVE** a regional funding contribution policy to a maximum of 21% of the total local contribution;

2. That Council **APPROVE** a funding commitment of \$12.6M toward the required local contribution for the West Lincoln Memorial Hospital (WLMH) project pending the completion of a formal contribution agreement; and
3. That staff **BE DIRECTED** to develop a comprehensive financing strategy for Regional contributions to hospital projects and be completed as part of the 2022 Budget process.

Moved by Councillor Junkin  
Seconded by Councillor Ugulini

That Regional Council **EXTEND** this meeting's curfew to 11:00 p.m.

**Carried**

Moved by Councillor Whalen  
Seconded by Councillor Zalepa

That approval of the regional funding contribution policy to a maximum of 21% of the total local contribution **BE DEFERRED** until a comprehensive financing strategy for Regional contributions to hospital projects is developed.

Recorded Vote:

Yes (8): Bylsma, Fertich, Gibson, Heit, Insinna, Whalen, Witteveen, Zalepa.

No (18): Butters, Campion, Chiocchio, Darte, Diodati, Disero, Easton, Edgar, Foster, Greenwood, Huson, Ip, Jordan, Junkin, Nicholson, Rigby, Ugulini, Villella.

**Defeated**

Moved by Councillor Diodati  
Seconded by Councillor Foster

That the rules of procedure **BE SUSPENDED** to permit Council to extend this meeting's curfew until business is completed.

Two-thirds majority having been achieved, the Regional Chair declared the vote,

**Carried**

The Regional Chair called the vote on the recommendations contained in Minute Item 5.3.

Clause 1 was considered separately as follows:

1. That Council **APPROVE** a regional funding contribution policy to a maximum of 21% of the total local contribution.

Recorded Vote:

Yes (13): Bylsma, Campion, Chiocchio, Diodati, Disero, Easton, Fertich, Foster, Jordan, Junkin, Nicholson, Ugulini, Witteveen.

No (14): Bradley, Butters, Darte, Edgar, Gibson, Greenwood, Heit, Huson, Insinna, Ip, Rigby, Villella, Whalen, Zalepa.

**Defeated**

Clause 2 was considered separately as follows:

2. That Council **APPROVE** a funding commitment of \$12.6M toward the required local contribution for the West Lincoln Memorial Hospital (WLMH) project pending the completion of a formal contribution agreement.

Recorded Vote:

Yes (20): Bylsma, Campion, Chiocchio, Darte, Diodati, Disero, Easton, Fertich, Foster, Gibson, Greenwood, Huson, Jordan, Junkin, Nicholson, Rigby, Ugulini, Villella, Whalen, Witteveen.

No (6): Butters, Edgar, Heit, Insinna, Ip, Zalepa.

**Carried**

Clause 3 was considered separately as follows:

3. That staff **BE DIRECTED** to develop a comprehensive financing strategy for Regional contributions to hospital projects and be completed as part of the 2022 Budget process.

**Carried**

9.6.2 Balance of the recommendations of Budget Review Committee of the Whole

The Regional Chair called the vote on the balance of the recommendations from the Budget Review Committee of the Whole and declared it,

**Carried**

**10. CHIEF ADMINISTRATIVE OFFICER'S REPORT(S)**

There were no Chief Administrative Officer reports.

**11. MOTIONS**

11.1 Shared Service Delivery

Moved by Councillor Zalepa  
Seconded by Councillor Foster

WHEREAS the Region contracted KPMG to conduct a sustainability review which was completed and presented to Council in 2019;

WHEREAS the sustainability review identified a potential savings between \$1.8 - \$7.1 million dollars through an opportunity for "Integration of Service with Local Area Municipalities";

WHEREAS Regional Council has a responsibility to explore all opportunities to utilize public tax dollars in a manner that is as efficient and effective as possible; and service delivery review affords an opportunity to improve service levels while ensuring that municipalities are efficiently employing their resources while respecting local autonomy;

WHEREAS Niagara's municipal CAO's have had preliminary meetings to discuss potential shared service delivery opportunities;

NOW THEREFORE BE IT RESOLVED:

1. That Regional Council **ADOPT** an exploration of shared service delivery as a Council commitment and priority for the remainder of the term;
2. That Regional Council **REQUEST**:
  - a) a summary report from the Chief Administrative Officer providing an update on shared service delivery discussions, progress to date and areas identified for further exploration;
  - b) a draft timeline to engage municipal partners and discussion topics for further exploration on shared service opportunities; and



c) these items be included on the March agenda of Regional Council for discussion.

**Carried**

**12. NOTICES OF MOTION**

**12.1 Hospital Capital Cost Share Funding Policy**

Councillor Villella advised that she would like to bring forward a motion for consideration at this Council meeting respecting the provincial hospital capital cost share funding policy.

The Regional Chair informed Council that in order to consider the motion at this meeting, notice would need to be waived with the affirmative support of two-thirds of the members present.

Moved by Councillor Greenwood  
Seconded by Councillor Rigby

That the notice requirements under Section 18.1 of the Procedural By-law **BE WAIVED** to permit the consideration of a motion from Councillor Villella respecting the provincial hospital capital cost share funding policy.

Two-thirds majority having been achieved, the Regional Chair declared the vote,

**Carried**

Moved by Councillor Villella  
Seconded by Councillor Huson

WHEREAS the Constitution Acts, 1867 to 1982, give provincial governments exclusive authority and responsibility for the provision of hospitals;

WHEREAS current provincial policy expects a local contribution equal to a minimum of 10% of the capital costs related to new hospital construction projects;

WHEREAS this funding policy places an unaffordable burden on communities who often look to their local municipalities to help fund a large portion of the mandated 10% "local share";

WHEREAS municipalities have limited opportunities to generate the revenue necessary to fund the 10% capital share required by provincial policy;

WHEREAS funding this share requires a municipality to either make significant sacrifices to core municipal programs and services, or consider significant increases to property tax bills; and

WHEREAS the Province of Ontario has a greater capacity to raise funds through broader and more progressive taxes, spread across a larger base in comparison to that of municipalities.

NOW THEREFORE BE IT RESOLVED:

That the Regional Chair **BE DIRECTED** to send a letter to Premier of Ontario and the Minister of Health requesting the Province of Ontario revise the Hospital Capital Cost Share funding policy to covers 100% of all new hospital construction costs.

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

***That a copy of the letter BE CIRCULATED to the local area MPPs.***

The Regional Chair called the vote on the motion as amended, and declared it,

**Carried**

**13. OTHER BUSINESS**

13.1 Public Statement

Councillor Gale made a statement regarding comments recently made concerning him in the media.

**14. CLOSED SESSION**

Moved by Councillor Gale  
Seconded by Councillor Darte

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

A Matter concerning Personal Matters about identifiable individuals under s. 239(2) of the Municipal Act, 2001 - Update on Whistleblower Policy Complaints

**Carried**

Council resolved into closed session at 11:23 p.m.

**15. BUSINESS ARISING FROM CLOSED SESSION**

Council reconvened in open session at 11:32 p.m. with the following individuals in attendance:

Council Members Present in the Council Chamber: Bradley (Regional Chair), Insinna

Council Members Present via Video Conference: Butters, Bylsma, Campion, Chiocchio, Darte, Diodati, Disero, Easton, Edgar, Fertich, Foster, Gale, Gibson, Greenwood, Heit, Huson, Ip, Jordan, Junkin, Nicholson, Rigby, Steele, Villella, Whalen, Witteveen, Zalepa

Absent/Regrets: Bellows, Redekop, Sendzik, Ugulini

Staff Present in the Council Chamber: M. Lewis, Client and Support Advisor, A.-M. Norio, Regional Clerk, R. Tripp, Acting Chief Administrative Officer

Staff Present via Video Conference: D. Barnhart, Executive Officer to the Regional Chair, D. Gibbs, Director, Legal & Court Services, T. Harrison, Commissioner/Treasurer, Corporate Services, F. Meffe, Director, Human Resources, B. Menage, Director, Procurement & Strategic Acquisitions, M. Trennum, Deputy Regional Clerk, B. Zvaniga, Interim Commissioner, Public Works

**15.1 REVISED Confidential CL-C 4-2021**

A Matter concerning Personal Matters about identifiable individuals under s. 239(2) of the Municipal Act, 2001 - Update on Whistleblower Policy Complaints

Moved by Councillor Edgar  
Seconded by Councillor Easton

That Revised Confidential Memorandum CL-C 4-2021, dated January 21, 2021, respecting A Matter concerning Personal Matters about identifiable individuals under s. 239(2) of the Municipal Act, 2001 - Update on Whistleblower Policy Complaints, **BE RECEIVED** for information.

**Carried**

**16. BY-LAWS**

Moved by Councillor Whalen  
Seconded by Councillor Bylsma

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

Bill 2021-01

A by-law to authorize long-term financing (1-10 years) in the amount of \$25,000,000; and (1-30 years) in the amount of \$52,820,651 Niagara Region Capital Projects.

Bill 2021-02

A by-law to adopt the 2021 capital budget for the Regional Municipality of Niagara.

Bill 2021-03

A by-law to establish fees and charges for services and activities provided by The Regional Municipality of Niagara and for the use of its property and to repeal Bylaw No. 2019-100.

Bill 2021-04

A by-law to accept, assume and dedicate Part of Lot 21, Concession 1, in the Town of Grimsby as part of Regional Road No. 40 (South Service Road).

Bill 2021-05

A by-law to authorize a 2021 Interim and waste management special upper-tier levy for the Regional Municipality of Niagara.

Bill 2021-06

A by-law to amend By-law 2020-62, being a by-law to amend By-law 2017-56, being a By-law to regulate the use of the waste management system for The Regional Municipality of Niagara.

Bill 2021-07

A by-law to adopt the 2021 operating budget and tax levy for The Regional Municipality of Niagara.

Bill 2021-08

A by-law to provide for the adoption of amendment 18 to the Official Plan for the Niagara Planning Area to implement the urban boundary expansion for the northwest area of the City of Welland.

Bill 2021-09

A by-law to adopt, ratify and confirm the actions of Regional Council at its meeting held on January 21, 2021.

**Carried**

**17. ADJOURNMENT**

There being no further business, the meeting adjourned at 11:34 p.m.

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Jim Bradley  
Regional Chair

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Matthew Trennum  
Deputy Regional Clerk

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Ann-Marie Norio  
Regional Clerk

**THE REGIONAL MUNICIPALITY OF NIAGARA  
PROCEEDINGS OF SPECIAL COUNCIL  
OPEN SESSION**

**CL 2-2021  
Thursday, January 28, 2021  
Council Chamber/Video Conference  
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 Video Conference: 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 & Court Services, T. Harrison, Commissioner/Treasurer, Corporate Services, M. Lewis, Client & Support Advisor, F. Meffe, Director, Human Resources, B. Menage, Director, Procurement & Strategic Acquisitions, A.-M. Norio, Regional Clerk, R. Tripp, Acting Chief Administrative Officer, B. Zvaniga, Interim Commissioner, Public Works

Staff Present via Video Conference: D. Barnhart, Executive Officer to the Regional Chair

Others Present via Video Conference: Kroll Consulting Canada Co. Representatives: P. McFarlane, Managing Partner, C. Lee, Associate Managing Partner, C. Strachan, Senior Manager

CIMA+ Representatives: T. Briggs, Partner/Senior Director, Wastewater/Infrastructure, and B. Young, Project Manager, Infrastructure

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**1. CALL TO ORDER**

Regional Chair Bradley called the meeting to order at 6:31 p.m.

**2. ADOPTION OF AGENDA**

Moved by Councillor Bellows  
Seconded by Councillor Huson

That Council Agenda CL 2-2021, **BE ADOPTED.**

**Carried**

**3. DISCLOSURES OF PECUNIARY INTEREST**

There were no disclosures of pecuniary interest.

**4. CLOSED SESSION**

Moved by Councillor Rigby  
Seconded by Councillor Whalen

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

A Matter concerning Personal Matters about Identifiable Individuals under s. 239(2) of the Municipal Act, 2001- Investigation of Whistleblowers' Complaints regarding a Service Provider.

**Carried**

Council resolved into closed session at 6:35 p.m.

**5. BUSINESS ARISING FROM CLOSED SESSION**

Council reconvened in open session at 9:38 p.m. with the following individuals in attendance:

Council Members Present in the Council Chamber: Bradley (Regional Chair)

Council Members Present via Video Conference: 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

Absent/Regrets: Bellows

Staff Present in the Council Chamber: D. Gibbs, Director, Legal & Court Services, T. Harrison, Commissioner/Treasurer, Corporate Services, M. Lewis, Client & Support Advisor, F. Meffe, Director, Human Resources, B. Menage, Director, Procurement & Strategic Acquisitions, A.-M. Norio, Regional Clerk, R. Tripp, Acting Chief Administrative Officer, B. Zvaniga, Interim Commissioner, Public Works

Staff Present via Video Conference: D. Barnhart, Executive Officer to the Regional Chair

Others Present via Video Conference: Kroll Consulting Canada Co. Representatives: P. McFarlane, Managing Partner, C. Lee, Associate Managing Partner, C. Strachan, Senior Manager

CIMA+ Representatives: T. Briggs, Partner/Senior Director, Wastewater/Infrastructure, and B. Young, Project Manager, Infrastructure

5.1 Confidential CL-C 8-2021

A Matter concerning Personal Matters about Identifiable Individuals under s. 239(2) of the Municipal Act, 2001- Investigation of Whistleblowers' Complaints regarding a Service Provider

Moved by Councillor Rigby  
Seconded by Councillor Insinna

That Confidential CL-C 8-2021, being a memorandum from R. Tripp, Acting Chief Administrative Officer, dated January 28, 2021, respecting A Matter concerning Personal Matters about Identifiable Individuals under s. 239(2) of the Municipal Act, 2001- Investigation of Whistleblowers' Complaints regarding a Service Provider, **BE RECEIVED.**

**Carried**

6. BY-LAWS

6.1 Bill 2021-10

Moved by Councillor Ugulini  
Seconded by Councillor Fertich

That Bill 2021-10 being a by-law to adopt, ratify and confirm the actions of Regional Council at its special meeting held on January 28, 2021, **BE NOW READ and DO PASS.**

**Carried**



7. **ADJOURNMENT**

There being no further business, the meeting adjourned at 9:46 p.m.

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Jim Bradley  
Regional Chair

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Ann-Marie Norio  
Regional Clerk

**Jeff Burch M.P.P.**

Niagara Centre

**OPEN LETTER**

October 15, 2020

Hon. John Yakabuski, MPP  
Minister of Natural Resources and Forestry  
99 Wellesley Street, West  
Whitney Block, Suite 6630, 6th Floor  
Toronto, ON M7A 1W3

Hon. Lisa MacLeod, MPP  
Minister of Heritage, Sport, Tourism and Culture Industries  
438 University Avenue, 6th Floor  
Toronto, ON M5G 2K8

Hon. Jeff Yurek, MPP  
Minister of the Environment, Conservation and Parks  
777 Bay Street, 5th Floor  
Toronto, ON M7A 2J3

Dear Ministers Yakabuski, MacLeod and Yurek:

Given the drastic changes we see every day with climate change, I believe any initiative that promotes the protection of our wetlands including the Niagara River Corridor is imperative.

The Ramsar Convention is a voluntary Treaty, committed to promoting the conservation and wise use of water-based ecosystems through international engagement and collaboration. The Treaty was signed in Ramsar, Iran; in 1971. Canada signed it in 1981, the United States in 1987.

Niagara Falls and Fort Erie endorsed the Ramsar Designation in 2015 along with the Niagara Peninsula Conservation Authority and Ontario Power Generation. It's still under review by Niagara Regional Council but endorsed by its Planning and Economic Development Committee.

I was shocked to see the Niagara Parks Commission decided not to endorse this extremely important initiative that has been in the works for years by groups on both sides of the Niagara River. It must be stressed, that a Ramsar designation does not impose any restrictions on the management of any sites involved. It is non-regulatory and non-binding.

The U.S. Department of State and the U.S. Fish and Wildlife Service as well as State and Local Governments celebrated the designation of the Niagara River Corridor as a Wetland of International Importance over a year ago.

.../2



Given where the Niagara River was in the 1970's and 80's to where it is today is astounding and incredible work on both sides made it happen. A news article from May 7, 1987 had the staggering headline that Mist from Niagara Falls was toxic. "TORONTO (AP) \_ A University of Toronto study says the romantic mist rising from Niagara Falls contains large amounts of cancer-causing chemicals, posing an unknown risk to 150,000 people living in the border area."

Decades of restoration efforts by provincial, state and federal governments as well as environmental groups helped to significantly improve the quality and ecological health of the Niagara River we see today. That must continue for future generations.

The MNRF has the lead role for the care and management of Ontario's Crown land and water covering about 87 per cent of the province. Many of the province's significant wetlands are located on provincial Crown lands.

I am asking if the Ontario Government and Provincial Ministries involved will join me in endorsing the Ramsar Designation of the Niagara River and support our American friends in creating the first bi-national-transboundary Ramsar site in North America.

Sincerely,



Jeff Burch, MPP

Attach.

Copy: Jim Bradley, Niagara Regional Chair and Regional Councillors  
 Mayor Wayne Redekop, Town of Fort Erie and Council  
 Mayor Jim Diodati, City of Niagara Falls and Council  
 Lord Mayor Betty Disero, Town of Niagara on the Lake and Council  
 Wayne Gates, MPP, Niagara Falls  
 David Adames, Niagara Parks Commission CEO  
 Christine Hogan, Deputy Minister of Environment and Climate Change  
 Jacey Scott, Environment and Climate Change Canada  
 Jocelyn Baker, Canadian Co-chair, Niagara River Ramsar Designation Steering Committee  
 Jajean Rose-Burney, U.S. Co-chair, Niagara River Ramsar Designation Steering Committee

**Ministry of the Environment,  
Conservation and Parks**

**Ministère de l'Environnement,  
de la Protection de la nature et des  
Parcs**

Office of the Minister

Bureau du ministre

777 Bay Street, 5th Floor  
Toronto ON M7A 2J3  
Tel.: 416-314-6790

777, rue Bay, 5<sup>e</sup> étage  
Toronto (Ontario) M7A 2J3  
Tél. : 416.314.6790



357-2020-2754

December 4, 2020

Mr. Jeff Burch, MPP  
Niagara Centre  
c/o Mr. Mike Haines  
Email: [hainesm@ndp.on.ca](mailto:hainesm@ndp.on.ca)

Dear MPP Burch:

Thank you for your letter to me, Minister Yakabuski and Minister McLeod endorsing the Ramsar Designation of the Niagara River.

I appreciate you sharing with me the materials regarding further support for the designation, including that of the Niagara Peninsula Conservation Authority and local municipalities.

The Ministry of Natural Resources and Forestry is the provincial lead for wetlands, and I understand that you will be receiving a response from Minister Yakabuski on behalf of the government.

Thank you again for writing and please accept my best wishes.

Sincerely,

A handwritten signature in black ink, appearing to read "Jeff Yurek".

Jeff Yurek  
Minister of the Environment, Conservation and Parks

c: The Honourable John Yakabuski, Minister of Natural Resources and Forestry  
The Honourable Lisa McLeod, Minister of Heritage, Sport, Tourism and  
Culture Industries



## Legal and Legislative Services

February 12, 2016  
Sent via email: [jbaker@npca.ca](mailto:jbaker@npca.ca)

Ms. Jocelyn Baker, Project Manager  
Niagara River Remedial Action Plan (RAP)  
Watershed Management/Watershed Projects Division  
Niagara Peninsula Conservation Authority  
250 Thorold Road, West 3<sup>rd</sup> Floor  
Welland, ON L3C 3W2

Dear Ms. Baker:

### Re: Niagara River Ramsar Designation

The Municipal Council of the Town of Fort Erie at its Council meeting of November 9, 2015 adopted by resolution, the following recommendation from the Council-in-Committee meeting of November 2, 2015:

**That:** Council supports the Ramsar Designation of the Niagara River, and further

**That:** Council directs staff to forward a copy of Report No. CDS-79-2015 to the Niagara Peninsula Conservation Authority, Town of Niagara-on-the-Lake, City of Niagara Falls, Regional Municipality of Niagara, the Niagara Parks Commission, and the Fort Erie Environmental Advisory Committee.

Yours very truly,

A handwritten signature in black ink, appearing to read 'Laura Bubanko', is written over a horizontal line.

Laura Bubanko, CMO, Dipl. M.A.  
Manager, Legislative Services/Clerk  
[lbubanko@town.forterie.on.ca](mailto:lbubanko@town.forterie.on.ca)

LB:dlk

cc: R. Brady, Director of Community and Development Services

---

Mailing Address:

The Corporation of the Town of Fort Erie  
1 Municipal Centre Drive, Fort Erie ON L2A 2S6  
Office Hours 8:30 a.m. to 5:00 p.m. Phone: (905) 871-1600 FAX: (905) 871-6411 Web-site: [www.forterie.on.ca](http://www.forterie.on.ca)



February 11, 2016

Ms. Jocelyn Baker, Project Manager  
Niagara River Remedial Action Plan (RAP)  
Watershed Management | Watershed Projects Division  
Niagara Peninsula Conservation Authority  
250 Thorold Road, West 3rd Floor  
Welland, ON L3C 3W2

Dear Ms. Baker:

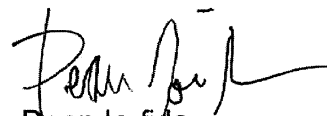
**Re: Ramsar Designation for the Niagara River**

I wish to confirm that on July 28, 2015, Niagara Falls City Council unanimously passed the following motion, in conjunction with a presentation by Niagara Peninsula Conservation Authority officials:

**That Council supports the Ramsar designation for the Niagara River.**

I have included an excerpt of the related Council minutes and agenda. Please keep Council up to date on your efforts.

Sincerely,



Dean Iorfida  
City Clerk

*Working Together to Serve Our Community*

Clerks Department  
Ext 4271 Fax 905-356-9083  
diorfida@niagarafalls.ca



(<https://www.fws.gov>)

(<https://www.fws.gov>)

Conserving the Nature of America (<https://www.fws.gov>) (<https://www.fws.gov>)

◀ Back

Press Release

Niagara River Corridor Recognized as 40th Wetland of International Importance by the United States

October 2, 2019

**Contact(s):**

Meagan Racey, 413-658-4386



Clean water relies on healthy wetlands. Not only does Niagara River have some of the most recognized waterfalls in the world, it supplies drinking water to nearly one million people and supports agriculture and industry along the waterway. Credit: Courtesy of Niagara Falls State Park Higher Quality Version of Image (<https://www.facebook.com/NiagaraFallsStateParkUSA/photos/a.228355113845130/3205798082767470/?type=3&theater>)

*Niagara Falls, New York.* – The United States side of the Niagara River Corridor, iconic for its world-renowned waterfalls and globally significant bird and fish populations, was today designated by the United States as a Wetland of International Importance under the world's oldest environmental treaty, the Ramsar Convention. Visited by millions of people, and the source of electrical power for vast populations of two countries, the Niagara River is vital to North America's economy. It is enjoyed by hundreds of thousands of boaters, hikers, anglers, birdwatchers and swimmers each year. The river is a laboratory for research and education that informs the world and it serves as a model of successful conservation and restoration in the midst of large cities.

"Anyone who has spent time around the Niagara River Corridor understands it is arguably one of the most incredible places in the world," said Congressman Brian Higgins. "This Ramsar designation formally solidifies, and highlights for the world, the Niagara River Corridor's standing as a site of international significance. I commend the local stewards who sought out and secured this designation."

Representatives from the Niagara River Greenway Commission, U.S. Fish and Wildlife Service, University at Buffalo, the binational Niagara River Corridor Ramsar Site Steering Committee, New York State Parks, and New York State Department of Environmental Conservation, joined Congressman Higgins, local officials, and community members to celebrate the designation at the Goat Island on Oct. 3, 2019.

"The Niagara River has captivated American and global citizens alike as a national symbol, a cultural landmark and as a milestone in America's modern conservation movement," said Steve Guertin, the Service's Deputy Director. "It's only fitting that one of the most recognizable waterfalls in the world be included in the Ramsar convention's wetlands of international importance."

The Niagara River Corridor joins 39 other U.S. wetlands, including the recently designated Elkhorn Slough, and more than 2,300 other wetlands around the world to become part of a network that formed as a result of the treaty, signed in Ramsar, Iran in 1971.

"This designation will draw attention to the Niagara River, beyond just the Niagara Falls, enhancing the quality of life for the region's residents and increasing the breadth of appreciation for this amazing natural resource," said Greg Stevens, Executive Director of the Niagara River Greenway Commission, the organization that spearheaded the river's nomination along with the bi-national Steering Committee formed in 2014. "Every day, hundreds of kayakers, birdwatchers, anglers and other visitors enjoy the fish, migratory birds, world-renowned waterfalls and history of the Niagara River Corridor. The corridor has long been recognized by local, state and federal organizations as exceptional, and this designation is consistent with the state approved Niagara River Greenway Plan."

The designation was approved by the U.S. Department of State and the Service this year.

"We are thrilled to see the local community come together with federal, state, and local governments to support recognition of the

Niagara River as a Ramsar Convention Wetland of International Importance,” said Marcia Bernicat, Principal Deputy Assistant Secretary of State for Oceans and International Environmental and Scientific Affairs. “The Niagara River corridor is a shining example of how public-private partnerships foster solutions that benefit both people and the environment.”

The ecology of the corridor has been shaped by millennia of human activity, from indigenous civilizations to urban development and global tourism and transportation. Bloody battles were fought during the War of 1812 along the Niagara River Corridor. It was at Niagara that freedom was won for the many thousands of slaves travelling the Underground Railroad. The raw beauty of the Niagara inspired the creation of the continent’s first state and provincial parks and innovative efforts to harness the brute force of the river established Niagara as the birthplace of hydroelectric energy.

Despite the region’s advances, two centuries of industrialization and population growth along the Niagara River Corridor led to serious environmental degradation, yet the river and its people are resilient. The infamous Love Canal helped to spur the environmental justice movement, and plans are being implemented to reverse past and prevent future degradation. Today, the river is healthier than it has been in generations, and conservation in concert with economic development is leading to the region’s renaissance.

“There has been overwhelming support for this designation from communities along the Niagara River since day one,” said Jajaan Rose-Burney, Deputy Director at the Western New York Land Conservancy and the U.S. co-chair of the binational Steering Committee. “The designation highlights the ongoing restoration of the health of the Niagara River. It will help everyone see that the river is one of the most important natural places on Earth.”

To be designated as a part of the Ramsar Convention, a wetland must meet at least one of nine criteria, including hosting more than 20,000 shorebirds at a time, serving as fish nursery habitat, and supporting threatened species. The convention emphasizes a wise-use principle, the maintenance of wetland’s ecological character, achieved through the implementation of ecosystem approaches, within the context of sustainable development. In the U.S., the Service has emphasized the overlapping priorities of jobs, recreation, education and conservation in the wise use of wetlands.

“It was an honor to lead 11 semesters of University at Buffalo School of Law Environmental Advocacy Clinic student attorneys to support this designation,” said Professor Kim Diana Connolly from University at Buffalo School of Law, a legal expert on the Ramsar Convention. “Students performed top-notch legal and policy service-learning work over six years, and supported an innovative partnership among the leading environmental intuitions, local elected leaders, state, federal, and national governmental leaders, and the community at large. This is an exciting and well-deserved moment for western New York and the Ramsar community.”

The tourism industry in the Niagara region supports more than 50,000 jobs and generates nearly \$900 million annually in direct labor income. Hundreds of thousands of people in both the United States and Canada receive their drinking water from the Niagara River, which also serves as a key resource for agriculture and industry. The river has long been a hotspot for training the next generation of conservationists; important centers of research and education are housed in the region’s leading academic institutions.

“In 2016, the Niagara River watershed was awarded the Thiess International Riverprize, a global recognition of the Niagara’s waters and the community’s efforts to restore it,” said Jill Jedlicka, executive director of Buffalo Niagara Waterkeeper. “This Ramsar designation is another great step towards elevating the international profile and importance of protecting the Niagara River, and the two Great Lakes it connects. Decades of restoration efforts by state and federal agencies and environmental groups have helped improve the quality and ecological health of the river, and this designation will help all of us to be effective stewards for generations to come.”

Learn more about the Ramsar Convention. (<https://www.ramsar.org>)

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U.S. Fish and Wildlife Service Home Page (<https://www.fws.gov>) | Department of the Interior (<http://www.doi.gov/>) | USA.gov (<http://www.usa.gov/>) | About the U.S. Fish and Wildlife Service ([https://www.fws.gov/help/about\\_us.html](https://www.fws.gov/help/about_us.html)) | Accessibility





**Chair and Board Members**

**Niagara Peninsula Conservation Authority**

**250 Thorold Road West; 3rd Floor**

**Welland, ON L3C 3W2**

**November 8, 2019**

**Dear Chair and Board Members:**

**As requested by the Niagara River Ramsar Designation Steering Committee, I am writing to provide you with information that aims to clarify the regulatory implications of Ramsar site designation in Canada and the responsibilities of management authorities of those sites once designated.**

**The global network of Wetlands of International Importance (Ramsar sites) is one of the cornerstones of the Ramsar Convention. Canada currently has 37 Ramsar sites covering over 13 million hectares and representing 80% of the total wetland area in Canada. Ramsar sites are located in all Provinces and Territories. Should the nomination of the Niagara River Ramsar Site be successful, it will be the first transboundary Ramsar site in North America.**

**As you may be aware, designation as a Ramsar site in and of itself offers no legal protection. Ramsar designation is voluntary and carries with it no financial support or regulatory implications. In fact, the designation of a site serves to highlight the values of the Site but affects neither the management regime nor resource use for these areas or for lands adjacent to the Ramsar site.**

**A Ramsar site designation is a "good faith" designation to maintain the ecological character of a site in the context of wise use. Ramsar defines wise use of Ramsar sites as "the maintenance of their ecological character, achieved through ecosystem approaches, within the context of sustainable development". At Canadian Ramsar sites, typical activities that occur include recreational activities such as boating, bird watching, consumptive activities such as hunting and fishing, and agriculture. The aim is not to prohibit activities, but rather to encourage activities in the framework of "wise use".**

**Site managers, those responsible for the management of the lands/waters within the boundaries of the Ramsar site and named on the Ramsar Information Sheet are required to assure the maintenance of the ecological, hydrological, and socioeconomic characteristics and functions of the Site and promote the wise use of resources on this wetland area. Site managers are also responsible for communicating any human-induced changes on the site that affect ecological character to the Administrative Authority (Environment and Climate Change Canada). Additional guidance material on the wise use of wetlands and management planning for Ramsar sites can be found on the Secretariat's website at [www.ramsar.org](http://www.ramsar.org).**

I hope you find this information helpful. Ramsar is a co-operative endeavour and Canada's success in implementing the Convention is due in large part to partnerships. We thank you for your interest and dedication in this pursuit. If you have any further questions on the Ramsar Convention or the nomination of Ramsar sites in Ontario, please contact Graham Bryan at [Graham.Bryan@canada.ca](mailto:Graham.Bryan@canada.ca) or 416-739-4918.

Sincerely,



Grant Hogg

Executive Director, Conservation Partnerships and Programs  
Environment Climate Change Canada

Ramsar Convention on Wetlands Canadian Acting/Head of Administrative Authority and National Focal Point

Cc: Jocelyn Baker, Canadian Co-chair, Niagara River Ramsar Designation Steering Committee  
Jajeane Rose-Burney, U.S. Co-chair, Niagara River Ramsar Designation Steering Committee



REGIONAL MUNICIPALITY OF NIAGARA  
**POLICE SERVICES BOARD**

5700 VALLEY WAY, NIAGARA FALLS, ONTARIO L2E 1X8

Tel: (905) 688-4111 Fax: (289) 248-1011  
E-mail: [psb@niagarapolice.ca](mailto:psb@niagarapolice.ca)  
Website: [www.niagarapolice.ca](http://www.niagarapolice.ca)

February 22, 2021

**SENT BY EMAIL**  
[ann-marie.norio@niagaregion.ca](mailto:ann-marie.norio@niagaregion.ca)

Ann-Marie Norio, Regional Clerk  
Niagara Region  
1815 Sir Isaac Brock Way  
P.O. Box 1042  
Thorold, ON L2V 4T7

**Re: P25 Voice Radio System Expansion Capital Project**

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Dear Ms. Norio:

At its Public Finance Committee Meeting held February 11, 2021, the Niagara Police Services Board considered a Service report dated February 5, 2021 requesting the Board approve a recommendation to Regional Council for the creation of a capital project in the amount of \$2,402,810 gross and \$0 net to support the P25 Voice Radio System Expansion.

The following motion was passed:

**'That the Board recommend to Regional Council that a capital budget adjustment in the amount of \$2,402,810 gross and \$0 net be approved and initiated for the P25 Voice Radio System Expansion Project and that it be funded through Other External Funding in the amount of \$2,402,810. Carried.'**

Further to Board direction, I would ask that you take the necessary action. A copy of the report is enclosed.

Yours truly,

Deb Reid  
Executive Director

Encl.

c: Mr. T. Harrison, Commissioner/Treasurer, Enterprise Resource Management, RMON



## NIAGARA REGIONAL POLICE SERVICE Police Services Board Report

### PUBLIC AGENDA

**Subject:** P25 Voice Radio System Expansion Capital Project

**Report To:** Finance Committee Chair and Members, Niagara Police Services Board

**Report Date:** 2021-02-05

### Recommendation(s)

**That the Niagara Police Services Board recommends to Regional Council that a gross capital budget adjustment in the amount of \$2,402,810 gross and \$0 net be approved (and initiated) for the P25 Voice Radio System Expansion and that the project be funded through Other External Funding of \$2,402,810.**

### Key Facts

- The purpose of this report is to seek the Board's recommendation to Regional Council for the creation of a capital project in the amount of \$2,402,810 gross and \$0 net to support the P25 Expansion.
- At the January 21 Confidential Board Meeting, the Board approved the MOU with the Canadian Border Services Agency (CBSA) regarding the P25 Voice Radio System Licence Agreement and System Expansion as well as the related capital budget adjustment for 2021.
- The Service is bringing forward the capital budget adjustment request in a public agenda so that all budget deliberations can be done at the Region in public.
- This project will be fully funded by the CBSA.

### Financial Considerations

The CBSA is assuming full responsibility for the necessary P25 VRS capital acquisition and operating expenses associated with Radio Sites infrastructure expansion equipment, Software Licenses, Professional SI (System Integration) Services, installation, provisioning, and Lifecycle Support Services. The capital investment is required to expand the channel capacity of the P25 VRS to meet the technical requirements for onboarding up to 500 CBSA Subscribers as a maximum upset limit.

There are three payment components:

1. Radio sites infrastructure expansion equipment and software licenses totalling \$2,062,821 (Capital).

2. Professional SI (System Integration) Services, installation, and provisioning totalling \$339,989 (Capital).
3. Warranty/Lifecycle support services totalling \$1,054,018 (Operating).

A capital project will be created for the equipment and installation with third party revenue from CBSA as the funding source. The NRPS will issue a Purchase Order (PO) to Motorola for the entire project and invoice CBSA concurrently based on the payment milestones for the first two components as noted below:

- 25% on contract signing
- 60% on shipment of equipment
- 10% on installation
- 5% on system acceptance

The impact to the Operating Budget will include the Warranty/Lifecycle Support Services annual expense, matching offsetting revenue from CBSA, as well as the annual license fee revenue to recover the Services operating expenses for running the P25 system.

For the Warranty/Lifecycle Support Services, the payments will be annualized throughout the support services lifecycle of ten (10) years. These payments will be an operating expense for the Service which will then be charged back to the CBSA annually.

## **Analysis**

At the January 21 Confidential Board Meeting, the Board approved the MOU with the CBSA regarding the P25 Voice Radio System Licence Agreement and System Expansion as well as the related capital budget adjustment for 2021. The Service is bringing forward the capital budget adjustment request in a public agenda so that all budget deliberations can be done at the Region in public.

*As per Regional By-law 2017-63 section 6.6 b) In-year receipt of funding for Capital Projects may result in the creation or broadening in scope of a Capital Project in accordance with and when required by the terms of funding received. If the funding is not included in the Council-approved annual budget, with the approval of the Commissioner and Treasurer (for amounts not exceeding \$1 million) a Budget Adjustment will be made to reflect the additional revenue and expenses. Amounts exceeding \$1 million will be adjusted with Council's approval.*

As the Capital Project exceeds the \$1 Million threshold, the Service is requesting the Board forward this proposal to Regional Council for approval.

## **Alternatives Reviewed**

None considered.

## **Relationship to Police Service/Board Strategic Priorities**

The NRPS is dedicated to improving the services it provides its citizens and looks for opportunities to enhance the offering and delivery of those services, while at the same time improving the effectiveness and efficiency of its workforce.

## **Relevant Policy Considerations**

- Regional Municipality of Niagara Police Services Board By-Law 384-2019, 'Financial Reporting, Control and Procurement of Goods and Services in the Niagara Regional Police Service.'
- Regional Municipality of Niagara By-Law No. 2017-63, 'A By-Law to Define Budget Control for the Regional Municipality of Niagara'.

## **Other Pertinent Reports**

*This report was prepared by Courtney Woods, Financial Analyst in consultation with Laura Rullo, Finance Manager and Akram Askoul, Director Technology Services, reviewed by Richard Frayne, Superintendent Corporate Services and recommended by Bill Fordy, Deputy Chief of Police, Support Services.*



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**Submitted by:**  
Bryan MacCulloch, M.O.M. #5835  
Chief of Police

**THE REGIONAL MUNICIPALITY OF NIAGARA  
BUDGET REVIEW COMMITTEE OF THE WHOLE  
MINUTES - OPEN SESSION**

**BRCOTW 2-2021  
Thursday, January 21, 2021  
Council Chamber / Video Conference  
Niagara Region Headquarters, Campbell West  
1815 Sir Isaac Brock Way, Thorold, ON**

Committee Members Present in the Council Chamber: Insinna, Zalepa (Committee Chair)

Committee Members Present via Video Conference: Bradley (Regional Chair), Butters, Bylsma, Campion, Darte, Diodati, Disero, Easton, Edgar, Fertich, Foster, Gale, Gibson, Greenwood, Heit, Huson, Ip, Jordan, Junkin, Nicholson, Redekop, Rigby, Sendzik, Steele, Ugulini, Vilella, Whalen (Committee Vice Chair)

Absent/Regrets: Bellows, Chiocchio, Witteveen

Staff Present in the Council Chamber: H. Chamberlain, Director, Financial Management & Planning/Deputy Treasurer, 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, C. Sportel, Supervisor, Corporate Budgets, R. Tripp, Acting Chief Administrative Officer

Staff Present via Video Conference: E. Amirault, Associate Director, Financial Operations & Systems, D. Giles, Acting Commissioner, Planning and Development Services, S. Hendrie, Chief Information Officer, Dr. M. Hirji, Acting Medical Officer of Health, A. Jugley, Commissioner, Community Services, F. Meffe, Director, Human Resources, M. Robinson, Director, GO Implementation Project, C. Ryall, Director, Transportation Services, K. Smith, Chief/Director, Emergency Medical Services, G. Spezza, Director, Economic Development, M. Steele, Associate Director, Reporting and Analysis, M. Trennum, Deputy Regional Clerk, D. Woiceshyn, Chief Executive Officer, Niagara Regional Housing, N. Wolfe, Director, Construction, Energy, and Facilities Management, B. Zvaniga, Interim Commissioner, Public Works

1. **CALL TO ORDER**

Committee Chair Zalepa called the meeting to order at 3:00 p.m.

2. **DISCLOSURES OF PECUNIARY INTEREST**

See Minute Item 5.1.

3. **PRESENTATIONS**

There were no presentations.

4. **DELEGATIONS**

There were no delegations.

5. **ITEMS FOR CONSIDERATION**

5.1 **CSD 5-2021**

2021 Levy Operating Budget

Moved by Councillor Bylsma  
Seconded by Councillor Whalen

That Report CSD 5-2021, dated January 14, 2021, respecting 2021 Levy Operating Budget, **BE RECEIVED** and the following recommendations **BE APPROVED**:

1. That the 2021 net levy budget relating to the Niagara Regional Departments of \$208,777,440, as consolidated in Appendix 1 of Report CSD 5-2021, **BE APPROVED** including the following in accordance with the 2021 budget planning strategy:
  - 1.1 That an increase of \$2,038,765 or 1.0% over the 2020 departmental operating budget **BE APPROVED** to support operating expenses; and
  - 1.2 That an increase of \$2,046,918 or 1.0% over the 2020 departmental operating budget **BE APPROVED** to support pay-as-you-go capital financing;
2. That a contribution of \$18,808,401 from the Taxpayer Relief Reserve, which includes Safe Restart Funding, **BE APPROVED** to fund the net pressures related to the COVID-19 pandemic of \$17,196,924 for Regional Departments, and \$1,611,477 for the Agencies, Boards and Commissions COVID-19 pressures, as detailed in Appendix 2 of Report CSD 5-2021, for a net taxpayer impact of \$0;



3. That an additional 1.44%, or \$5,664,748 of assessment growth, **BE APPROVED** to costs, as detailed in Appendix 3 of Report CSD 5-2021, in alignment with section 4.7 of By-law No. 2019-79 Budget Planning By-law;
4. That the 2021 net levy operating budget, including the Niagara Regional Departments of \$214,402,632 and Agencies, Boards, and Commissions of \$195,217,203 for a total \$409,619,835, **BE APPROVED**;
5. That staff **BE DIRECTED** to prepare a report for the Corporate Services Committee respecting establishment of a 'Hospital Contribution Reserve'; and
6. That the necessary by-law **BE PREPARED** and **PRESENTED** to Council for consideration.

Moved by Councillor Huson  
Seconded by Councillor Disero

That the budget **BE INCREASED** to 3% from 2.9% to increase the contribution to the hospital funding reserve by \$392,570.

Councillor Steele declared an indirect pecuniary interest with respect to the amendment to the motion respecting hospital funding reserve budget increase and all matters related to Regional contributions to hospital projects, as his wife is employed by Niagara Health.

At this point in the meeting, Councillor Insinna assumed the Chair.

Councillor Redekop declared an indirect pecuniary interest with respect to the amendment to the motion respecting hospital funding reserve budget increase and all matters related to Regional contributions to hospital projects, as his daughter conducts contract work for Niagara Health.

At this point in the meeting, Committee Chair Zalepa assumed the Chair

Councillor Gale declared an indirect pecuniary interest with respect to the amendment to the motion respecting hospital funding reserve budget increase and all matters related to Regional contributions to hospital projects, as his daughter is a member of the hospital board, and his son is employed by Niagara Health.

Councillor Sendzik declared an indirect pecuniary interest with respect to the amendment to the motion respecting hospital funding reserve budget increase and all matters related to Regional contributions to hospital projects, as a member of his family is employed by Niagara Health.

The Committee Chair called the vote on the amendment, as follows:

That the budget **BE INCREASED** to 3% from 2.9% to increase the contribution to the hospital funding reserve by \$392,570.

Recorded Vote:

Yes (8): Bradley, Bylsma, Disero, Foster, Heit, Huson, Insinna, Jordan.

No (14): Butters, Darte, Easton, Fertich, Gibson, Greenwood, Ip, Junkin, Nicholson, Rigby, Ugulini, Villella, Whalen, Zalepa.

**Defeated**

Moved by Councillor Huson

Seconded by Councillor Butters

That the Smarter Niagara Incentive Program (SNIP) funding of \$300,000 **BE REMOVED** from the budget.

**Defeated**

The Committee Chair called the vote on clause 1 of the motion, as follows:

1. That the 2021 net levy budget relating to the Niagara Regional Departments of \$208,777,440, as consolidated in Appendix 1 of Report CSD 5-2021, **BE APPROVED** including the following in accordance with the 2021 budget planning strategy:

- 1.1 That an increase of \$2,038,765 or 1.0% over the 2020 departmental operating budget **BE APPROVED** to support operating expenses; and
- 1.2 That an increase of \$2,046,918 or 1.0% over the 2020 departmental operating budget **BE APPROVED** to support pay-as-you-go capital financing.

**Carried**

The Committee Chair called the vote on clause 2 of the motion, as follows:

2. That a contribution of \$18,808,401 from the Taxpayer Relief Reserve, which includes Safe Restart Funding, **BE APPROVED** to fund the net pressures related to the COVID-19 pandemic of \$17,196,924 for Regional Departments, and \$1,611,477 for the Agencies, Boards and Commissions COVID-19 pressures, as detailed in Appendix 2 of Report CSD 5-2021, for a net taxpayer impact of \$0.

Moved by Councillor Sendzik  
Seconded by Councillor Insinna

That the motion **BE AMENDED** to add item 2.1 as follows:

That an additional \$4,319,211 draw from the Taxpayer Relief Reserve **BE APPROVED** to reduce the 2021 net levy operating budget to 1.8%.

Recorded Vote:

Yes (15): Bradley, Campion, Diodati, Easton, Fertich, Gale, Gibson, Insinna, Jordan, Junkin, Redekop, Sendzik, Ugolini, Villella, Whalen.

No (14): Butters, Bylsma, Darte, Disero, Edgar, Foster, Greenwood, Heit, Huson, Ip, Nicholson, Rigby, Steele, Zalepa.

**Carried**

The Committee Chair called the vote on clause 2 of the motion, as amended, as follows:

2. That a contribution of \$18,808,401 from the Taxpayer Relief Reserve, which includes Safe Restart Funding, **BE APPROVED** to fund the net pressures related to the COVID-19 pandemic of \$17,196,924 for Regional Departments, and \$1,611,477 for the Agencies, Boards and Commissions COVID-19 pressures, as detailed in Appendix 2 of Report CSD 5-2021, for a net taxpayer impact of \$0.

2.1 That an additional \$4,319,211 draw from the Taxpayer Relief Reserve **BE APPROVED** to reduce the 2021 net levy operating budget to 1.8%.

**Carried**

The Committee Chair called the vote on clause 3 of the motion as follows:

3. That an additional 1.44%, or \$5,664,748 of assessment growth, **BE APPROVED** to costs, as detailed in Appendix 3 of Report CSD 5-2021, in alignment with section 4.7 of By-law No. 2019-79 Budget Planning By-law.

**Carried**

The Committee Chair called the vote on clause 4 of the motion as follows:

4. That the 2021 net levy operating budget, including the Niagara Regional Departments of \$214,402,632 and Agencies, Boards, and Commissions of \$195,217,203 for a total \$409,619,835, **BE APPROVED**.

**Carried**

The Committee Chair called the vote on clause 5 of the motion as follows:

5. That staff **BE DIRECTED** to prepare a report for the Corporate Services Committee respecting establishment of a 'Hospital Contribution Reserve'.

**Carried**

The Committee Chair called the vote on clause 6 of the motion as follows:

6. That the necessary by-law **BE PREPARED** and **PRESENTED** to Council for consideration.

**Carried**

#### **Councillor Information Request(s):**

Provide information respecting the potential to outsource talent acquisition services at a future Corporate Services Committee meeting. Councillor Huson.

Include the reserve policy on a future Corporate Services Committee agenda and provide options to replenish the taxpayer relief reserve. Councillor Rigby.

#### **6. CONSENT ITEMS FOR INFORMATION**

Moved by Councillor Rigby  
Seconded by Councillor Fertich

That the following items **BE RECEIVED** for information:

BRC-C 5-2021  
Councillor Information Request Regarding 2021 Fees and Charges By-law

BRC-C 6-2021  
Councillor Information Request from January 14, 2021 Budget Review Committee of the Whole

**Carried**

7. **OTHER BUSINESS**

7.1 **Financial Program and Services Review**

Councillor Foster requested information be provided at a future Corporate Services Committee meeting respecting the initiation of a complete financial review of the Region's programs and services.

8. **CLOSED SESSION**

Committee did not resolve into closed session.

9. **BUSINESS ARISING FROM CLOSED SESSION**

9.1 **Confidential CAO 1-2021**

A Matter concerning Personal Matters about Identifiable Individuals under s. 239(2) of the Municipal Act, 2001 – Status of Medical Officer of Health Staff Compliment and Medical Division Structure

That Confidential Correspondence Item CAO 1-2021, being a memorandum from R. Tripp, Acting Chief Administrative Officer, dated November 14, 2021, respecting A Matter concerning Personal Matters about Identifiable Individuals under s. 239(2) of the Municipal Act, 2001 – Status of Medical Officer of Health Staff Compliment and Medical Division Structure, **BE RECEIVED** for information.

10. **NEXT MEETING**

The next meeting will be held on Thursday, June 17, 2021 at 6:30 p.m.

11. **ADJOURNMENT**

There being no further business, the meeting adjourned at 5:13 p.m.

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Councillor Zalepa  
Committee Chair

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Matthew Trennum  
Deputy Regional Clerk

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Ann-Marie Norio  
Regional Clerk

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**Subject:** 2021 Levy Operating Budget

**Report to:** Budget Review Committee of the Whole

**Report date:** Thursday, January 14, 2021

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## Recommendations

1. That the 2021 net levy budget relating to the Niagara Regional Departments of \$208,777,440 as consolidated in appendix 1 **BE APPROVED** including the following in accordance with the 2021 budget planning strategy:
  - 1.1. That an increase of \$2,038,765 or 1.0% over the 2020 departmental operating budget **BE APPROVED** to support operating expenses;
  - 1.2. That an increase of \$2,046,918 or 1.0% over the 2020 departmental operating budget **BE APPROVED** to support pay-as-you-go capital financing;
2. That a contribution of \$18,808,401 from the Taxpayer Relief Reserve, which includes Safe Restart Funding, **BE APPROVED** to fund the net pressures related to the COVID-19 pandemic of \$17,196,924 for Regional Departments, and \$1,611,477 for the Agencies, Boards and Commissions COVID-19 pressures, as detailed in appendix 2, for a net taxpayer impact of \$0;
3. That an additional 1.44% or \$5,664,748 of assessment growth **BE APPROVED** to costs, as detailed in appendix 3, in alignment with section 4.7 of By-law 2019-79 Budget Planning By-law;
4. That the 2021 net levy operating budget including the Niagara Regional Departments of \$214,402,632 and Agencies, Boards, and Commissions of \$195,217,203 for a total \$409,619,835 **BE APPROVED**;
5. That staff **BE DIRECTED** to prepare a report for the Corporate Services Committee respecting establishment of a 'Hospital Contribution Reserve'; and
6. That the necessary by-law **BE PREPARED** and **PRESENTED** to Council for consideration.

## Key Facts

- The purpose of this report is to approve the Regional Departments budget increase of 2% inclusive of COVID-19 pressures; this was accomplished using mitigation strategies identified in the analysis section of this report, the use of 2020 Safe Restart funding, and Taxpayer Relief reserve.
- The \$12.2 million Provincial Safe Restart funding not utilized in 2020 will be transferred to the Taxpayer Relief reserve at year-end along with any other year-end surplus. Any provincial or federal funding that may be realized in 2021 for Community Services or Public Health will be used to replenish the Taxpayer Relief Reserve at 2021 year-end.
- The assessment growth for 2021 is 1.44%, and has been allocated in accordance with Budget Planning By-law and as identified in Appendix 3. This aligns to the 4-year average assessment growth of 1.41%; the effects of COVID-19 may have an impact on assessment growth for the 2022 budget.
- Subject to the Hospital Funding Policy approval, to address the motion requesting a contribution to the West Lincoln Memorial Hospital, an annual reserve contribution of \$1.5 million is proposed to begin funding from assessment growth. A separate report will be presented to Corporate Services Committee on the establishment of a “Hospital Contribution Reserve” in alignment with the Reserve and Reserve Fund Policy.
- The departmental budget when consolidated with the ABCs totals \$409,619,835 2021 levy, representing a 2.9% levy impact after assessment growth; the 0.9% in excess of the 2021 budget strategy is \$3.5 million, and represents the NRPS increase above 2%.

## Financial Considerations

The recommendations in this report are made in accordance with By-law 2019-79 “Budget Planning” with consideration of COVID-19 impacts per the 2021 budget planning strategy. The proposed 2021 Tax Levy of \$409.6 million represents a \$17.1 million increase. The Regional departments, Niagara Regional Housing, Court Services and Niagara Peninsula Conservation Area budget requests, exclusive of COVID-19 costs addressed separately, aligned with the budget planning strategy of 2%. The Niagara Regional Police Service increase of 4.3% is \$3.5 million in excess of the 2% strategy or 0.9% of the levy. Therefore the resulting total levy budget increase of 4.3% has a net tax levy impact after assessment growth of 2.9%, inclusive of base budget

requirements, capital financing enhancements, and Agencies, Boards, and Commissions (ABCs).

Table 1 – 2021 Levy Budget (in millions)

Item	2020	2021	\$ Change	% Change	% Levy Change
Departmental Base Budget	\$204.7	\$206.7	\$2.0	1.0%	0.5%
Capital Financing		\$2.0	\$2.0	1.0%	0.5%
Departmental COVID-19 Pressure		\$17.2	\$17.2		4.4%
Reserve funding for Dept COVID-19		(\$17.2)	(\$17.2)		-4.4%
<b>Departments Subtotal</b>	<b>\$204.7</b>	<b>\$208.8</b>	<b>\$4.1</b>	<b>2.0%</b>	<b>1.0%</b>
ABCs (BRCOTW December 10)	\$187.9	\$195.2	\$7.3	3.9%	1.9%
ABC COVID-19 Pressure		\$1.6	\$1.6		0.4%
Reserve funding for ABC COVID-19		(\$1.6)	(\$1.6)		-0.4%
<b>Subtotal before Growth</b>	<b>\$392.6</b>	<b>\$403.9</b>	<b>\$11.4</b>	<b>2.9%</b>	<b>2.9%</b>
Costs funded from Assessment Growth		\$5.7	\$5.7	1.4%	1.4%
Assessment Growth					-1.4%
<b>Consolidated Levy Budget</b>	<b>\$392.6</b>	<b>\$409.6</b>	<b>\$17.1</b>	<b>4.3%*</b>	<b>2.9%</b>

*\*increase before assessment growth*

## Analysis

The 2021 departmental levy budget was developed giving consideration to historical actual results inclusive of 2020 forecast for the year, operational concerns, service delivery requirements, and impacts as a result of COVID-19.

### Budget for Base Services

The departmental base budget was prepared to align with the 2021 budget planning strategy of 1.0% for base services and 1.0% for capital financing. In Table 2, the base increases/pressures identified for Regional departments for 2021 are \$4.1 million before recommended mitigation measures totaling \$2.1 million, and additional capital financing request of \$2.0 million.



Table 2 – Departmental Base Budget

Item	2020	2021	\$ Change	% Change
Base Budget Pressures	\$204.7	\$208.8	\$4.1	2.0%
Mitigations and service reductions		(2.1)	(2.1)	-1.0%
<b>Net Base Budget</b>	<b>\$204.7</b>	<b>\$206.7</b>	<b>\$2.0</b>	<b>1.0%</b>
Capital Financing		2.0	2.0	1.0%
<b>Net Regional Department Budget</b>	<b>\$204.7</b>	<b>\$208.8</b>	<b>\$4.1</b>	<b>2.0%</b>

The increases/pressures in the base budget of \$4.1 million can be attributed primarily to the following items:

- \$2.96 million labour related costs reflective of current contracts and strategies, and \$0.56 million in WSIB increases. The appendix 1 base budget increase deducts the salary gapping and FTE reductions to \$1.0 million
- \$1.13 million for various contracts (new 10-year winter maintenance contract, EMS fleet and NRPS gun range facilities, new homelessness contract effective April 1<sup>st</sup>, 2020)
- \$0.85 million including traffic signal repairs and indexing of Infrastructure Deficit Reduction reserve
- \$0.70 million in insurance premium increases on policy renewal (excluding properties related premium increase funded from assessment growth)
- \$0.67 million in inflationary increases related to base level of service, with largest increases in janitorial supplies, software licenses & support, and raw food purchases

These base pressures have been partly offset by:

- \$1.37 million in general savings, of which \$0.65 million relates to decline in fuel & utilities rate estimates, and \$0.30 million reduction in tree removal program
- \$0.71 million in savings from time-limited expenses expiring (Regional Official Plan, Niagara Regional Transit enhanced services consulting)
- \$0.58 million in increase Public Health and Emergency Services subsidy including \$0.46 million of one-time funding to mitigate the Public Health formula change from 75/25 to 70/30
- \$0.32 million in increased Community Services subsidy net of benefit costs for Ontario Works clients
- \$0.30 million for the delay of street lighting upload from the local area municipalities and a reduction of the Pro-kids program funding for one year as a result of COVID-19 related closures and the ability to provide services (from \$0.25 million to \$0.15 million)

Mitigations of \$2.10 million were necessary for an overall increase of only 1.0%:

- \$1.15 million – Staff have implemented a salary gapping strategy which estimates the savings due to staff turnover at 1% of the proposed labor-related budget
- \$0.69 million – required to align the budget for insured & uninsured claims and labour relations to appropriate levels based on historical trends could not be accommodated within the strategy of 1.0%
- \$0.25 million to reinstate the 2020 one-time reduction of the Niagara Prosperity Initiative could not be accommodated within the strategy of 1.0%; the strategy is to reinstate to the full \$1.5 million in 2022
- \$0.30 million to establish sustainable funding instead of reserve funding has been deferred until completion of the incentive review

An additional 1.0% increase in the budget is for enhanced capital funding as per the 2021 budget planning strategy. Per CSD 41-2019 Capital Financing Policy, an estimated 2.16% consolidated levy increase was required annually for the next ten years to eliminate the infrastructure deficit. Recognizing the impact of COVID-19, the budget strategy proposed a 1.0% increase on the departmental levy, or 0.5% on the consolidated levy; the annual contributions to general capital levy capital reserves will be \$19.9 million. The target based on the 2017 Asset Management Plan's annual asset renewal investment is \$66 million.

### COVID-19 Impacts

Staff have estimated incremental departmental net COVID-19 impacts of \$17.2 million (\$18.8 million inclusive of ABCs) on the 2021 budget, in comparison to the \$26.2 million incremental cost incurred in 2020. Due to uncertainty of the long-term need for these measures, the costs are proposed to be funded on a one-time basis using Provincial Safe Restart funding and reserves. This will result in pressure on the 2022 and future budgets should the measures need to be continued.

The Safe Restart funding provided by the Province in 2020 was not utilized by the Region to directly fund 2020 COVID-19 costs due to the mitigation measures adopted by the corporation. Therefore, the \$12.2 million in funding will be transferred to the Taxpayer Relief reserve at year-end along with any other year-end surplus. A significant portion of the COVID-19 costs are related to measures in Public Health and long-term care facilities, for which there has been no confirmed funding to date for 2021 from upper levels of government in spite of monthly one-time supports provided in 2020. It is expected that funding will be forthcoming, however, only confirmed sources of funding have been budgeted. Any unbudgeted funding that may be realized in 2021 will be used to replenish the Taxpayer Relief Reserve at the 2021 year-end.

Table 3 provides a forecast of the Taxpayer Relief Reserve balance to December 31, 2021 which is \$19.5 million which represents 3.5% of proposed 2021 gross operating expenditures (excluding ABCs, reserve transfers, and capital costs) in comparison to the reserve policy target of 10% to 15%. The decrease in the reserve balance impacts the ability to mitigate future unknown/unbudgeted risks.

Table 3 – Taxpayer Relief Reserve Forecast

Description	Amount (in thousands)
<b>2020 Forecasted Year-end Balance</b> <i>(before year-end transfer)</i>	<b>\$23,204</b>
2020 Safe Restart funding <i>(year-end transfer)</i>	12,185
2020 Forecasted Surplus <i>(year-end transfer)</i>	4,888
<b>Balance available for 2021</b>	<b>\$40,277</b>
Annual contribution	850
Transfers for one-time operations	(2,003)
2021 COVID-19 Rate requirements (November 26 <sup>th</sup> BRCOTW)	(750)
2021 COVID-19 ABC requirements (December 10 <sup>th</sup> BRCOTW)	(1,611)
2021 COVID-19 Levy requirements	(17,197)
<b>2021 Forecasted Year-end Balance</b>	<b>\$19,565</b>

Departmental COVID-19 pressures are \$17.8 with funding from \$17.2 million of 2020 Safe Restart Funding and Taxpayer Relief Reserve and \$0.6 million from assessment growth. The pressures focus on the following key services:

- \$5.5 million to establish a Pandemic Response Division for the first of two years
  - Annual operating costs of \$11.8 million
  - Offset by \$5.2 million in savings due to timing of hiring and adjustments to business continuity
  - \$1.1 million in one-time school nursing revenues estimated for 2021
  - Six roles for pandemic support are recommended as permanent positions therefore the \$0.6 million is recommended from assessment growth
  - The Public Health incremental cost for 2020 pandemic response is \$4.7 million from the date of the emergency declaration.
- \$4.3 million long-term care staff (Registered Practical Nurses, Personal Support Workers, housekeeping)
- \$3.4 million personal protective equipment, supplies, and enhanced sanitization at various sites
- \$2.2 million for screening staff at various sites
- \$1.2 million for homelessness programs net of subsidized funding
- \$1.1 million in lost revenues, primarily a decrease in supplemental taxes

A listing of COVID-19 pressures is provided in appendix 2 and the business cases are available in the 2021 Budget Detail.

### Assessment Growth

Assessment growth for 2021 is 1.44% (\$5.7 million); this is defined as the sum of all changes in the Region's tax base. Assessment growth is allocated in alignment with the Budget Planning By-law to fund priorities in the following order:

- \$0.1 million Tax Increment Grants
- \$1.1 million operating costs of Growth
  - New FTEs in the areas of EMS call volumes, project management related to growth in road network, and corporate staffing support (\$0.9 million)
  - Property insurance costs related to growth in assets; the property portion of the insurance premium increase is \$0.2 million
- \$0.9 million capital asset plan funding gap
  - This further enhances the \$19.9 million annual capital contribution noted above to \$20.8 million.
- \$3.6 million for Council Priorities and economic growth
  - Pandemic support staff – 6 permanent pandemic support staff (\$0.6 million)
  - Transit governance transition costs – the time-limited request to address service enhancements has ended; new funding is to cover transition to a new governance model (\$0.5 million)
  - Development Charge Grants – DC grants have averaged \$8 million annually over the past few years; base funding is currently \$6.9 million. (\$1.0 million)
  - \$1.5 million Transfer to Hospital Reserve – Per delegation CSC-C 24-2020, to address the West Lincoln Memorial Hospital request of \$14 million. A new reserve will be created to segregate these funds for use in 2024.

A list of the recommended uses of assessment growth is provided in appendix 3.

### Staff Complement

The recommended 2021 Regional Department Operating Budget includes a full-time equivalent (FTE) staff complement of 2,388.4 permanent FTEs and 232.1 temporary FTEs. This is a net increase of 16.7 permanent FTEs and 179.0 temporary FTEs, funded as follows:

- Base – reductions of 1.9 perm and 9.7 temp, primarily due to employment and EMS system transformations
- Assessment Growth – increase of 18.6 perm and 1.0 temp, primarily due to making the EMS System transformation permanent as well as the 6.0 permanent pandemic support positions
- COVID-19 – increase of 187.5 temp mainly attributed to Public Health pandemic response (75.2) and long-term care (95.8)
  - The long-term care resources are primarily dedicated to direct resident care with the balance for housekeeping and screening staff

- The Pandemic Response division required to support call centre, case & contact management and outbreak management efforts in the region includes 111.9 FTEs but is mitigated by reduction of 36.7 due to reduction in business continuity in other Public Health service areas

A list of the FTE changes is available in appendix 4.

### Household Impact

Based on the 2021 cost for levy programs, the average household assessed at \$278,764 is estimated to increase from \$1,611 to \$1,657 in 2021, an increase of \$46.

Table 5 – Household Tax Impact

Item	2021 impact to household	Cost to household
<b>2020 cost per typical household</b>		<b>1,611</b>
Departmental base budget	8	
Capital Financing	8	
Funded by Assessment Growth	23	
Assessment Growth	(23)	
COVID-19 pressures	76	
Reserve funding for COVID-19	(76)	
ABC budget increase	30	
<b>2021 cost per typical household</b>	<b>46</b>	<b>1,657</b>

The actual cost per household may change depending on tax policy decisions that are made in 2021; particularly around the phase-out of the vacant and excess land subclasses for commercial and industrial properties. The impact on individual property owners will depend on the increase in assessment that they experience; those with an increase greater than the average property would experience a larger tax impact, while those with an increase less than the average property would experience a smaller tax impact.

In the Province's 2020 Budget, they have announced numerous property tax measures directed specifically at business properties. In particular, the Province announced reductions to the business education tax for 2021. This reduction will provide a maximum education tax rate reduction of 30% depending on the property tax class. This represents an estimated \$9.4 million in total education tax relief for business properties in 2021 for Niagara (\$6.6M for commercial and \$2.8M for Industrial). This decrease in the education tax rate for business properties in effect reduces the overall tax bill and potentially mitigates any increases proposed by the Region or Local Area Municipalities. The Province did not propose any tax relief measures for the residential property tax class within their 2020 Budget.

### Multi-year

The two most significant items impacting the multi-year forecasts of 9.6% in 2022 and 1.8% in 2023 are COVID-19 and Transit service integration & enhancement. Forecasted costs of the pandemic in 2022 are \$9.2 million. As sustainable funding is not identified, the budget would need to be established through tax increases, continued reserve draws, or funding from other levels of government. To address Transit service integration and enhancement in accordance with the governance review, net increases of an estimated \$2.6M in 2022 and \$5.7M in 2023 would be required.

### Risks and Opportunities

Niagara Region budget is prepared based on information available at a point in time. Services and/or the actual operational costs can be impacted by the following:

- Uncertainty regarding Niagara Region's role in the vaccine rollout. At this time, no cost of the program is included in the budget.
- If actual staff turnover is not consistent with prior years then we are at risk of not realizing the budgeted salary gapping. Additionally, labour-related cost savings have been available at year-end to mitigate other unbudgeted pressures (i.e. claims, development charge grants, etc.), which could put further pressure on year-end results.
- A total of \$4 million has historically been realized from the casino gaming revenues; only one quarter of that has been incorporated as a loss resulting from COVID-19 casino closure.
- The incentive review is underway; therefore optimal funding requirements are still outstanding.
- Inability to increase budget to match historical trends of certain expenditures may result in unbudgeted pressures.
- A contribution of \$1.5 million per year until 2024 will only provide \$6 million of funding in the Hospital Contribution reserve, which is not in line with the West Lincoln Memorial Hospital request; therefore, there will be additional impacts on future years' budgets.
- Business license revenue could be further impacted by future COVID-19 business closures should Niagara move into greater restrictions within the provincial framework.
- One-time ministry funding used to mitigate the Public Health formula change from 75/25 to 70/30 may result in a pressure in the 2022 budget.
- Long-term care and Public Health COVID-19 pressures may result in increased sustainable funding.
- Work from home measures that have been explored during COVID-19 could result in more permanent reductions in space requirement costs.
- Shared services arrangements as well as sustainability review results continue to be analyzed for future implementation.

- Safe Restart funding (phase 2) was announced December 16<sup>th</sup>. This one-time funding will further mitigate 2020 COVID-19 costs, increase the year end transfer to reserve and fund 2021 COVID-19 costs.

### Sinking Fund

As per the Municipal Act, Section 289, Niagara Region is required to prepare and adopt a budget including amounts to be raised for sinking funds. Additionally, as per Section 424, the Treasurer must prepare for Council, an annual statement of the amount to be raised for a sinking fund. This report will also serve to carry out Niagara Region's responsibilities as prescribed in the Municipal Act.

Niagara Region's sinking fund is a separate fund maintained for the purpose of providing the repayment of all sinking fund debt when it becomes due and payable. Proportionally, 88.05% of the fund relates to Niagara Region and the remaining 11.95% relates to the City of St. Catharines. The debt issued on June 30, 2010 subject to repayment through the sinking fund is \$78,079,000. This amount is repayable in full on June 30, 2040. The annual budget for Niagara Region's portion of the debt charges associated with the sinking fund is \$4,906,470 (\$1,331,695 principal, \$3,574,775 interest). This amount has been included in the 2021 budget, and subject to Niagara Region achieving the annual required rate of return of 3.50%, will remain in effect until the sinking fund matures on June 30, 2040. To date the Niagara Region has been able to invest in bonds yielding greater than the required rate of return.

### **Alternatives Reviewed**

At the discretion of Council, they can identify to eliminate/add programs from/to the budget. Business cases identifying the impacts/risks of adding or removing programs related to growth, mitigations, and COVID-19.

### **Relationship to Council Strategic Priorities**

The 2021 levy budget supports all facets of the organization in their support of Council's priorities.

## Other Pertinent Reports

CSD 41-2020      2021 Budget Planning  
CSD 58-2020      2021 Capital Budget  
CSD 76-2020      Q3 2020 Financial Update

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### Prepared by:

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## Appendices

Appendix 1      Niagara Region Departments Base Budget  
Appendix 2      COVID-19 Pressures  
Appendix 3      Assessment Growth Funded Costs  
Appendix 4      Full-time Equivalent Summaries



**Appendix 1 – Niagara Region Departments Base Budget**

<b>Object of Expenditure</b>	<b>2020 Budget*</b>	<b>2021 Budget~</b>	<b>\$ Variance</b>	<b>% Variance</b>	<b>Note</b>
Labour Related Costs	243,755,649	244,759,016	1,003,367	0.4%	(1)
Administrative	22,872,047	24,185,907	1,313,860	5.7%	(2)
Operational & Supply	43,641,010	43,557,765	(83,245)	-0.2%	
Occupancy & Infrastructure	13,609,740	14,097,690	487,950	3.6%	(3)
Equipment, Vehicles, Technology	8,931,603	9,088,046	156,443	1.8%	
Community Assistance	165,157,825	166,985,460	1,827,634	1.1%	
Partnership, Rebate, Exemption	13,906,580	14,125,290	218,710	1.6%	
Financial Expenditures	67,246,569	70,747,176	3,500,608	5.2%	(4)
Transfers to Funds	23,674,558	26,312,204	2,637,646	11.1%	(5)
Expense Allocations to Capital	(140,000)	(140,000)	0	0.0%	
Allocations Between Departments	(604,565)	(613,982)	(9,417)	1.6%	
<b>Total Expenditure before Indirect Allocations</b>	<b>602,051,017</b>	<b>613,104,573</b>	<b>11,053,556</b>	<b>1.8%</b>	
Indirect Allocations to Rate and Courts	(6,916,323)	(7,019,909)	(103,585)	-1.5%	
Capital Financing Allocation to Rate and Courts	(12,420,277)	(15,722,089)	(3,301,812)	-26.6%	(6)
<b>Total Expenditure</b>	<b>582,714,417</b>	<b>590,362,576</b>	<b>7,648,159</b>	<b>1.3%</b>	
Taxation	(17,063,974)	(17,078,253)	(14,279)	-0.1%	
Federal & Provincial Grants	(296,237,294)	(298,750,331)	(2,513,037)	-0.8%	
By-Law Charges & Sales	(15,359,242)	(15,676,410)	(317,168)	-2.1%	
Other Revenue	(45,389,738)	(45,331,186)	58,552	0.1%	
Transfers from Funds	(3,972,411)	(4,748,956)	(776,544)	-19.5%	(7)
<b>Total Revenue</b>	<b>(378,022,659)</b>	<b>(381,585,136)</b>	<b>(3,562,476)</b>	<b>0.9%</b>	
<b>Net Departmental Levy Budget</b>	<b>204,691,758</b>	<b>208,777,440</b>	<b>4,085,683</b>	<b>2.0%</b>	

*\*includes in-year adjustments and excludes 2020 one-time programs*

*~excludes 2021 program changes for COVID-19 and Growth Costs*

Notes:

1. Labour related costs includes contract and WSIB increases, salary gapping, and base FTE reductions, which were separated in the analysis section of the report.
2. Administrative cost increases includes \$0.8 million to facilitate Human Resource Systems (HRIS) transition if required, offset by increased transfers from reserves in note 6, and \$0.7 million due to insurance premium increases on policy renewal.
3. Occupancy and Infrastructure includes \$0.5 million in roof patching, one-time building security costs, and long-term care minor capital funded through increases in transfers from reserve and provincial grants.
4. Financial Expenditures includes an increase of \$4.3 million related to the debt financing of the SNF wastewater treatment plant offset by retiring debt in Waste Management of \$0.8 million. These costs are recovered through Capital Financing Allocations to wastewater operations as per note 6.
5. Transfers to Reserves increase includes the \$2.0 million or 1.0% levy increase to support capital investment.
6. Capital Financing Allocation includes increased debt charges allocated to the Rate program, approved at BRCOTW November 26<sup>th</sup>.
7. Transfers from reserves increase includes \$0.8 million for HRIS transition included in note 2 above.

**Appendix 2 – COVID-19 Pressure Business Cases**

2021 COVID-19 Pressure with Funding

Department	Description	Pressure	Funding Source
General Gov'nmt	Supplemental Tax Revenue	\$1,008,263	Safe Restart
Corporate Admin	Talent Acquisition Support	\$56,676	Safe Restart
Corporate Services	Business Licensing Revenue	\$73,989	Safe Restart
Corporate Services	IT Solutions	\$39,500	Safe Restart
Corporate Services	Finance Staffing & Expenses	\$93,756	Safe Restart
Corporate Services	Facilities PPE	\$1,165,633	Safe Restart
Corporate Services	Customer Service Screeners	\$148,026	Safe Restart
Community Services	Homelessness Services & Community Engagement	\$1,230,034	Safe Restart
Community Services	Children's Services Screeners	\$267,442	Safe Restart
Public Health & EMS	Emergency Medical Services	\$788,039	Safe Restart
Transportation	Niagara Regional Transit	(\$86,215)	Safe Restart
Transportation	Niagara Specialized Transit	\$12,000	Safe Restart
Community Services	Long-term care	\$7,486,713	Safe Restart 2020 Surplus
Public Health & EMS	Pandemic Response Division	\$5,496,081	2020 Surplus Taxpayer Relief Reserve
<b>Departments Total</b>		<b>\$17,779,939</b>	
Corporate	Assessment Growth funding	(\$583,015)	
<b>Net Departments</b>		<b>\$17,196,924</b>	
Court Services	PPE and supplies	\$39,556	Safe Restart
NPCA	PPE and supplies	\$109,464	Safe Restart
NRH	PPE, cleaning, and security	\$412,457	Safe Restart
NRPS	Casino revenue	\$1,050,000	Safe Restart
<b>ABCs Total</b>		<b>\$1,611,477</b>	
<b>Total</b>		<b>\$18,808,401</b>	

COVID-19 Pressure 2020 and 2021 Comparison (in thousands)

Department	2020 COVID-19 Net of Base Budget Funding*	2021 COVID-19 Costs	Difference	Note
General Government	(3,403)	1,008	4,411	(1)
Governance	(132)	-	132	
Corporate Administration	(1,835)	57	1,892	(2)
Corporate Services	1,627	1,521	(106)	
Community Services	20,100	8,984	(11,116)	(3)
Public Health & Emergency Services	7,478	6,284	(1,194)	(4)
Planning & Development	344	-	(344)	
Transportation	(2,238)	(74)	2,164	(5)
<b>Department Total</b>	<b>21,941</b>	<b>17,780</b>	<b>(4,161)</b>	
Court Services	691	40	(651)	
NPCA	-	109	109	
NRH	199	412	213	
NRPS	3,416	1,050	(2,366)	
<b>ABC Total</b>	<b>4,306</b>	<b>1,611</b>	<b>(2,695)</b>	
<b>Total</b>	<b>26,247</b>	<b>19,391</b>	<b>(6,856)</b>	

\*As included in CSD 76-2020 Q3 Financial Update – Levy Supported “Total Gross Cost” of \$46,850 thousand, less \$20,603 “Costs supported by our base budget” which are those funds repurposed in the base budget to support the pandemic.

1. 2020 includes one-time savings due to the COVID-19 shutdown of development, reducing development charge grants. 2020 savings are offset by reduced investment income as a result of reduced interest rates; both development and interest rates are expected to rebound in 2021. Developments impacted by the shutdown are expected to have an adverse effect on 2021 supplemental taxes.
2. 2020 includes one-time savings resulting from closures of businesses offering health insurance covered benefits.
3. 2020 includes increased childcare provider payments in 2020 and pandemic pay.
4. 2020 includes increased pandemic pay.
5. 2020 includes reduced level of service for regional and specialized transit systems.

**Appendix 3 – Assessment Growth Funded Costs**

<b>Description</b>	<b>Gross \$</b>	<b>Net \$</b>	<b>% Increase</b>
Gross Assessment Growth	(5,664,748)	(5,664,748)	(1.44%)
Tax Increment Grants on new assessment	76,582	76,582	0.02%
<b>Incremental costs of new growth</b>			
Operating Impacts of the Capital Budget	5,300	5,300	0.00%
EMS System Transformation (11.6 FTEs)	1,290,342	741,910	0.19%
Total Rewards Coordinator (1.0 FTE)	79,275	79,275	0.02%
Transportation Planning Project Manager (1 temp FTE)	99,765	99,765	0.03%
Insurance Premium increase for new properties	216,510	216,510	0.06%
<b>Gaps in funding the capital asset plan</b>			
Incremental transfer to capital reserves	862,392	862,392	0.22%
<b>Programs aimed at driving economic growth or other Council priorities</b>			
Regional Development Charge grants	1,000,000	1,000,000	0.25%
Pandemic Response (6 FTEs)	583,015	583,015	0.15%
Transit Consulting	500,000	500,000	0.13%
Transfer to Hospital Reserve	1,500,000	1,500,000	0.38%
<b>Total Costs of Growth</b>	<b>6,210,296</b>	<b>5,664,748</b>	<b>1.44%</b>

## Appendix 4 - Full-time Equivalent Summaries

Employees are reported as an equivalent of a full-time employee (full-time equivalent, FTE) providing service throughout a fiscal year. Depending on the category of employee and nature of service, the fixed number of hours tied to an FTE may vary (35, 37.5, 40, or 42 hour weeks). Permanent FTEs can only be added through the annual budget process or budget adjustments where there is funding available and approved by Council.

### Permanent Full-time Equivalents

Item	FTE	Comments
<b>2020 Approved FTEs</b>	<b>2,369.8</b>	
Public Health & Emergency Services	2.0	Occupational Therapists (PHD 8-2020)
<b>2020 Adjusted FTEs</b>	<b>2,371.8</b>	
<b>Base Program Delivery Changes</b>		
Corporate Services	0.6	Office Cleaner*
Community Services	6.0	St. Catharines Childcare Expansion
Community Services	(13.0)	SAEO Employment Transformation
Public Health & Emergency Services	0.5	EI Expansion Program Analyst
Public Health & Emergency Services	2.0	Community Paramedicine*
Planning & Development	1.0	Wet Weather Management*
Transportation	1.0	Capital Planning Specialist*
<b>Subtotal</b>	<b>(1.9)</b>	
<b>Funded from Assessment Growth</b>		
Corporate Administration	1.0	HR Benefits Coordinator
Public Health & Emergency Services	3.8	Emergency Communications Nurses*
Public Health & Emergency Services	6.8	EMS System Transformation
Public Health & Emergency Services	1.0	Mental Wellness Coordinator*
Public Health & Emergency Services	6.0	Pandemic Response
<b>Subtotal</b>	<b>18.6</b>	
<b>2021 Total Change</b>	<b>16.7</b>	
<b>2021 Total Perm FTEs</b>	<b>2,388.4</b>	

\*offset with a reduction in temporary FTE in following table

Temporary Full-time Equivalents

Item	FTE	Comments
<b>2020 Approved FTEs</b>	<b>53.1</b>	
<b>Expiring</b>		
Corporate Administration	(1.0)	Community Safety & Well-being
Planning & Development	(1.0)	Manager Special Projects
Transportation	(1.0)	Project Manager Airports
Transportation	(1.0)	Office Assistant
<b>Subtotal</b>	<b>(4.0)</b>	
<b>Base Program Delivery Changes</b>		
Corporate Services	(0.6)	Office Cleaner*
Corporate Services	1.0	IT Project Manager
Community Services	1.0	One-time Childcare Support
Public Health & Emergency Services	(1.0)	Mental Wellness Coordinator*
Public Health & Emergency Services	(3.8)	Emergency Communications Nurses*
Public Health & Emergency Services	0.3	Mental Health Supervisor
Public Health & Emergency Services	(0.5)	Community Paramedicine*
Planning & Development	(1.0)	Wet Weather Management*
Transportation	(1.0)	Capital Planning Specialist*
<b>Subtotal</b>	<b>(5.7)</b>	
<b>Funded from Assessment Growth</b>		
Transportation	1.0	Project Manager
<b>Subtotal</b>	<b>1.0</b>	
<b>COVID-19</b>		
Corporate Administration	1.0	Staffing Support
Corporate Services	2.4	Screeners
Corporate Services	1.0	Program Financial Analyst
Community Services	61.6	Long-term Care Homes Staffing (RPNs, PSWs, Housekeeping)
Community Services	6.4	Homelessness Outreach
Community Services	39.2	Screeners (long-term care & daycare)
Public Health & Emergency Services	75.2	Pandemic Response
Public Health & Emergency Services	1.0	Ambulance Technicians
<b>Subtotal</b>	<b>187.7</b>	
<b>2021 Total Change</b>	<b>179.0</b>	
<b>2021 Total Temp FTEs</b>	<b>232.1</b>	

\*offset by increase in permanent FTE in prior table

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**MEMORANDUM**

**BRC-C 5-2021**

**Subject: Councillor Information Request - 2021 Fees and Charges By-law**

**Date: Thursday, January 21, 2021**

**To: Budget Review Committee of the Whole**

**From: Erin Amirault, Associate Director, Finance Operations and Systems**

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The purpose of this memo is to respond to a request for information at the January 14, 2021 Budget Review Committee of the Whole regarding additional details on several fees listed in the proposed 2021 fees and charges schedule (attached as Appendix 1 to CSD 7-2021).

Staff committed to submitting additional analysis for all new fees in the schedule (those indicated by green highlight). Questions from Councillors Huson, Redekop, and Heit related to several new fees and, as such, Appendix 1 of this memo addresses responses to those questions. The appendix consists of the originally submitted proposed schedule with two columns added: commentary (column J) and analysis of fee (column K). These two additional columns have been populated for all new (green highlighted) fees and charges.

Councillor Villella also inquired about the price increases for PH-14 Plan B and PH-15 Depo-Provera.

Upon further review, when confirming the 2021 fee for PH-14 Plan B, staff inadvertently reversed the prices for Plan B and Ella (the products are similar in nature, but have different pricing). PH-14 Plan B should be \$10.00 (not \$17.00), which is no change from the 2020 fee schedule. The Region's Sexual Health Clinics also offer Ella at a fee of \$17.00 based on direct supplier cost and this item was missed in Appendix 1 to CSD 7-2021. The fee schedule in Appendix 1 has been updated to correct the price of PH-14 Plan B to \$10.00, and to add a new fee PH-20 Ella for \$17.00.

The Region's cost for PH-15 Depo-Provera increased from \$18.00 to \$30.00. When the price increased, staff looked for alternate suppliers but there were none. A phased increase was considered but staff ultimately decided to go with a one-time increase and affected clients were given several months' notice in advance of the change.



Respectfully submitted and signed by

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Erin Amirault, MBA  
Associate Director, Finance Operations and Systems

Appendix 1 2021 Fees and Charges Schedule – Including New Fee Analysis

Regional Municipality of Niagara  
2021 Schedule of Fees and Charges  
(effective February 1, 2021)

yellow - fee (\$) change  
green - new fee

BRC-C 5-2021  
Appendix 1  
January 21, 2021

Fee #	Fee/Charge Description	Unit of Measure	2020 Fee/Charge (\$)	2021 Total Fee/Charge (\$)	New Fee Commentary	Analysis of New Fee
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**Community Services**

**Seniors Services:**

COM-1	Adult day programs (geared-to-income)	per day	15.86 - 36.05	10.00 - 36.05		
COM-2	Deer Park assisted living (geared-to-income)	per month	1,948.96 - 2,483.85	1,948.96 - 2,483.85		
COM-3	In-home respite (geared-to-income)	per hour	2.50 - 6.50	2.50 - 6.50		
COM-4	Aphasia program	per half day	15.00	15.00		

**Child Care Services:**

COM-5	Child care (geared-to-income)	per day	10.11 - 52.93	10.11 - 53.91		
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**Public Health**

**Public Health:**

**Inspections:**

PH-1	Food handler certification (includes the course, manual, exam, and one (1) free exam rewrite)	per certificate	50.00	56.50		
PH-2	Food handler exam only	each	20.00	20.00		
PH-3	Food handler exam rewrite only	each	20.00	20.00		
PH-4	Food handler manual only	each	25.00	25.00		
PH-5	Replacement of lost certificates	per certificate	20.00	20.00		
PH-6	Fixed premises real estate inspection – on site	per inspection	339.00	339.00		
PH-7	Fixed premises real estate inspection – file search only	per inspection	150.00	150.00		
PH-8	Routine inspections after business hours	per inspection	282.50	282.50		
PH-9	Re-opening pool or restaurant after-hours	per re-opening	282.50	282.50		
PH-10	Tick sign	each	30.00	30.00		

**Sexual Health:**

PH-11	Oral contraception	per package	8.00 - 18.00	8.00 - 18.00		
PH-12	Contraceptive patch	each	10.00	10.00		
PH-13	Metronidazole	dose	5.00	5.00		
PH-14	Plan B	each	10.00	10.00		
PH-15	Depo-Provera	each	18.00	30.00		
PH-16	NUVA Ring	each	10.00	10.00		
PH-17	Valcyclovir	caplet	1.00	1.00		
PH-18	Intrauterine System (IUS)	each	45.00-55.00	45.00-55.00		
PH-19	Intrauterine Device (IUD)	each	330.00-345.00	330.00-345.00		
PH-20	Ella	each	-	17.00	As noted in the memo, this fee was inadvertently missed in Appendix 1 to CSD 7-2021. Staff are adding it now to correct the omission. Ella is an alternative option to Plan B (PH-14).	This fee is set at the Region's direct cost by the supplying pharmaceutical company.

**Disinfectant:**

PH-21	Disinfectant initial fee	each	226.00	226.00		
PH-22	Disinfectant each additional hour or part thereof	per hour	113.00	113.00		

**Emergency Medical Services:**

PH-23	Ambulance Call Report	each	60.00	60.00		
PH-24	Summary report/dispatch record	each	60.00	60.00		
PH-25	Statements	each	40.00	40.00		
PH-26	Birth (statement of declaration)	each	60.00	60.00		
PH-27	Interviews (minimum of four (4) hours)	per hour	80.00	80.00		
PH-28	Special events ambulance and paramedic (two (2) medics required)	per hour (incl. two medics) plus ambulance cost	160.00 plus 80.00	160.00 plus 80.00		

Regional Municipality of Niagara  
 2021 Schedule of Fees and Charges  
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**Corporate Services**

Legal:

*Schedule of Legal Services Fees for Planning, Public Works, and Other Matters:*

CS-1	Development charge agreements	each	Greater of 550.00 plus disbursements and application of Hourly Rates applicable to the review of the Agreement	Greater of 550.00 plus disbursements and application of Hourly Rates applicable to the review of the Agreement		
CS-2	Servicing, site plan, engineering or other development control agreements	each	Greater of 550.00 plus disbursements and application of Hourly Rates applicable to the review of the Agreement	Greater of 550.00 plus disbursements and application of Hourly Rates applicable to the review of the Agreement		
CS-3	Land severance approval agreements	each	Greater of 550.00 plus disbursements and application of Hourly Rates applicable to the review of the Agreement	Greater of 550.00 plus disbursements and application of Hourly Rates applicable to the review of the Agreement		
CS-4	Waterline, easement, etc. agreements	each	Greater of 550.00 plus disbursements and application of Hourly Rates applicable to the review of the Agreement	Greater of 550.00 plus disbursements and application of Hourly Rates applicable to the review of the Agreement		
CS-5	Applications to close roads for private benefit	each	Greater of 550.00 plus disbursements and application of Hourly Rates applicable to the review of the Agreement	Greater of 550.00 plus disbursements and application of Hourly Rates applicable to the review of the Agreement		
CS-6	Encroachment agreements	each	Greater of 550.00 plus disbursements and application of Hourly Rates applicable to the review of the Agreement	Greater of 550.00 plus disbursements and application of Hourly Rates applicable to the review of the Agreement		
CS-7	Other miscellaneous agreements	each	Greater of 550.00 plus disbursements and application of Hourly Rates applicable to the review of the Agreement	Greater of 550.00 plus disbursements and application of Hourly Rates applicable to the review of the Agreement		
CS-8	Compliance letters	each	110.00	120.00		
CS-9	Respond to the request for the Release of Easements, Agreements or other rights	each	Greater of 110.00 and application of Hourly Rates applicable to the review of the agreement(s)/other legal documentation related to the request	Greater of 140.00 and application of Hourly Rates applicable to the review of the agreement(s)/other legal documentation related to the request		

**Regional Municipality of Niagara**  
**2021 Schedule of Fees and Charges**  
(effective February 1, 2021)

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BRC-C 5-2021  
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January 21, 2021

Fee #	Fee/Charge Description	Unit of Measure	2020 Fee/Charge (\$)	2021 Total Fee/Charge (\$)	New Fee Commentary	Analysis of New Fee
CS-10	Provide the Release of the Easement, Agreement or other rights	each	Greater of \$165.00 plus disbursements and application of Hourly Rates applicable to the preparation of release documents	Greater of \$165.00 plus disbursements and application of Hourly Rates applicable to the preparation of release documents		
CS-11	Director of Legal and Court Services / Senior Counsel hourly rates	per hour	225.00	230.00		
CS-12	Legal Counsel hourly rates	per hour	200.00	200.00		
CS-13	Law Clerks hourly rates	per hour	66.00	70.00		
CS-14	Litigation hourly rates	per hour	Litigation on a time, legal seniority, and complexity of the matter basis as permitted by applicable courts or legal assessment officers ranging inclusive of hourly rates and lump sums for interlocutory proceedings	Litigation on a time, legal seniority, and complexity of the matter basis as permitted by applicable courts or legal assessment officers ranging inclusive of hourly rates and lump sums for interlocutory proceedings		

**Court Services:**

CS-15	First placement fee - consumer accounts	each	12% - 15%	12% - 15%		
CS-16	Second placement fee - consumer accounts	each	17.5% - 32%	17.5% - 32%		
CS-17	Third Placement fee - consumer accounts	each	29.5% - 50%	29.5% - 50%		

*Consumer accounts refer to those involving individual debtors.*

CS-18	First placement fee - commercial accounts	each	12% - 15%	12% - 15%		
CS-19	Second placement fee - commercial accounts	each	17.5% - 32%	17.5% - 32%		
CS-20	Third Placement fee - commercial accounts	each	29.5% - 50%	29.5% - 50%		

*Commercial accounts refer to all non-consumer debtors including businesses, corporations, partnerships, companies, institutions, government agencies, etc.*

CS-21	Records Search - initial request (in accordance with MFIPPA fees schedule)	each	5.00	5.00		
CS-22	Records Search - per 15 minutes of search time (in accordance with MFIPPA fees schedule)	each	7.50	7.50		
CS-23	Photocopies (not certified) and ICON Screen Prints (per Section 391 of the Municipal Act)	per page	1.00	1.00		
CS-24	Photocopies (certified) (per Section 391 of the Municipal Act)	per page	3.50	3.50		
CS-25	Faxes (per Section 391 of the Municipal Act)	per page	1.50	1.50		
CS-26	Administration fee for POA cases at certification of default stage	each	40.00	40.00		
CS-27	NSF fee (under authority Section 66.2 of the Provincial Offences Act)	per incident	35.00	35.00		

**Finance:**

CS-28	Hourly rates (where applicable)	each	225.00	230.00		
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**Consumer & Commercial Accounts (Non-Court Services):**

CS-29	First placement fee - consumer accounts	each	12% - 15%	12% - 15%		
CS-30	Second placement fee - consumer accounts	each	17.5% - 32%	17.5% - 32%		
CS-31	Third Placement fee - consumer accounts	each	29.5% - 50%	29.5% - 50%		

*Consumer accounts refer to those involving individual debtors.*

CS-32	First placement fee - commercial accounts	each	12% - 15%	12% - 15%		
CS-33	Second placement fee - commercial accounts	each	17.5% - 32%	17.5% - 32%		
CS-34	Third Placement fee - commercial accounts	each	29.5% - 50%	29.5% - 50%		

*Commercial accounts refer to all non-consumer debtors including businesses, corporations, partnerships, companies, institutions, government agencies, etc.*

**Regional Municipality of Niagara  
2021 Schedule of Fees and Charges**  
(effective February 1, 2021)

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BRC-C 5-2021  
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January 21, 2021

Fee #	Fee/Charge Description	Unit of Measure	2020 Fee/Charge (\$)	2021 Total Fee/Charge (\$)	New Fee Commentary	Analysis of New Fee
CS-35	Administration fee for default of payment of development charges per sections 26.1 and 26.2 of the <i>Development Charges Act</i>	each	-	550.00	As described in CSD 7-2021, this fee is for the default of payment of development charges per sections 26.1 and 26.2 of the <i>Development Charges Act</i> . This fee was discussed and approved at the December 9, 2020 Corporate Services Committee in CSD 49-2020 and is related to current amendments to the <i>Act</i> .	Finance staff have estimated that the time commitment to administer a default of payment will be between 2-3 hours at the applicable finance hourly rate (CS-28). This is similar to the time required to prepare the development charges agreement as set under Legal fee CS-1, and the compensation (including payroll-related costs) of the Finance staff who will administer the fee is comparable to that of the Legal staff. Fee CS-1 Development Charge Agreements is a long-standing fee and the cost recovery of that fee is well tested.
CS-36	NSF fee	per incident	35.00	35.00		

**Information Technology:**

**GIS Mapping:**

Digital Mapping:

CS-37	2020 Aerial Photography (16 cm pixel)	1 sq. km Tile	-	50.00	The Ministry of Natural Resources and Forestry (MNR) periodically acquires aerial photography for Southwest Ontario, most recently in Spring 2020. The Region is given the opportunity to purchase this data for various purposes.	The cost of acquiring this data from MNR is a fraction of what it would cost the Region to do so independently. The license agreement with MNR for the data sets out the scenarios under which the Region can resell the data. The agreement allows us to provide this data to the local area municipalities at no charge. For any others, we must contractually charge it at \$50.00 per one (1) square kilometre tile (inclusive of HST).
CS-38	2018 Aerial Photography (10 cm pixel)	1 sq. km Tile	50.00	50.00		
CS-39	2015 Aerial Photography (20 cm pixel)	1 sq. km Tile	50.00	50.00		
CS-40	2013 Aerial Photography (10 cm pixel)	1 sq. km Tile	50.00	50.00		
CS-41	2010 Aerial photography (20cm pixel colour)	1 sq. km Tile	50.00	50.00		
CS-42	2006 Aerial photography (10cm pixel black & white)	1 sq. km Tile	50.00	50.00		
CS-43	2002 Aerial photography (20cm pixel colour)	1 sq. km Tile	50.00	50.00		
CS-44	2000 Aerial photography (30cm pixel black & white)	1 sq. km Tile	50.00	50.00		

Hardcopy Mapping:

CS-45	Road map - Niagara Region 8.5" x 11" or 11" x 17"	Plot (std bond)	10.00	10.00		
CS-46	Road map - Niagara Region 24" x 36" (colour or B&W)	Plot (std bond)	25.00	25.00		
CS-47	Road map - Niagara Region 36" x 48" (colour or B&W)	Plot (std bond)	50.00	50.00		
CS-48	Road map - 42" paper	Plot (std bond)	75.00	75.00		
CS-49	Hardcopy map customization (one (1) hour minimum charge)	per hour	50.00	50.00		

**Business Licensing:**

*Unless otherwise stated below, refer to the appropriate Business Licensing By-law for details on required frequency of fee payment (e.g. annual, pro-rated, one-time, etc.).*

CS-50	Adult Entertainment Parlour Owner	each	3,750.00	3,750.00		
CS-51	Adult Entertainment Parlour Operator	each	1,200.00	1,200.00		
CS-52	Adult Entertainment Parlour Entertainer	each	250.00	250.00		
CS-53	Adult Entertainment Parlour Owner - Non-refundable Administration Fee	each	150.00	375.00		
CS-54	Adult Entertainment Parlour Operator - Non-refundable Administration Fee	each	50.00	120.00		
CS-55	Adult Entertainment Parlour Entertainer - Non-refundable Administration Fee	each	25.00	25.00		
CS-56	Adult Entertainment Parlour Transfer of Owner's Licenses - Arm's length transfer	each	3,750.00	3,750.00		

**Regional Municipality of Niagara**  
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CS-57	Adult Entertainment Parlour Transfer of Owner's Licenses - Transfer to an existing Co-owner or non-arm's length transfer	each	1,015.00	1,015.00		
CS-58	Auto Wrecking Yard – Initial Application	each	360.00	370.00		
CS-59	Auto Wrecking Yard – Renewal	each	220.00	220.00		
CS-60	Caleche Driver – Initial Application	each	60.00	60.00		
CS-61	Caleche Driver – Renewal	each	28.00	28.00		
CS-62	Caleche Owner – Initial Application	each	360.00	360.00		
CS-63	Caleche Owner – Renewal	each	185.00	185.00		
CS-64	Caleche Owner – Transfer	each	360.00	360.00		
CS-65	Caleche Horse	each	30.00	30.00		
CS-66	Caleche Business	each	150.00	150.00		
CS-67	Paratransit Driver – Initial Application	each	60.00	60.00		
CS-68	Paratransit Driver – Renewal	each	40.00	40.00		
CS-69	Paratransit Owner – Initial Application	each	1,300.00	1,300.00		
CS-70	Paratransit Owner – Renewal	each	260.00	260.00		
CS-71	Paratransit Owner – Transfer	each	1,300.00	1,300.00		
CS-72	Paratransit Business	each	150.00	150.00		
CS-73	Salvage Yard – Initial Application	each	370.00	370.00		
CS-74	Salvage Yard – Renewal	each	220.00	220.00		
CS-75	Salvage Shop – Initial Application	each	-	270.00	Business Licensing continues to refine their operations after transferring to the Region from Niagara Regional Police Services (NRPS) in 2019. In scanning the types of businesses operating in the Region, staff identified that clarity is needed on the fee schedule to include salvage shops.	For all Business Licensing fees, staff estimate the time required to issue the license at an applicable compensation rate (including payroll-related costs), then add direct costs (such as the actual cost of the physical license, mileage, etc.).
CS-76	Salvage Shop – Renewal	each	-	120.00	see CS-76	see CS-76
CS-77	Second Hand Dealer – Initial Application	each	260.00	260.00		
CS-78	Second Hand Dealer – Renewal	each	160.00	160.00		
CS-79	Second Hand Store – Initial Application	each	300.00	300.00		
CS-80	Second Hand Store – Renewal	each	185.00	185.00		
CS-81	Shuttle Driver – Initial Application	each	60.00	60.00		
CS-82	Shuttle Driver – Renewal	each	40.00	40.00		
CS-83	Shuttle Owner – Initial Application	each	1,300.00	1,300.00		
CS-84	Shuttle Owner – Renewal	each	260.00	260.00		
CS-85	Shuttle Owner – Transfer	each	1,300.00	1,300.00		
CS-86	Shuttle Business	each	150.00	150.00		
CS-87	Sightseeing Driver – Initial Application	each	60.00	60.00		
CS-88	Sightseeing Driver – Renewal	each	40.00	40.00		
CS-89	Sightseeing Owner – Initial Application	each	1,300.00	1,300.00		
CS-90	Sightseeing Owner – Renewal	each	260.00	260.00		
CS-91	Sightseeing Owner – Transfer (New Owner)	each	1,300.00	1,300.00		
CS-92	Sightseeing Business	each	150.00	150.00		
CS-93	Spare Vehicle – Initial Application	each	625.00	625.00		
CS-94	Spare Vehicle – Renewal	each	300.00	300.00		
CS-95	Specialty Driver – Initial Application	each	60.00	60.00		
CS-96	Specialty Driver – Renewal	each	40.00	40.00		
CS-97	Specialty Owner – Initial Application	each	1,300.00	1,300.00		
CS-98	Specialty Owner – Renewal	each	260.00	260.00		
CS-99	Specialty Owner – Transfer	each	1,300.00	1,300.00		
CS-100	Specialty Business	each	150.00	150.00		
CS-101	Taxi Driver – Initial Application	each	60.00	60.00		
CS-102	Taxi Driver – Renewal	each	40.00	40.00		
CS-103	Taxi Owner – Broker	each	150.00	150.00		
CS-104	Taxi Owner – Initial Application	each	1,300.00	1,300.00		
CS-105	Taxi Owner – Renewal	each	260.00	260.00		
CS-106	Taxi Owner – Transfer (New Owner)	each	1,300.00	1,300.00		

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2021 Schedule of Fees and Charges**  
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Fee #	Fee/Charge Description	Unit of Measure	2020 Fee/Charge (\$)	2021 Total Fee/Charge (\$)	New Fee Commentary	Analysis of New Fee
CS-107	Tow Truck Driver – Initial Application	each	60.00	60.00		
CS-108	Tow Truck Driver – Renewal	each	40.00	40.00		
CS-109	Tow Truck Owner – Initial Application	each	1,300.00	1,300.00		
CS-110	Tow Truck Owner – Renewal	each	260.00	260.00		
CS-111	Tow Truck Owner – Transfer	each	1,300.00	1,300.00		
CS-112	Tow Truck Yard	each	100.00	100.00		
CS-113	Tow Truck Business	each	150.00	150.00		
CS-114	Transportation Network Company – Driver initial application administration fee	each	40.00	40.00		
CS-115	Transportation Network Company – Driver application administration fee for second and subsequent short-term licences (less than 12 months)	each	25.00	25.00		
CS-116	Transportation Network Company Fleet Size - 1 - 24 Vehicles	each	1,020.00	1,020.00		
CS-117	Transportation Network Company Fleet Size - 25 - 99 Vehicles	each	5,100.00	5,100.00		
CS-118	Transportation Network Company Fleet Size - 100 - 499 Vehicles	each	10,200.00	10,200.00		
CS-119	Transportation Network Company Fleet Size - 500 - 999 Vehicles	each	15,300.00	15,300.00		
CS-120	Transportation Network Company Fleet Size - 1000+ Vehicles	each	50,750.00	50,750.00		
CS-121	Transportation Network Company Per Trip Charge	trip	0.13	0.13		

**Business Licensing Administrative**

CS-122	NSF Cheque	each	35.00	35.00		
CS-123	Late fee	each	50.00	50.00		
CS-124	License replacement	each	60.00	60.00		
CS-125	Replacement Plate	each	-	10.00	All vehicles licensed by the Region purchase a plate as included in the cost of their initial application fee. Should a plate be lost, damaged or stolen, plate holders pay for a replacement.	This is the direct cost of the physical plate, should a replacement license plate be required.
CS-126	Replacement Vehicle	each	100.00	100.00		
CS-127	Hearing fee	each	-	75.00	As described in CSD 7-2021, this fee is intended to partially offset the cost of a hearing by the Licensing Appeals Committee under the Business Licensing by-laws.	Staff have set this fee at 50% recovery of cost of a Licensing Appeals Committee hearing (full cost recovery would include direct costs attributable to committee member fees, with three committee members receiving \$50 each per meeting). Staff's intent is that the cost should not be too high as to deter those requesting a hearing, but should be high enough to partially recover costs.

**Customer Service:**

CS-128	International Plaza Event (up to 149 attendees)	per hour	45.20	45.20		
CS-129	International Plaza Event (150+ attendees): Non-profit and Charitable	per hour	39.55	39.55		
CS-130	International Plaza Event (150+ attendees): Commercial	per hour	79.10	79.10		
CS-131	International Plaza Event Hydro	per day	33.90	33.90		
CS-132	International Plaza Event (150+ attendees) Staff Time	per hour	50.00	50.00		
CS-133	International Plaza Vendor Space	per day	50.85	50.85		
CS-134	International Plaza Photography Permit	per hour	33.90	33.90		
CS-135	International Plaza Instructional Class	per hour	24.86	24.86		
CS-136	Small Meeting Room - Event: Non-profit and Charitable	per hour	11.30	11.30		
CS-137	Small Meeting Room - Event: Commercial	per hour	22.60	22.60		
CS-138	Small Meeting Room - Meeting (non-event): Non-Profit and Charitable	per hour	-	-		
CS-139	Large Meeting Room - Event: Non-profit and Charitable	per hour	16.95	16.95		
CS-140	Large Meeting Room - Event: Commercial	per hour	36.16	36.16		
CS-141	Large Meeting Room - Meeting (non-event): Non-Profit and Charitable	per hour	-	-		

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Fee #	Fee/Charge Description	Unit of Measure	2020 Fee/Charge (\$)	2021 Total Fee/Charge (\$)	New Fee Commentary	Analysis of New Fee
CS-142	Reinstatement of property	each	at cost (time and material) plus 15% plus applicable HST	at cost (time and material) plus 15% plus applicable HST		
CS-143	Cancellation fee with less than three (3) business days' notice or no-shows	each	28.25	28.25		

Small Meeting Room options: CE101, CE102, CE103, or CR4  
Large Meeting Room option: CE101 and CE102 (combined)

**Corporate Administration**

**Human Resources:**

CA-1	3rd party request for release of information	each	71.00 per hour plus incidental costs	71.00 per hour plus incidental costs		
CA-2	Document Archive Request (Record Search)	per 15 minutes	7.50	7.50		
CA-3	Photocopying	per page	0.20	0.20		

**Clerks Office:**

**Subscription Rates:**

CA-4	Council blue book - yearly	yearly	235.70	235.70		
CA-5	Agenda package (for Standing Committees)	per committee, yearly	107.00	107.00		
CA-6	Minutes only	per committee, yearly	74.90	74.90		

**Miscellaneous Items:**

CA-7	Swearing of oaths (may be waived/amended at the discretion of the Clerk)	each	15.00	15.00		
CA-8	Photocopying (may be waived/amended at the discretion of the Clerk)	per page	0.20	0.20		

**Requests for Records and Information (includes requests made under Municipal Freedom of Information and Protection of Privacy Act (MFIPPA) and Personal Health Information Protection Act (PHIPA)):**

CA-9	Initial requests (MFIPPA)	each	5.00	5.00		
CA-10	Preparation fee (redaction time)	per 15 minutes	7.50	7.50		
CA-11	Photocopying	per page	0.20	0.20		
CA-12	Manual Search	per 15 minutes	7.50	7.50		
CA-13	Producing an electronic record	per 15 minutes	7.50	7.50		
CA-14	Search involving third party (i.e. locating, retrieval, processing, copying)	each	all costs incurred (inclusive of any non-recoverable HST paid to the third party)	all costs incurred (inclusive of any non-recoverable HST paid to the third party)		
CA-15	CD/USB	each	10.00	10.00		
CA-16	Search, file redaction, shipping and the first 20 pages (PHIPA ONLY)	per request	all costs incurred up to \$30	all costs incurred up to \$30		
CA-17	Photocopying after the first 20 pages (PHIPA ONLY)	per page after 20 pages	0.20	0.20		

**Procedures & Fees for the Processing of Applications for Holiday Openings for Maintenance & Development of Tourism under Retail Business Holidays Act:**

CA-18	Each application (non-refundable)	each	750.00	750.00		
CA-19	Business 2,400 square feet or more for service public or if business normally has 4 or more employees service the public (in addition to application fee)	each	100.00	100.00		

**Public Works**

PW-1	Hourly rates (where applicable)	each	225.00	230.00		
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**Waste Management:**



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Fee #	Fee/Charge Description	Unit of Measure	2020 Fee/Charge (\$)	2021 Total Fee/Charge (\$)	New Fee Commentary	Analysis of New Fee
PW-2	Blue recycling bins	each	6.00	6.00		
PW-3	Grey recycling bins	each	6.00	6.00		
PW-4	Kitchen organics containers	each	4.00	4.00		
PW-5	Green organics bin	each	17.00	17.00		
PW-6	Backyard composters	each	21.00	21.00		
PW-7	Recycling carts - Commercial and Multi-Residential	each	69.00	69.00		
PW-8	32 gallon organic cart - Commercial and Multi-Residential	each	40.00	50.00		
PW-9	64 gallon organic cart - Commercial	each	69.00	69.00		
PW-10	Garbage tags for each container (bag/can) above the low-density residential (properties with one (1) to six (6) units) garbage limit	each	2.50	2.50		

**For Landfill Sites & Residential Waste Drop-off Sites:**

**Residential and Commercial Tipping Fees:**

PW-11	0 - 50 kg	flat charge	5.00	5.00		
PW-12	Above 50 kg	per tonne	115.00	117.00		
PW-13	Shingles	per tonne	75.00	75.00		
PW-14	Asbestos	per tonne	300.00	385.00		
PW-15	Residential concrete and asphalt	per tonne	10.00	10.00		
PW-16	Residential clean soil	per load	-	-		
PW-17	Residential and Commercial scrap metal	per tonne	-	-		
PW-18	Commercial clean loads of Blue and Grey Box Materials, Electronics (e-waste), Tires, Batteries	per load	-	-		
PW-19	Residential clean loads of Blue and Grey Box Materials, Electronics (e-waste), Tires, Batteries, Leaf and Yard Waste, FOG, Propane Tanks, Used Motor Oil	per load	-	-		
PW-20	Commercial leaf and yard waste	per tonne	70.00	70.00		
PW-21	Commercial clean soil - open landfill sites	per load	20.00	20.00		
PW-22	Commercial contaminated soil	per tonne	30.00	30.00		
PW-23	Commercial clean or slightly contaminated soil - Closed Landfill Sites (without operator/ equipment)	per load	40.00	40.00		
PW-24	Commercial clean or slightly contaminated soil - Closed Landfill Sites (operator/equipment supplied)	per load	25.00	25.00		
PW-25	Commercial concrete and asphalt	per tonne	10.00	10.00		
PW-26	Appliances containing CFC's	per unit	20.00	20.00		
PW-27	Weigh scale measurement (no drop off)	each	10.00	10.00		

**Residential Waste Drop-off Locations - Weigh Scales not Operating:**

**Tipping Fees:**

PW-28	Cars or mini-vans	per load	5.00	5.00		
PW-29	Cars or mini-vans with trailer	per load	15.00	15.00		
PW-30	Cube Van	per load	35.00	35.00		
PW-31	Cube Van with trailer	per load	40.00	40.00		
PW-32	Pick-up truck	per load	20.00	20.00		
PW-33	Pick-up truck with trailer	per load	25.00	25.00		
PW-34	Van or SUV	per load	15.00	15.00		
PW-35	Van or SUV with trailer	per load	20.00	20.00		
PW-36	Cargo Van	per load	20.00	20.00		

**Special Event Recycling (SER):**

PW-37	Return of contaminated organics or recycling material	per event	59.00	59.00		
PW-38	Return of all organics carts or recycling containers empty or unused	per event	59.00	59.00		
PW-39	Disposal of contaminated organics or recycling material to landfill	per tonne	115.00	115.00		
PW-40	SER materials not ready for pick up at prearranged time	per return trip	170.00	170.00		
PW-41	Replacement of damaged or missing 64 gal recycling cart	each	123.00	123.00		
PW-42	Replacement of damaged or missing 32 gal organics cart	each	61.00	62.00		
PW-43	Replacement of damaged or missing portable folding recycling container	each	135.00	135.00		
PW-44	Replacement of damaged or missing roll-off signs	each	74.00	74.00		

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PW-45	Replacement of damaged or missing locks	each	8.00	9.00		
PW-46	Request to move roll-off container after placement	per move	170.00	170.00		

**Environmental Enforcement:**

PW-47	Hauled sewage - domestic/non-domestic	per 1,000 gallons	44.00	45.00		
PW-48	Hauled sewage - hauler application fee	each	106.00	108.00		
PW-49	Hauled sewage - hauler permit	first 3 vehicles	52.00	52.00		
PW-50	Hauled sewage - access cards	each	16.00	16.00		
PW-51	Batch discharge permit	each	150.00	153.00		
PW-52	Administrative fee	each	31.00	32.00		
PW-53	Environmental audits information requests - industrial	each	406.80	414.71		
PW-54	Environmental audits information requests - commercial	each	406.80	414.71		
PW-55	Environmental audits information requests - residential	each	135.60	137.86		
PW-56	Sewer overstrength surcharge	per kg	1.55	1.58		
PW-57	Surcharge agreement - application fee	each	150.00	153.00		
PW-58	Restrictive discharge agreement - application fee	each	150.00	153.00		
PW-59	Environmental Record Search	per request	169.50	172.89		

**Transportation Services:**

**Traffic Data Fees:**

PW-60	Eight hour intersection traffic count	each	265.00	265.00		
PW-61	24 hour automatic traffic recorder	each	55.00	55.00		
PW-62	24 hour automatic traffic recorder- Speed/Classification and Volume	each	265.00	265.00		
PW-63	24 hour automatic traffic recorder- Volume	each	85.00	85.00		
PW-64	Motor vehicle collision general inquiry report per location for 3-5 years history	each	157.00	157.00		
PW-65	Intersection capacity analysis summary information	each	275.00	275.00		
PW-66	Traffic signal timing	each	110.00	110.00		
PW-67	Transportation forecasts - area and specific plots	per hour	82.00	82.00		
PW-68	Transportation forecasts - custom analysis	per hour	82.00	82.00		
PW-69	Land use information by traffic zone	per hour	82.00	82.00		

**Transportation Engineering:**

PW-70	Design review for development related road improvements	per application	In accordance with executed agreement between Niagara Region and developer plus applicable HST	In accordance with executed agreement between Niagara Region and developer plus applicable HST		
PW-71	Inspection fee for development related road improvements	per application	In accordance with executed agreement between Niagara Region and developer plus applicable HST	In accordance with executed agreement between Niagara Region and developer plus applicable HST		

**Road Permit Fees:**

PW-72	Commercial and industrial entrances (fees payable at the time of Permit Issuance)	each	220.00 + Inspection fee	220.00 + Inspection fee		
PW-73	Residential entrances (fees payable at the time of Permit Issuance)	each	55.00 + Inspection Fee	55.00 + Inspection Fee		
PW-74	Inspection fee	each	82.00	82.00		
PW-75	Sign permit - Permanent or Mobile sign	each	82.00	82.00		

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PW-76	Sign permit - Billboard sign	each		620.00	As per CSD 7-2021, the original sign permit fee has been split into two fees to distinguish permanent and mobile signs (PW-75 \$82.00) from billboard signs (PW-76 \$620.00). This split approach represents the same method in use by other municipalities and better reflects staff time required to review, approve, inspect, hold site meetings and monitor the work related to each type of sign permit. A billboard sign is defined as a sign that is free standing and is supported by a structure secured to the ground and which is not supported by any building or other structure, displays copy advertising goods, products, or services not sold or offered where the sign is displayed by means of a laminated banner made from cloth, plastic or a similar lightweight material, a digital screen, or an electronic screen; and is either single faced or double faced. A permanent sign is defined as a sign that is free standing and is supported by a structure secured to the ground and which is not supported by any building or other structure, but does not include a billboard sign. A mobile sign means a sign that is temporary and can be readily moved from one location to another.	Staff estimated the costs that would be applicable to issuing this fee, including the time needed to review, approve, inspect, hold site meetings and monitor the work related to each Billboard sign permit. As this is a new fee to the Region, staff scanned other municipalities to look for comparable fees and determined that the rate suitable for the first year was at the lower end of the fees charged by other municipalities.
PW-77	Detour fee (on Provincial Highway or Local Area Municipalities road and diverting traffic to Regional roads)	each	230.00	230.00		
PW-78	Daily permit fee (single move - load below 63,500kg; the proposed route is not over regional structure, same route only, OBF check is not required)	each	100.00	100.00		
PW-79	Daily permit fee (single move - load above 63,500kg; the proposed route is not over regional structure, same route only, OBF check is not required)	each	100.00	100.00		
PW-80	Daily permit fee (single move - load above 63,500kg; the proposed route is over regional structure, same route only, OBF check is required)	each	450.00	450.00		
PW-81	Project permit fee (granted for 12 weeks (3 months); multiple moves - load below 63,500kg; the proposed route is not over regional structure, same route only, OBF check is not required)	each	600.00	600.00		
PW-82	Project permit fee (granted for 12 weeks (3 months); multiple moves - load above 63,500kg; the proposed route is not over regional structure, same route only, OBF check is not required)	each	600.00	600.00		
PW-83	Project permit fee (granted for 12 weeks (3 months); multiple moves - load above 63,500kg; the proposed route is over regional structure, same route only, OBF check is required)	each	950.00	950.00		
PW-84	Annual permit fee (multiple moves at unspecified intervals - load below 63,500kg)	each	330.00	330.00		
PW-85	Full load (March, April)	each	165.00	165.00		
PW-86	Special Events: Full Closure: This is an event that requires the complete closure of a Regional Road. Traffic movement must be diverted by a scheduled detour plan. Police must be at the event site for traffic control.	each	660.00	660.00		
PW-87	Special Events: Partial Closure: This is a special event that requires lane closures, but allows traffic to continue in both directions. Police may be at the event site for traffic control.	each	300.00	300.00		

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PW-88	Special Events: Rolling Closure: This is a special event closure that does not require any permanent lane closures. Used mostly for small parade walks that use sidewalks only and/ or bike events that close roads for a very short period of time. All closures are contained to either (1) lane and monitored by police presence.	each	275.00	275.00		
PW-89	Special Events: Charity Organization	each	50.00	50.00		
PW-90	Special Events- Filming (not more than 5 business days)	each	-	120.00	The new Special Events-Filming permit introduces a separate category from other special events as a different process of approval and timing (not more than 5 business days) is involved. Filming includes any form of visual recording for a feature film, television film, television program, documentary, commercial, music video, educational film or other purpose on Regional property, but does not include filming for non-commercial purposes (e.g. weddings, sports and family or community events) nor interviews, newscasts or press conferences on Regional premises. If filming will include a road closure, then a separate road closure permit must be obtained.	Staff estimated the costs that would be applicable to issuing this fee, including the time to review, approve, inspect, hold site meetings and monitor the work related to each Special Events-Filming permit. As this is a new fee to the Region, staff scanned other municipalities to look for comparable fees. Staff determined that the rate suitable for the first year was at the lower end of the fees charged by other municipalities.
PW-91	Road Occupancy	each	110.00	110.00		
PW-92	Info bars	each	55.00	55.00		
PW-93	Construction encroachment - no pavement cut (fees applicable when permit obtained before construction begins)	each	275.00 + Inspection Fee	275.00 + Inspection Fee		
PW-94	Construction encroachment - no pavement cut (fees applicable when permit obtained after construction begins)	each	550.00 + all applicable per visit Inspection Fees	550.00 + all applicable per visit Inspection Fees		
PW-95	Construction encroachment - with pavement cut (fees applicable when permit obtained before construction begins)	each	550.00 + Inspection Fee	550.00 + Inspection Fee		
PW-96	Construction encroachment - with pavement cut (fees applicable when permit obtained after construction begins)	each	1,100.00 + all applicable per visit Inspection Fees	1,100.00 + all applicable per visit Inspection Fees		
PW-97	Encroachment Agreement Application (fees set to offset the cost to administer the application, review, circulate, and respond to request)	each	330.00	330.00		
PW-98	Construction encroachment (Local Area Municipal Access Agreements - Emergency Repair) (permit obtained within 30 days of repair)	each	-	-		
PW-99	Construction encroachment (Local Area Municipal Access Agreements - Emergency Repair) (permit obtained after 30 days of repair)	each	275.00 - 550.00 + all applicable per visit Inspection Fees	275.00 - 550.00 + all applicable per visit Inspection Fees		
PW-100	Landscaping (There will be no attributed encroachment fee for landscaping done on road allowance wherein the improvements are mutually beneficial and beautifying of Regional Property.)	each	-	-		
PW-101	Encroachment of Structure/Sign/Patios (As result of ROW widening or as a result an existing build found during planning application)	each	-	-		
PW-102	Annual Encroachment Agreement – (Residential) (Fee is for the annual utilization of the Region's lands. Fee will not be pro-rated for any reason, unless terminated by the Region.)	each	8.0% of Market Value per square meter multiplied by the area of the encroachment, with minimum annual fee as \$330.00	8.0% of Market Value per square meter multiplied by the area of the encroachment, with minimum annual fee as \$330.00		

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Fee #	Fee/Charge Description	Unit of Measure	2020 Fee/Charge (\$)	2021 Total Fee/Charge (\$)	New Fee Commentary	Analysis of New Fee
PW-103	Annual Encroachment Agreement – New Structure/Sign/Patio (Commercial) (Fee is for the annual utilization of the Region’s lands. Fee will not be pro-rated for any reason unless terminated by the Region.)	each	8.0% of Market Value per square meter multiplied by the area of the encroachment, with minimum annual fee as \$550.00	8.0% of Market Value per square meter multiplied by the area of the encroachment, with minimum annual fee as \$550.00		
PW-104	Annual Underground Structure Encroachment (Fee is for the annual utilization of the Region’s lands. Fee will not be pro-rated for any reason unless terminated by the Region.)	each	8.0% of Market Value per square meter multiplied by the area of the encroachment, with minimum annual fee as \$1100.00	8.0% of Market Value per square meter multiplied by the area of the encroachment, with minimum annual fee as \$1100.00		
PW-105	One-Time Underground Structure Encroachment (Fee is for any underground (tieback) encroachment proposed within the ROW which will be abandoned after construction. Fee will not be pro-rated for any reason unless terminated by the Region.)	each		4,500.00	As described in CSD 7-2021, while there is already a process and annual fee for temporary underground structure encroachments (fee PW-104), staff identified a new fee in PW-105 to accommodate a new scenario for permanent underground structure encroachments - to be left under the Region’s Right of Way (ROW). Under this permit, staff will administer and review below grade permanent underground encroachments (e.g. tiebacks/piles for any type of material used (such as concrete, steel, or timber)) that will remain long-term within the Region’s ROW.	Staff estimated the costs that would be applicable to issuing this fee, including the time to review, approve, inspect, hold site meetings and monitor the work related to each One-Time Underground Structure Encroachment. As this is a new fee to the Region, staff scanned other municipalities to look for comparable fees. Staff determined that the rate suitable for the first year was at the lower end of the fees charged by other municipalities.
PW-106	Annual Private Infrastructure Encroachment (as per previous Agreement)	each	1.00	1.00		
PW-107	Municipal Gateway Features/Streetscape Improvements (as per previous Agreement)	each	1.00	1.00		
PW-108	Construction encroachment (Municipal Access Agreements - Annual Fee)	each	5,000.00	5,000.00		
PW-109	Construction encroachment (Municipal Access Agreements - Resubmission)	each	200.00	200.00		
PW-110	Encroachment Agreement (within Development Planning Agreements) (If pavement is less than 5 years old; Fee is refundable only if pavement reinstatement is done to the Region’s standards and passes inspection.)	each	100% of estimated cost of repair	100% of estimated cost of repair		
PW-111	Encroachment Agreement (within Development Planning Agreements) (If pavement is more than 5 years old; Fee is refundable only if pavement reinstatement is done to the Region’s standards and passes inspection.)	each	15% of estimated value of project	15% of estimated value of project		
PW-112	Canadian Tourism-Oriented Directional Signing (TODS)	per operator	150.00	150.00		
PW-113	Canadian Tourism-Oriented Directional Signing (TODS)	per assembly	300.00	300.00		
PW-114	Regional directional sign	each	50.00	50.00		
PW-115	Lane Occupancy (Lane occupancy without construction being done on roadway)	per lane, per day	250.00	250.00		
PW-116	Community events (fee plus applicable operational costs are payable by the event organizer)	each	11.00 - 55.00	11.00 - 55.00		

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PW-117	Tree replacement from Regional boulevard	each	-	500.00	In CSD 7-2021, staff identified the PW-117 Tree replacement from Regional boulevard fee of \$500 is to be paid by a local area municipality for a tree that is removed from a Regional boulevard. This should be amended to clarify that the fee is to be paid by the applicant, which may encompass a local area municipality, developer, or resident, based on who is requesting removal of a tree from a Regional boulevard.	Staff estimated the cost of this fee at the staff time required at an applicable compensation rate (including payroll-related costs) plus direct costs such as the cost of the tree.

Road Permit Fees: "Market Value" means either the land value acquired from the associated MPAC value or approved land appraisal value.

**Inter-Municipal Transit:**

PW-118	Cash Fare - Adults (18-64)	each	6.00	6.00		
PW-119	Cash Fare - Child (0-12)	each	-	No Charge	As described in CSD 7-2021, this no-charge fee was added to align with fee PW-135 in the Intra-Municipal Transit section (that section was newly added when the on-demand transit pilot program was rolled out in Summer 2020; see CSD 43-2020 Intra-Municipal Transit Fees from the June 25, 2020 Council meeting). The child fare was no charge in 2020 and prior for both Inter-Municipal Transit and Niagara Specialized Transit, although it wasn't specifically laid out as a fee in the schedule at that time (it had only been implied, based on age ranges in the other fee categories). The updated fee schedule is in alignment with approved Inter-Municipal Transit Working Group child policy, and with the GO Transit child policy.	No charge.
PW-120	Cash Fare - Youth (13-17) / High School Students	each	5.00	5.00		
PW-121	Cash Fare - Seniors (65+)	each	5.00	5.00		
PW-122	10-ride Card - Adults (18-64)	each	45.00	45.00		
PW-123	10-ride Card - Youth (13-17) / High School Students	each	40.00	40.00		
PW-124	10-ride Card - Seniors (65+)	each	40.00	40.00		
PW-125	Monthly Pass - Adults (18-64)	each	160.00	160.00		
PW-126	Monthly Pass - Youth (13-17) / High School Students	each	130.00	130.00		
PW-127	Monthly Pass - Seniors (65+)	each	130.00	130.00		
PW-128	Fort Erie to Niagara Falls Link Service - Cash Fare - Adults (18-64)	each	3.50	3.50		
PW-129	Fort Erie to Niagara Falls Link Service - Cash Fare - Youth (13-17) / High School Students	each	3.50	3.50		
PW-130	Fort Erie to Niagara Falls Link Service - Cash Fare - Seniors (65+)	each	3.50	3.50		
PW-131	Port Colborne to Welland Link Service - Cash Fare - Adults (18-64)	each	3.50	3.50		
PW-132	Port Colborne to Welland Link Service - Cash Fare - Youth (13-17) / High School Students	each	3.50	3.50		
PW-133	Port Colborne to Welland Link Service - Cash Fare - Seniors (65+)	each	3.50	3.50		

**Intra-Municipal Transit:**

PW-134	Cash Fare - Adults (18-64)	each	3.00	3.00		
PW-135	Cash Fare - Child (0-12)	each	No Charge	No Charge		
PW-136	Cash Fare - Youth (13-17) / High School Students	each	3.00	3.00		
PW-137	Cash Fare - Seniors (65+)	each	3.00	3.00		
PW-138	10-ride Card - Adults (18-64)	each	27.00	27.00		

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PW-139	10-ride Card - Youth (13-17) / High School Students	each	22.50	22.50		
PW-140	10-ride Card - Seniors (65+)	each	22.50	22.50		
PW-141	Monthly Pass - Adults (18-64)	each	85.00	85.00		
PW-142	Monthly Pass - Youth (13-17) / High School Students	each	65.00	65.00		
PW-143	Monthly Pass - Seniors (65+)	each	65.00	65.00		

**Niagara Specialized Transit Fares:**

PW-144	Cash Fare - Adults (18-64)	each	6.00	6.00		
PW-145	Cash Fare - Child (0-12)	each		No Charge	see PW-119	No charge.
PW-146	Cash Fare - Youth (13-17) / High School Students	each	5.00	5.00		
PW-147	Cash Fare - Seniors (65+)	each	5.00	5.00		
PW-148	10-ride Card - Adults (18-64)	each	45.00	45.00		
PW-149	10-ride Card - Youth (13-17) / High School Students	each	40.00	40.00		
PW-150	10-ride Card - Seniors (65+)	each	40.00	40.00		
PW-151	Monthly Pass - Adults (18-64)	each	160.00	160.00		
PW-152	Monthly Pass - Youth (13-17) / High School Students	each	130.00	130.00		
PW-153	Monthly Pass - Seniors (65+)	each	130.00	130.00		
PW-154	Trips Fort Erie to Niagara Falls Link Service - Cash Fare - Adults (18-64)	each	3.50	3.50		
PW-155	Trips Fort Erie to Niagara Falls Link Service - Cash Fare - Youth (13-17) / High School Students	each	3.50	3.50		
PW-156	Trips Fort Erie to Niagara Falls Link Service - Cash Fare - Seniors (65+)	each	3.50	3.50		
PW-157	Trips Port Colborne to Welland Link Service - Cash Fare - Adults (18-64)	each	3.50	3.50		
PW-158	Trips Port Colborne to Welland Link Service - Cash Fare - Youth (13-17) / High School Students	each	3.50	3.50		
PW-159	Trips Port Colborne to Welland Link Service - Cash Fare - Seniors (65+)	each	3.50	3.50		
PW-160	Trips to Hamilton - Cash Fare - Adults (18-64)	each	15.00	15.00		
PW-161	Trips to Hamilton - Cash Fare - Youth (13-17) / High School Students	each	14.00	14.00		
PW-162	Trips to Hamilton - Cash Fare - Seniors (65+)	each	14.00	14.00		

**Tourism Oriented Destination Signage:**

PW-163	Initial Fee for Manufacturing and Installation: Up to 30 cm x 120 cm (1' x 4') signs (for roads with speed limit of 60 km/h or less)	Per sign	367.25	367.25		
PW-164	Initial Fee for Manufacturing and Installation: Up to 45 cm x 180 cm (1.5' x 6') signs (for roads with speed limit greater than 60 km/h)	Per sign	565.00	565.00		
PW-165	Annual Maintenance Fee	Per sign	113.00	113.00		

Tourism signage initiated by a local municipality may be exempt from the annual maintenance fee; however, the municipality will be responsible for the cost of any modifications or replacements.

**Planning and Development Services:**

PDS-1	Hourly rates (where applicable)	each	225.00	230.00	increase	
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2021 Schedule of Fees and Charges  
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green - new fee

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Fee #	Fee/Charge Description	Unit of Measure	2020 Fee/Charge (\$)	2021 Total Fee/Charge (\$)	New Fee Commentary	Analysis of New Fee
PDS-2	File Management Fee*	per year	-	Up to 112,000.00	This fee is being introduced to offer applicants of complex developments the option of a dedicated senior planner. A complex development could include an area where a secondary plan is required and it is of significant Regional interest (i.e. a GO station). This dedicated support will provide a single point of contact to the applicant throughout the life of the project. The applicant would enter into an agreement outlining all agreed upon costs upon project initiation. The intention is to have this type of fee in place, if required, as growth in Niagara is expected to increase and with it a rise in potential for such large projects. In response to Councillor questions at the January 14, 2021 BRCOTW, the language on the fee under its asterisk has been updated to clarify at the "recommendation" of the Commissioner, Planning & Development Services (it had previously stated "discretion") and add "at the option of the applicant". Also, the fee amount now specifies "Up to" the fee. This fee would be over and above any other required fees and charges under a planning application.	The maximum yearly amount of the fee is the average annual compensation of a senior planner including all payroll-related costs. Based on actual staff commitment to the file, the fee would be prorated and billed periodically to the applicant. An agreement would be entered into with the applicant prior to project initiation stating agreed upon costs as related to this fee.

\* Large complex files requiring a dedicated resource to support and expedite the approval process at the recommendation of the Commissioner, Planning & Development Services and the option of the applicant.

**Planning Services:**

**Regional Official Plan Amendments (ROPA):**

PDS-3	Regional Official Plan Amendment Review	per application	18,125.00	18,310.00		
PDS-4	Regional Official Plan Amendment Application Fee - Urban Boundary Expansion	per application	36,000.00	36,360.00		
PDS-5	ROPA to Establish or Expand a Pit or Quarry **	per application	113,885.00	115,025.00		
PDS-6	Advertising - Public Notice (Applicant is responsible for advertising cost over & above the application fee)	per application	cost of advertising plus applicable HST	cost of advertising plus applicable HST		

\*\* In addition to the fees set out above for Pits and Quarries (new and expansion fees), the owner/applicant shall bear any and all costs pertaining to Peer Reviews and for an Aggregate Advisor, if required. The owner/applicant shall be required to sign a cost acknowledgement agreement which must be signed and submitted as part of the application.

**Local Official Plan Amendments:**

PDS-7	Major Official Plan Amendment Review (Change in land use designation, conversion, or significant change in policy direction)	per application	9,715.00	9,815.00		
PDS-8	Minor Official Plan Amendment Review (Change in policy)	per application	5,180.00	5,235.00		
PDS-9	Technical Official Plan Amendment Review (Limited scope of Provincial/Regional interests affected)	per application	-	535.00	Staff have identified a scenario where a Local Official Plan Amendment (OPA) Review is required that has limited to no Provincial or Regional interests and where only a minimal review and comment on the OPA is needed to exempt it from Regional approval. With less staff time required, a lower value fee than fees PDS-7 and PDS-8 would be applicable.	Staff have estimated that the time required at an applicable compensation rate including payroll-related costs for this type of review would be equivalent to PDS-31 (a minor site plan review) as work efforts would be similar and, as such, have set PDS-9 at the same amount.



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Fee #	Fee/Charge Description	Unit of Measure	2020 Fee/Charge (\$)	2021 Total Fee/Charge (\$)	New Fee Commentary	Analysis of New Fee
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**Development Services:**

**Subdivision, Vacant Land or Common Element Condominium Base Fee:**

**Additional fees apply for Storm Water, Urban Design, Hydrogeology, EIS and/or Private Sewage System Reviews as required.**

PDS-10	Draft Plan Review (Fee is based on the entire area of the subdivision)	per application	5,180.00 base fee + 1,145.00 per hectare	5,235.00 base fee + 1,160.00 per hectare		
PDS-11	Revision to Submission by Applicant (Prior to Draft Approval)	per application	1,300.00	1,315.00		
PDS-12	Modification of Draft Plan Approval	per application	2,595.00	2,625.00		
PDS-13	Extension of Draft Plan Approval	per application	1,300.00	1,315.00		
PDS-14	Extension of Draft Plan Approval (Approved prior to 2006)	per application	2,595.00	2,625.00		
PDS-15	Clearance of Draft Plan Conditions	per phase	2,595.00	2,625.00		

**Standard Condominium Base Fee:**

**Additional fees apply for Storm Water, Urban Design, Hydrogeology, EIS and/or Private Sewage System Reviews as required.**

PDS-16	Combined Standard Condominium and Site Plan Review Fee	per application	3,890.00	3,930.00		
PDS-17	Plan of Standard Condominium Review (where site plan review is not required)	per application	2,595.00	2,625.00		
PDS-18	Revisions to Submission by Applicant (Prior to Approval)	per application	1,300.00	1,315.00		
PDS-19	Modification of Standard Draft Plan of Condominium Approval	per application	650.00	660.00		
PDS-20	Extension of Standard Draft Plan of Condominium Approval	per application	720.00	730.00		
PDS-21	Extension of Standard Draft Plan of Condominium Approval (Approved prior to 2006)	per application	1,430.00	1,445.00		
PDS-22	Clearance of Conditions (Standard Plan of Condominium)	per application	720.00	730.00		

**Zoning By-law Amendments Base Fee:**

**Additional fees apply for Storm Water, Urban Design, Hydrogeology, EIS and/or Private Sewage System Reviews as required.**

PDS-23	Zoning By-law Amendment Review	per application	1,300.00	1,315.00		
PDS-24	Agricultural purposes only (APO) zoning amendment ***	per application	420.00	425.00		
PDS-25	Revision to Submission by Applicant (Prior to Approval)	per application	650.00	660.00		
PDS-26	Removal of holding symbol	per application	650.00	660.00		

\*\*\* Where the Region or Local Area Municipality has requested an APO zone as a condition of severance approval there will be no charge for the APO application.

**Consent Reviews Base Fees:**

**Additional fees apply for Storm Water, Urban Design, Hydrogeology, EIS and/or Private Sewage System Reviews as required.**

PDS-27	Consent Review - Urban	per application	620.00	630.00		
PDS-28	Consent Review - Rural /Outside Urban	per application	875.00	885.00		
PDS-29	Final certification fee (active consent files still remaining under the authority of the Region will be subject to Final Certification Fee, payable upon request for final certification, prior to registration.)	per application	265.00	270.00		

**Site Plan Reviews Base Fees:**

**Additional fees apply for Storm Water, Urban Design, Hydrogeology, EIS and/or Private Sewage System Reviews as required.**

PDS-30	Major Site Plan Review (Applications which entail a Regional response if the subject property is located on a Regional road or there are Regional infrastructure/facilities located nearby or the application has a Regional or Provincial issue as determined by the local municipal planner.)	per application	1,300.00	1,315.00		
PDS-31	Minor Site Plan Review (Minor Site Plans requiring Waste Collection Review, Entrance Permits, Encroachment Permits, Sign Permits.)	per application	525.00	535.00		
PDS-32	Revision to Submission by Applicant (Prior to Approval)	per application	650.00	660.00		
PDS-33	Review of Waste Management Only	per application	420.00	425.00		
PDS-34	Clearance of Site Plan Conditions	per application	1,300.00	1,315.00		

**Minor Variance Reviews Base Fees:**

**Additional fees apply for Storm Water, Urban Design, Hydrogeology, EIS and/or Private Sewage System Reviews as required.**

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PDS-35	Minor Variance Review (excludes Septic) (Applications which require Regional Review if the subject property is located on a Regional road or there are Regional infrastructure/facilities located nearby or the application has a Regional or Provincial issue.)	per application	420.00	425.00		

**Niagara Escarpment Plan Applications:**

**Additional fees apply for Storm Water, Urban Design, Hydrogeology, EIS and/or Private Sewage System Reviews as required.**

PDS-36	Development Permit Review	per application	785.00	795.00		
PDS-37	Minor Development Permit Review (No Provincial or Regional concerns identified (i.e. sheds, garages, pools, etc.))	per application	420.00	425.00		

**All Development Applications are subject to the following additional fees as applicable:**

PDS-38	Storm Water Review more than 5 ha	per application	1,870.00	1,890.00		
PDS-39	Storm Water Review < 5 ha	per application	625.00	635.00		
PDS-40	Major Urban Design Review	per application	615.00	625.00		
PDS-41	Minor Urban Design Review	per application	255.00	260.00		
PDS-42	Hydrogeology Review	per application	1,200.00	1,215.00		
PDS-43	Major Environmental Impact Study (EIS) Review (2 or more features)	per application	2,245.00	2,270.00		
PDS-44	Minor EIS Review (1 feature)	per application	1,125.00	1,140.00		
PDS-45	EIS Terms of Reference (TOR) Review (To be deducted from EIS fee when EIS Submitted)	per application	400.00	405.00		
PDS-46	EIS Draft Review (To be deducted from EIS fee when EIS Submitted)	per application	400.00	405.00		
PDS-47	EIS Second Submission (Addendum) Review	per application	No Charge	No Charge		
PDS-48	EIS Third Submission (Addendum) Review	per application	1,200.00	1,215.00		
PDS-49	Private Sewage System Review	per lot or unit	400.00	400.00		

**Secondary Plans:**

PDS-50	Secondary Plans - Privately Initiated (Fee Includes Secondary Plan fee, Urban Design Review, Engineering Review, and OPA review)	per application	13,460.00	13,595.00		
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**Maintenance Fees:**

PDS-51	Maintenance Fees (Where a file is inactive for over one year, a final maintenance fee will apply to keep the file open. If the fee is not received within four weeks of a request, the file will be closed.)	per application	1,300.00	1,300.00		
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**LPAT Appeal Record Preparation:**

PDS-52	LPAT Appeal Record Preparation	per application	625.00	635.00		
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**Environmental Site Assessments (Brownfields) Requests to Use Non-potable Water Site Condition Standards:**

PDS-53	Response to request	per application	650.00	660.00		
PDS-54	Response to request - Update Letter	per application	100.00	105.00		

**Urban Design Projects Associated with Development/Planning Applications:**

PDS-55	Urban Design - Concept Design	per hour	\$115.00 Hourly Rate applies unless work covered under Service Agreement	\$120.00 Hourly Rate applies unless work covered under Service Agreement		
PDS-56	Urban Design - Streetscape Design	per hour	\$115.00 Hourly Rate applies unless work covered under Service Agreement	\$120.00 Hourly Rate applies unless work covered under Service Agreement		
PDS-57	Urban Design & Architectural Peer Review	per hour	\$115.00 Hourly Rate applies unless work covered under Service Agreement	\$120.00 Hourly Rate applies unless work covered under Service Agreement		

**Sewage System Applications:**

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Fee #	Fee/Charge Description	Unit of Measure	2020 Fee/Charge (\$)	2021 Total Fee/Charge (\$)	New Fee Commentary	Analysis of New Fee
PDS-58	New system	per application	1,100.00	1,100.00		
PDS-59	Holding tank	per application	1,100.00	1,100.00		
PDS-60	Septic tank replacement only	per application	600.00	600.00		
PDS-61	Permit Review and Issuance (then cancelled within 1 year)	per application	-	400.00	This fee will be applicable when staff complete the detailed review for a new sewage system, complete an initial site assessment, and issue the permit, then for various reasons, the project is subsequently cancelled. Currently, the entire \$1100 paid for the permit is refunded when we have already completed some review and approval work. The addition of this fee will mean a net of \$700 is refunded instead, allowing for cost recovery of work already completed.	Staff estimate that in this scenario, where work has already been completed, that the time required at an applicable compensation rate including payroll-related costs is equivalent to the existing preliminary site inspection fee PDS-63.
PDS-62	Hydrogeology review	per study	1,200.00	1,200.00		

**Small, On Lot Sewage Systems - Special Requests:**

PDS-63	Preliminary site inspection (where no other application has been made)	per application	400.00	400.00		
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**Small, On Lot Sewage Systems - Real Estate Inquiries Including Site Inspection Visits:**

PDS-64	Site inspection and report	per application	565.00	565.00		
PDS-65	File searches only	per application	282.50	282.50		

**MOE, Ontario Water Resources Act (Sec 52, 53):**

PDS-66	Admin processing	per application	200.00	200.00		
PDS-67	Admin amendments	per application	100.00	100.00		
PDS-68	MOE application processing fee for storm and sanitary sewers and appurtenances	per application	900.00	900.00		
PDS-69	MOE application processing fee for storm and sanitary sewers pump stations and force mains	per application	1,800.00	1,800.00		
PDS-70	Watermains and appurtenances, including hydrants	per application	1,000.00	1,000.00		
PDS-71	Servicing Review with Stormwater Management	per application	2,000.00	2,000.00		

**Regional Water & Sewer Lateral Connections:**

PDS-72	Water service connection	per application	1,250.00	1,250.00		
PDS-73	Sanitary and storm sewer lateral connection	per application	1,250.00	1,250.00		

**Note - Development Services Fees:**

- All development review/processing fees must be received by the Development Services Division prior to the Region's submission of comment/recommendations to the approval authority.
- The Region's review/processing fees are not refundable if an application is refused or only partially approved by the approval authority.
- The Region's review/processing fees may be returned if the applicant voluntarily withdraws the application prior to staff commencing the review process.
- In addition to development review fees the Region may require the applicant to cover the cost of peer review for specific technical studies.
- All development applications initiated by a local municipality are exempt from the Region's development review fees.
- Wainfleet, Welland and West Lincoln do their own private sewage system review and therefore the Regional private septic system review fee is not required.
- All development applications are circulated to the Region for review, except where the Region has determined through pre-consultation that the development proposal is exempt from further circulation and review.

**Police Services:**

See Police Services Board by-law on user fees & charges.

**Note - Tax Implication:**

- If HST is found to be applicable where originally deemed not applicable, HST will be applied and payable by the user paying the fee or charge.
- Inter- and intra-municipal supplies are tax exempt and billed under the "2021 Base Fee/Charge" column unless they relate to supply of electricity, gas, steam, or telecommunication services made while acting as a public utility.

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**MEMORANDUM**

**BRC-C 6-2021**

**Subject:** Councillor Information Request from January 14, 2021 Budget Review Committee of the Whole

**Date:** January 21, 2021

**To:** Budget Review Committee of the Whole

**From:** Todd Harrison, Commissioner/Treasurer Corporate Services

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This memo is in response to Councillor Information Request at Budget Review committee of the Whole on January 14, 2021 as follows:

- 1. Committee members requested additional information in regards to the 2021 budget impact of the 40 Uniform Constables that were approved in the 2020 budget for ½ year implementation.*
- 2. Council support of BRCOTW 1-2021 minute item 6.4 BRC-C 3-2021, required inclusion of a transfer from reserve to support annual operating costs for the Homelessness capital project in 2021. Revisions required to report are included in this memo.*
- 3. How does the Niagara Region proposed tax increase compare to other regions for 2021.*
- 4. Financial impacts of motion on CSD 13-2021 Hospital Funding Contribution Policy*

**1. Committee members requested additional information in regards to the 2021 budget impact of the 40 Uniform Constables that were approved in the 2020 budget for ½ year implementation.**

The net impact on the 2021 budget for annualizing the 40 Uniform Constables approved in 2020 is \$1.9 million. Chief MacCulloch of the NRPS addressed the annualizing of the 40 constables in response to questions at the BRCOTW for ABCs on December 10, 2020. This results in a 1.2% budget increase on Niagara Regional Police Services budget, contributing to their overall increase of 4.3% or \$6.6 million, which is \$3.5 million in excess of the 2% budget strategy.

The \$1.9 million pressure represents 0.5% of the 2.9% recommended consolidated budget increase for 2021. A budget increase is required to sustain the annualization and ongoing base budget cost in order to avoid a continued deferral of the 0.5% increase associated with fully funding these positions.

**2. Council support of BRCOTW 1-2021 minute item 6.4 BRC-C 3-2021, recommended a transfer from reserve to support annual operating costs for the Homelessness capital project in 2021 funded with Provincial funding. Revisions required to CSD 5-2021 as a result are noted below.**

The recommendations in the report would not be altered as the 2021 change has a no net impact on the budget. However Table 3, Taxpayer Relief Reserve Forecast on page 6 of CSD 7-2021, 2021 Levy Operating Budget, would be revised as follows, (changes are strikeouts and bolded font), to show the increase in use of the taxpayer relief reserve of \$1 million. Should the Province not provide incremental operating dollars to support the capital expenditure, the 2022 budget increase to establish sustainable funding is 0.25%

“Table 3 provides a forecast of the Taxpayer Relief Reserve balance to December 31, 2021 which is ~~\$19.5~~ **\$18.5** million which represents ~~3.5%~~ **3.3%** of proposed 2021 gross operating expenditures (excluding ABCs, reserve transfers, and capital costs) in comparison to the reserve policy target of 10% to 15%. The decrease in the reserve balance impacts the ability to mitigate future unknown/unbudgeted risks.

Table 3 – Taxpayer Relief Reserve Forecast

Description	Amount (in thousands)
<b>2020 Forecasted Year-end Balance</b> <i>(before year-end transfer)</i>	<b>\$23,204</b>
2020 Safe Restart funding <i>(year-end transfer)</i>	12,185
2020 Forecasted Surplus <i>(year-end transfer)</i>	4,888
<b>Balance available for 2021</b>	<b>\$40,277</b>
Annual contribution	850
Transfers for one-time operations	<del>(2,003)</del>
	<b>(3,032)</b>
2021 COVID-19 Rate requirements (November 26 <sup>th</sup> BRCOTW)	(750)
2021 COVID-19 ABC requirements (December 10 <sup>th</sup> BRCOTW)	(1,611)
2021 COVID-19 Levy requirements	(17,197)
<b>2021 Forecasted Year-end Balance</b>	<b>\$19,565</b>
	<b>\$18,536</b>

“

Appendix 1 of CSD 7-2021, 2021 Levy Operating Budget, would be revised, as included in Appendix 1 of this memo.

### 3. How does the Niagara Region proposed tax increase compare to other regions for 2021.

Per the Ontario Regional and Single Tier Treasurers 2021 Budget Survey, the below information provides a comparison of the Niagara Region proposed rate increase to other regions.

Municipality	Net Tax Levy	Capital Infrastructure Levy~	Water	Wastewater
Niagara Region	2.9%*	0.5%*	1.60%	2.24%
Durham	2.0%*	0%	0.4%	1.06%
Halton	4.7%*	0%	2.6%	2.6%
Peel	3.2%*	1.0%*	5.5%*	5.5%*
Waterloo	1.6%*	1.0%	0%	0%
York	2.96%*	0%	0%	0%

\*current position

~included in Net Tax Levy

### 4. Financial impacts of motion on CSD 13-2021 Hospital Funding Contribution Policy

Due to the motion raised and approved by committee with regards to the target contribution to the WLMH, the funding commitment approved was \$12.6 million. The funding included in the 2021 budget of \$1.5 million would provide for \$6 million by 2024. Recommendation 3 of CSD-13-2021 was to consider any further financial impact in the 2022 budget process, including a comprehensive financing strategy which is still required to address the strategy for funding other forthcoming hospital contributions. However to address the additional \$6.6 million required by 2024 to align with the 2021 WLMH decision, the 2021 annual contribution required would have to be increased to \$3.15 million, representing a further \$1.65 million or 0.4% increase in the 2021 levy budget. If the decision is deferred to 2022 the annual requirement will be \$3.7 million per year from 2022 through 2024. This represents a \$2.2 million increase or approximately 0.5% in the 2022 budget.

This does not address potential funding requirements for future hospital requests. Any future requests would require additional funding; funding options include but are

not limited to increases to the levy to fund increased contributions to reserve or debt financing, use of assessment growth, expanded payment duration etc.

Respectfully submitted and signed by

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Todd Harrison, CPA, CMA  
Commissioner/Treasurer Corporate Services

Appendix 1 – Revised CSD 5-2021 Appendix 1

**Appendix 1 – Niagara Region Departments Base Budget**

<b>Object of Expenditure</b>	<b>2020 Budget*</b>	<b>2021 Budget~</b>	<b>\$ Variance</b>	<b>% Variance</b>	<b>Note</b>
Labour Related Costs	243,755,649	244,759,016	1,003,367	0.4%	(1)
Administrative	22,872,047	24,185,907	1,313,860	5.7%	(2)
Operational & Supply	43,641,010	43,557,765	(83,245)	-0.2%	
Occupancy & Infrastructure	13,609,740	14,097,690	487,950	3.6%	(3)
Equipment, Vehicles, Technology	8,931,603	9,088,046	156,443	1.8%	
Community Assistance	165,157,825	166,985,460	1,827,634	1.1%	
		<b>168,014,932</b>	<b>2,857,106</b>	<b>1.7%</b>	
Partnership, Rebate, Exemption	13,906,580	14,125,290	218,710	1.6%	
Financial Expenditures	67,246,569	70,747,176	3,500,608	5.2%	(4)
Transfers to Funds	23,674,558	26,312,204	2,637,646	11.1%	(5)
Expense Allocations to Capital	(140,000)	(140,000)	0	0.0%	
Allocations Between Departments	(604,565)	(613,982)	(9,417)	1.6%	
<b>Total Expenditure before Indirect Allocations</b>	<b>602,051,017</b>	<b>613,104,573</b>	<b>11,053,556</b>	<b>1.8%</b>	
		<b>614,134,045</b>	<b>12,083,028</b>	<b>2.0%</b>	
Indirect Allocations to Rate and Courts	(6,916,323)	(7,019,909)	(103,585)	-1.5%	
Capital Financing Allocation to Rate and Courts	(12,420,277)	(15,722,089)	(3,301,812)	-26.6%	(6)
<b>Total Expenditure</b>	<b>582,714,417</b>	<b>590,362,576</b>	<b>7,648,159</b>	<b>1.3%</b>	
		<b>591,392,048</b>	<b>8,677,631</b>	<b>1.5%</b>	
Taxation	(17,063,974)	(17,078,253)	(14,279)	-0.1%	
Federal & Provincial Grants	(296,237,294)	(298,750,331)	(2,513,037)	-0.8%	
By-Law Charges & Sales	(15,359,242)	(15,676,410)	(317,168)	-2.1%	
Other Revenue	(45,389,738)	(45,331,186)	58,552	0.1%	
Transfers from Funds	(3,972,411)	(4,748,956)	(776,544)	-19.5%	(7)
		<b>(5,778,428)</b>	<b>(1,806,016)</b>	<b>-45.5%</b>	



Object of Expenditure	2020 Budget*	2021 Budget~	\$ Variance	% Variance	Note
<b>Total Revenue</b>	<b>(378,022,659)</b>	<del>(381,585,136)</del> <b>(382,614,608)</b>	<del>(3,562,476)</del> <b>(4,591,948)</b>	-0.9% <b>-1.2%</b>	
<b>Net Departmental Levy Budget</b>	<b>204,691,758</b>	<b>208,777,440</b>	<b>4,085,683</b>	<b>2.0%</b>	

\*includes in-year adjustments and excludes 2020 one-time programs

~excludes 2021 program changes for COVID-19 and Growth Costs

Notes:

1. Labour related costs includes contract and WSIB increases, salary gapping, and base FTE reductions, which were separated in the analysis section of the report.
2. Administrative cost increases includes \$0.8 million to facilitate Human Resource Systems (HRIS) transition if required, offset by increased transfers from reserves in note 6, and \$0.7 million due to insurance premium increases on policy renewal.
3. Occupancy and Infrastructure includes \$0.5 million in roof patching, one-time building security costs, and long-term care minor capital funded through increases in transfers from reserve and provincial grants.
4. Financial Expenditures includes an increase of \$4.3 million related to the debt financing of the SNF wastewater treatment plant offset by retiring debt in Waste Management of \$0.8 million. These costs are recovered through Capital Financing Allocations to wastewater operations as per note 6.
5. Transfers to Reserves increase includes the \$2.0 million or 1.0% levy increase to support capital investment.
6. Capital Financing Allocation includes increased debt charges allocated to the Rate program, approved at BRCOTW November 26<sup>th</sup>.
7. Transfers from reserves increase includes \$0.8 million for HRIS transition included in note 2 above. ***Includes transfer from reserve to support annual operating costs for the Homelessness capital project as moved in BRCOTW 1-2021 minute item 6.4 BRC-C 3-2021.***

**Minute Item No. 5.1**

**CAORC-C 2-2021**

**Chief Administrative Officer Recruitment – Background Information**

That Correspondence Item CAORC-C 2-2021, being a memorandum from F. Meffe, Director, Human Resources, dated January 26, 2021, respecting Chief Administrative Officer Recruitment – Background Information, **BE RECEIVED** and the following recommendations **BE APPROVED**:

1. That the CAO job description attached as Appendix 1 **BE APPROVED** as amended;
2. That the list of competencies listed in the executive competency library **BE APPROVED** as the key tools that will be used by the Executive Search Firm (ESF) in the recruitment process.

**Minute Item No. 5.2**

**CAORC-C 3-2021**

**Chief Administrative Officer Recruitment – Executive Search Firm Procurement Options and Proposed Timelines**

That Correspondence Item CAORC-C 3-2021, being a memorandum from F. Meffe, Director, Human Resources, dated January 26, 2021, respecting Chief Administrative Officer Recruitment – Background Information, **BE RECEIVED**; and

That staff **BE DIRECTED** to proceed with a modified single-source procurement (Option 1 of Correspondence Item CAORC-C 3-2021) to select an External Search Firm for the Chief Administrative Officer recruitment.

**THE REGIONAL MUNICIPALITY OF NIAGARA  
CHIEF ADMINISTRATIVE OFFICER RECRUITMENT COMMITTEE  
MINUTES - OPEN SESSION**

**CAORC 2-2021  
Tuesday, January 26, 2021  
Economic Development Boardroom/Video Conference  
Niagara Region Headquarters, Campbell West  
1815 Sir Isaac Brock Way, Thorold, ON**

Committee Members Present in the Boardroom: Regional Chair Bradley (Committee Chair)

Committee Members Present via Video Conference: Foster, Huson, Redekop, Witteveen

Staff Members Present in the Boardroom: D. Gibbs, Director, Legal & Court Services, F. Meffe, Director, Human Resources, A.-M. Norio, Regional Clerk

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**1. CALL TO ORDER**

Regional Chair Bradley called the meeting to order at 3:34 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 CAORC-C 2-2021**

Chief Administrative Officer Recruitment – Background Information

In discussion of this item, Committee emphasized the importance of ensuring Council is fully engaged in the preparation of the list of competencies that will be utilized by the external search firm.

Committee requested that the CAO job description (Appendix 1) be amended to remove the specific words 'Medical Officer of Health' as a direct report to the CAO and substitute the reference to be 'Commissioner of Public Health' to demonstrate that the Medical Officer of Health does not strictly report to the CAO as the reporting relationship for this role is to the Board of Health.

Moved by Councillor Witteveen  
Seconded by Councillor Huson

That Correspondence Item CAORC-C 2-2021, being a memorandum from F. Meffe, Director, Human Resources, dated January 26, 2021, respecting Chief Administrative Officer Recruitment – Background Information, **BE RECEIVED** and the following recommendations **BE APPROVED**:

1. That the CAO job description attached as Appendix 1 **BE APPROVED** as amended;
2. That the list of competencies listed in the executive competency library **BE APPROVED** as the key tools that will be used by the Executive Search Firm (ESF) in the recruitment process.

**Carried**

## 5.2 CAORC-C 3-2021

Chief Administrative Officer Recruitment – Executive Search Firm  
Procurement Options and Proposed Timelines

It was noted that in accordance with the Committee Terms of Reference, the Committee has authority regarding the selection of the procurement process to be used to determine the External Search Firm.

Moved by Councillor Huson  
Seconded by Councillor Foster

That Correspondence Item CAORC-C 3-2021, being a memorandum from F. Meffe, Director, Human Resources, dated January 26, 2021, respecting Chief Administrative Officer Recruitment – Background Information, **BE RECEIVED**; and

That staff **BE DIRECTED** to proceed with a modified single-source procurement (Option 1 of Correspondence Item CAORC-C 3-2021) to select an External Search Firm for the Chief Administrative Officer recruitment.

**Carried**

**6. CONSENT ITEMS FOR INFORMATION**

There were no consent items for information.

**7. OTHER BUSINESS**

7.1 Confidentiality Acknowledgements

Franco Meffe, Director, Human Resources, confirmed that all Committee members and those staff identified to provide support to the Committee had signed and submitted confidentiality acknowledgements in accordance with the Committee terms of reference.

**8. NEXT MEETING**

The next meeting will be held on Tuesday, February 26, 2021 at 3:30 p.m.

**9. ADJOURNMENT**

There being no further business, the meeting adjourned at 4:58 p.m.

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Jim Bradley  
Regional Chair

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Ann-Marie Norio  
Regional Clerk

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**MEMORANDUM**

**CAORC-C 2-2021**

**Subject: Chief Administrative Officer Recruitment – Background Information**

**Date: January 26, 2021**

**To: Chief Administrative Officer Recruitment Committee**

**From: Franco Meffe, Director Human Resources**

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This memo provides background information with respect to the recruitment of the Chief Administrative Officer (CAO), including items that were discussed and/or requested by members of the Chief Administrative Officer Recruitment Committee (CAORC) at its initial meeting held on January 12, 2021.

The following is a summary of the aforementioned items and any corresponding attachments:

1. The CAO updated Job Description (Appendix 1).
2. The Executive Competency Library (Appendix 2).
3. The minutes of the CAORC meeting CAORC 5-2016 dated July 20, 2016 (Appendix 3).
4. Overview of the 2013 and 2016 CAO recruitment process.
5. Survey results of recent CAO recruitment activity of other municipal/public sector employers.

**Item 1 – CAO Job Description**

Attached at Appendix 1 is the updated Niagara Region job description for the position of CAO. As per normal process, when a vacancy occurs and a recruitment is initiated, a review of the job description is undertaken to ensure it accurately reflects the position requirements as it pertains to education, knowledge, responsibilities, special requirements, and reporting relationships. The job description is then approved by the hiring authority and HR to confirm that appropriate qualifications, principal functions, and responsibilities for the position are accurately captured. The attached job description was updated to ensure alignment with By-law No. 2020-09, which provides the roles and responsibilities of the CAO.

The CAORC is required to approve the updated job description as written, or approve with any amendments. The job description will then be further approved by Regional Council through ratification of the CAORC minutes of this meeting.

#### Item 2 – Executive Competency Library

Attached at Appendix 2 is the Niagara Region Executive Competency Library which contains the list of competencies applicable to executive level positions, including the position of CAO. They include the following seven competencies: Strategist, Change Leader, Relationship Builder, Organization Guardian, Business Acumen, Navigates Complexity, and Drives Engagement,

The job description and executive competency library are key tools that will be used by the Executive Search Firm (ESF) in the recruitment process, subject to any refinement by the CAORC Committee.

#### Item 3 – Minutes of the CAORC meeting CAORC 5-2016 dated July 20, 2016

These minutes contain CAORC-C 6-2016 Phelps Group Consultation Summary that summarized the stakeholder feedback they received pertaining to CAO characteristics and key traits; the CAORC requested this information for their review.

As discussed at the CAORC meeting on January 12, 2021, the CAO Recruitment Procedure Terms of Reference (TOR) require that, in consultation with the CAORC, the ESF is to develop the key CAO character traits and competencies required to move the organization forward. Once an ESF is selected, the CAORC has options available to them on how to proceed in directing the ESF in the development of the CAO character traits and competencies, those options include the following:

1. Commence the stakeholder review from scratch;
2. Use the character traits and competencies that were collected in 2016;
3. Take the character traits and competencies from 2016 and conduct a review and potential refresh, including revisiting the stakeholder consultation process in any review;
4. Another option approved by the CAORC.

In accordance with the TOR, the CAORC should consider the direction it will provide to the ESF regarding the development of the key CAO character traits and competencies.

#### Item 4 – Overview of the 2013 and 2016 CAO recruitment process

In 2013, Odgers Berndtson, was selected by a Single Source procurement as the ESF and in 2016, Phelps Group was selected through a Modified Single-Source procurement as the ESF. In both cases, they were selected to support the CAORC with recruitment for the Region. The ESFs respectively followed a similar process, undertook a national search, and promoted the candidate profile through various media. This work was complemented by active outreach to leaders in various sectors and the respective firms' network.

There were some differences in approach in each of those years. In 2013, a review and amendment of the job description occurred with input from and approval by Regional Council. In 2016, a comprehensive stakeholder consultation was undertaken with members of Regional Council, senior staff at the Region, and external municipal and business community member with the intent to develop the CAO character traits and competencies in the recruitment process, which received approval of Regional Council.

The overall efforts in each year resulted in candidates being selected for initial consideration, and preliminary screening interviews occurred. Following this screening process, candidates were presented to the respective CAORC's for short-listing and preferred candidates were invited to participate in two rounds of interviews. Following that stage in the process, once the preferred candidate had reference checks and education verifications, the offer of employment was presented and approved by Regional Council.

#### Item 5 – Survey results of recent CAO recruitment activity of other municipal/public sector employers

In anticipation of recruitment activities with the CAORC, it was determined that a scan of recent CAO level recruitment would be helpful to provide as information to the CAORC to support their mandate in facilitating the recruitment of a CAO, namely, the next steps in selecting an ESF. As a result, staff reached out to the twelve Local Area Municipalities (LAMs) and to our Regional Single-Tier Municipalities (RSTM) working group to inquire about the status of their CAO. Specifically, if a recruitment had been initiated and/or completed recently, and if yes to the latter did the municipality engage an ESF. At our CAORC meeting on January 12, 2021, staff advised that they would bring the brief survey results to this meeting.



We received responses from eleven LAMs, two of which were currently in the recruitment process involving the use of an ESF:

- Town of Niagara-on-the-Lake = Legacy Partners;
- City of Welland indicating they were just commencing the Request for Proposal (RFP) process for an ESF.

Since this time, the City of St. Catharines and City of Niagara Falls have both indicated that they too will be proceeding with a CAO recruitment process, it is uncertain at the time of this memo as to whether or not an ESF will be involved.

We also received responses from seven RSTMs, five of which were currently in the recruitment process resulting in the use of an ESF:

- Durham Region = Odgers Berndtson
- City of Hamilton = Odgers Berndtson
- City of Toronto = Odgers Berndtson
- Waterloo Region = Legacy Partners
- York Region = Not disclosed

At our CAORC meeting on January 21, 2021, it was requested that staff also reach out to the Niagara Peninsula Conservation Authority (NCPA), and the Niagara Parks Commission (NPC) to request this information. Staff did so and received responses from both organizations; the NCPA advised that they engaged the ESF Feldman Daxon, and the NPC advised they engaged the ESF Odgers Berndtson, with the latter noting that no RFP was conducted as this ESF was on the Provincial Vendor of Record list.

The items above along with the corresponding attachments noted are provided as relevant information to assist the CAORC in the next steps in the recruitment process.

Respectfully submitted and signed by

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Franco Meffe  
Director, Human Resources

# Niagara Region Job Description

## Chief Administrative Officer

### Corporate Administration

Job ID .....	1DD01	Job Level.....	14
Division .....	Administration	Reports to	Regional Chair & Regional Council

### Job Summary

Reporting to Regional Council, the Chief Administrative Officer (CAO) is responsible for exercising general control and management of the affairs of the municipality for the purpose of ensuring the efficient and effective operation of the municipality. As the senior appointed official of the regional municipality, the Chief Administrative Officer shall lead and direct the members of the Corporate Leadership Team in carrying out the responsibilities of the Region, in accordance with the policies, plans and by-laws approved and established by Council, including the CAO Roles and Responsibilities By-law.

### Education

- Post-secondary degree in Political Science, Public Administration, Business Administration or in a field directly related to municipal functions.
- Master's degree in Political Science, Public Administration, Business Administration or in a field directly related to municipal functions is preferred.

### Knowledge

- 10 years senior municipal management experience leading large and complex portfolios and implementing multi-year business and financial strategies.
- Over 10 years senior municipal management experience leading large and complex portfolios and implementing multi-year business and financial strategies are preferred.
- Professional designation(s) are preferred.
- Executive Diploma in Municipal Management as recognized by the Associate of Municipal Manager, Clerks and Treasurers of Ontario (AMCTO) is preferred.

### Responsibilities

*Oversees the development and implementation of the Region's corporate multi-year business and financial strategies in support of Council objectives to ensure the efficient and effective delivery of services to the citizens of Niagara.*

- Administers the business affairs of the Region and reviews the annual department business plans to ensure alignment to the Region's strategic direction and in support of Council's objectives.
- Establishes success indicators, measurement tools and standards to assess service delivery performance and stakeholder satisfaction, ensuring performance expectations are monitored and issues addressed.

- Ensures operational processes, policies and protocols are established and compliance is monitored, assessing changes in legislative/regulatory requirements, identifying potential areas of vulnerability and risk, and recommending to Council approaches to resolve issues and mitigate risks.
- Identifies controversial and politically sensitive issues that may impact the organization's success and reputation, assessing potential risks and developing strategies to address issues.
- Identifies and develops opportunities and strategies for cost efficiencies and improving quality and services delivered, ensuring continued alignment with Council's priorities.
- Provides Council with long-term financial impacts to the Region and taxpayers of current decisions / budgets.
- Monitors financial trends and opportunities in the external environment, assessing the impact on Council's objectives and the organization's viability.
- Ensures the integrity and accuracy of financial reporting systems and ensure the proper maintenance of sound financial controls.
- Engages the Corporate Leadership Team in budget strategies, decision-making and communicating service impacts to Council.

*Develops, manages, and approves annual and multi-year Capital and Operating budgets for the business units reporting to the CAO, ensuring support of Council's objectives, financial transparency and accountability, budget adherence, and identifying and explaining variances and financial reporting is effectively managed in compliance with corporate financial policies. Authorize, administer and reinforce the use of sound procedures relating to the acquisition of goods and services for the organization in accordance with the procurement policy and procedures. Approve the delegation of corporate/department budget ownership outside of established guidelines for commissioners and directors.*

*Accountable for strategic, long range people resource planning for the organization, supporting corporate culture and strategy, ensuring an engaged workforce resulting in optimal people performance by determining ideal organizational structures and systems that facilitate public sector values of transparency, accountability, inclusion and citizen-focused service.*

- Implements the organization's people strategy of continuous improvement, learning and development, accountability for results, attraction and retention of top performers and recognition of achievements
- Ensures employee performance, career development, and succession planning activities are created to facilitate employee growth and development.
- Recommends to Council the appointment, suspension or dismissal of Commissioners.

*Develops and manages relationships with internal and external stakeholders, ensuring strategic initiatives and governance, financial and performance expectations are managed and fulfilled.*

- Provides advice and guidance to the Regional Chair, Councilors and Committees of Council in the development of public policy, ensuring that Council is provided with complete, impartial and accurate information for the purposes of making informed decisions and by-law approvals.
- Develops, establishes, liaises and maintains relationships with the Federal and Provincial governments, the Region's local municipalities, other government agencies, and the residents of the Region in general.
- Represents and speaks on behalf of the Corporation in a manner consistent with the policies of Council to ensure the best interests of the Regional Municipality of Niagara are met.

## Special Requirements

- In accordance with the Corporate Criminal Record Check policy, the position requires the incumbent to undergo a Criminal Records Check and submit a Canadian Police Clearance certificate.

- Supports emergency operations under the incident management structure in the position of Emergency Operations Centre (EOC) Director, or will designate an alternate, and will have overall authority and responsibility for the activities of the EOC.
- Regional staff strive to enable the strategic priorities of council and the organization through the completion of their work. Staff carry out their work by demonstrating the corporate values of service, honesty, choice, partnership and respect.

## Supervision

<b># of Reports</b>	• Direct: 9-14	Indirect: 3000+
<b>Titles of Direct Reports</b>	<ul style="list-style-type: none"> <li>• Commissioners of Departments/Medial Officer of Health/Treasurer</li> <li>• Regional Clerk</li> <li>• Directors</li> <li>• Executive Assistant &amp; Administrative Lead</li> </ul>	

## Working Conditions

- Typical office environment.
- Attend all meetings of Council and its Committees as required.
- Business travel required.
- Frequent evening and weekend commitments.

## Approvals

By approving this job description, those signing are agreeing that the above describes the appropriate qualifications and principal functions and responsibilities for the position.

	Name	Signature	Date
<b>Manager</b>			
<b>Manager Once Removed</b> <i>(Minimum Director)</i>			

### IMPORTANT NOTE

The Region of Niagara reserves the right to change, amend or disuse this job description at any time. This document is intended to provide an overview of the required responsibilities and qualifications.



# Executive Competency Library

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## Strategist

Develops a long range course of action that aligns to Council Strategic Priorities. Has strong knowledge about the strengths and weaknesses of their organization. Understands and acts upon rapidly changing environmental trends, opportunities and threats.

- Sees the big picture, constantly imagines future scenarios and creates strategies to move organization forward
- Is able to clearly and vividly articulate their desired future state in a way that is understood and meaningful to others
- Uses financial information and data/information from multi sources to support decision making and planning
- Understands risks, and accepts and pursues actions within an acceptable level of risk
- Takes a collaborative approach to developing strategy to gather best thinking and ensure input and alignment from key internal and external stakeholders

## Change Leader

Always communicates a compelling rationale for change. Makes required adaptive responses both feasible and desirable to all stakeholders. Creates genuine motivation and commitment from others to act as sponsors of innovation and change, allocating required resources to support change.

- Serves as a catalyst for change. Continuously seeks ways to improve performance and the strategic orientation of the organization
- Effectively and consistently communicates messages about the need for change and the vision of the organization after the change
- Ensures provision of adequate resources for change efforts. Includes funding, technology and human resources
- Holds others accountable for cross organization cooperation and collaboration to support change

## **Relationship Builder**

Establishes relationships with, and influences a complex network of others, whose cooperation is required for organizational success. Stakeholders might include Council members, local area municipalities, provincial or federal representatives/employees, residents, current or future business partners, labour representative's Regional employees and other stakeholders.

- Takes responsibility for the development and the quality of internal and external stakeholder relationships
- Understands stakeholder needs and concerns over the short and longer term to enable support and cooperation
- Ability to apply different communication approaches for interacting and communicating to align to the thinking and perception preferences of others
- Assesses personal behaviour from a cultural, technical and/or political perspective to objectively evaluate own impact

## **Organization Guardian**

Consistently holds self and others accountable for the continued growth and health of the organization. Makes decisions, often difficult, that are in the best interests of the Region. Continuously promotes the Region both internally and externally.

- Does everything possible to continually grow a positive reputation for Niagara Region both internally and externally
- Ensures accountability for continuous improvement for the purpose of cost effectiveness and quality of service
- Champions and facilitates cross departmental integration
- Ensures that innovation, collaboration and best practices are reflected in products and services provided by the Region

## **Business Acumen**

The ability to manage human, financial, and information resources strategically with the purpose of enabling Council Business Plan and health of organization both over the short and longer term.

- Has a strong understanding of the Region's financial processes. Oversees the development and management of annual and multiyear budget
- Protects physical assets and ensures the fulfillment of all regulatory requirements
- Builds and manages workforce based on organizational goals, budget considerations, and resourcing requirements. Ensures integrity in all people practices
- Ensures effective use of technology and technology systems to achieve results

## **Navigates Complexity**

Logically works through complex situations, problems, issues and opportunities with the purpose of creating positive solutions or actions.

- Breaks down a complex situation into manageable parts in a systematic way
- Seeks to understand root causes of difficult problems
- Recognizes several likely causes of events, and/or consequences of actions
- Deals constructively with problems that do not have a clear solution or outcome
- Evaluates pros and cons, risks and benefits of different solution options

## **Drives Engagement**

Creates an environment where current and future employees consider the Region to be the employer of choice in Niagara. Current employees are motivated to do their best to help the organization achieve its objectives.

- Communicates vision and priorities to employees in a way that generates excitement, enthusiasm and commitment
- Models desired behaviour including corporate values
- Uses multiple strategies to promote organizational morale and productivity
- Consistently keeps employees informed of key organizational information, activities and other elements that have an impact on the collective group
- Invites input from others at all levels from across the organization
- Makes people feel that their contributions are valued



**THE REGIONAL MUNICIPALITY OF NIAGARA  
CHIEF ADMINISTRATIVE OFFICER RECRUITMENT COMMITTEE  
AGENDA**

CAORC 5-2016

Wednesday, July 20, 2016

11:30 a.m.

Committee Room 4

Niagara Region Headquarters

1815 Sir Isaac Brock Way, Thorold ON

Pages

- 
1. CALL TO ORDER
  2. DISCLOSURES OF PECUNIARY INTEREST
  3. PRESENTATIONS
  4. DELEGATIONS  
None.
  5. ITEMS FOR CONSIDERATION
    - 5.1 CAORC-C 6-2016 3 - 40  
Phelps Group Consultation Summary
  6. CONSENT ITEMS FOR INFORMATION
    - 6.1 CAORC 4-2016 41 - 43  
Minutes - Chief Administrative Officer Recruitment Committee  
Wednesday, June 22, 2016
  7. OTHER BUSINESS
  8. MOTION FOR CLOSED SESSION



9. CLOSED SESSION

10. BUSINESS ARISING FROM CLOSED SESSION ITEMS

11. NEXT MEETING

The next meeting will be held at the call of the chair.

12. ADJOURNMENT

*If you require any accommodations for a disability in order to attend and participate in meetings or events, please let us know in advance so that arrangements can be made in a timely matter. Please contact the Accessibility Advisory Coordinator at 905-685-4225 ext. 3252 or [accessibility@niagararegion.ca](mailto:accessibility@niagararegion.ca)*



**Office of the Regional Chair | Alan Caslin**

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: [alan.caslin@niagararegion.ca](mailto:alan.caslin@niagararegion.ca)  
[www.niagararegion.ca](http://www.niagararegion.ca)

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## Memorandum

**TO:** CAO Recruitment Committee

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**FROM:** Alan Caslin, Regional Chair

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**DATE:** July 19, 2016

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**SUBJECT:** PhelpsGroup Consultation Summary

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Colleagues,

Please find attached the summary results from PhelpsGroup summarizing the stakeholder feedback they received pertaining to CAO characteristics and key traits.

PhelpsGroup conducted a combination of in-person meetings, telephone discussions and a secure electronic survey across the following stakeholder groups in accordance with CHR 03-2016:

- Regional Council
- Niagara Region's Corporate Leadership Team
- Niagara Region Directors
- Local area municipalities
- Education Sector
- Business/Industry Sector
- Health Sector

Representatives from PhelpsGroup will be present for the July 20, 2016 CAO Recruitment Committee (CAORC) as well as the July 21, 2016 Regional Council meeting to respond to any questions you may have regarding the process.

Sincerely,

**Alan Caslin, BSc, MSc**  
Regional Chair, Niagara Region

[Alan.Caslin@niagararegion.ca](mailto:Alan.Caslin@niagararegion.ca)

T: (905) 984-3600



Dear Members of the Steering Committee:

Phelpsgroup is pleased to provide you with the summary results of our extensive survey of both internal and external stakeholders with regards to the search for a new Chief Administrative Officer for Niagara Region. As requested, we have summarized the results by the following four categories:

- Members of the Regional Council (Council Members)
- Staff of the Regional Council (Staff)
- Chief Administrative Officers of Municipalities within the Region (Local Municipalities – CAO)
- External Stakeholders from across the Region (External Stakeholders)

We have organized both our interviews and our report according to the following questions:

- What do you see of the strengths, both of the Regional Municipality and of Niagara Region, generally?
- What major challenges and opportunities will the new CAO will need to address?
- What competencies, attributes and values should the new CAO possess? What experience and education will the new CAO require?
- Looking forward to a year's time from the appointment of the new CAO, what accomplishments and progress would you expect to see?

While some differences in emphasis exist among the four groups surveyed, the extent of a common perspective is striking and bodes well for a successful search. In order to give members of the Search Committee an appreciation of the number of individuals offering the same comment, we have labelled each item as one of "few" (fewer than 30% of respondents), "some" (30 to 60 % of respondents) or "most" (more than 60% of respondents)

Phelpsgroup adheres to several principles in providing this survey information:

- We include the substance of all comments, whether they are complementary to the organization or not. However, we do not necessarily quote directly particularly if individuals used inflammatory language about individuals or groups.
- Comments are provided anonymously. Phelpsgroup has guaranteed the privacy of all who have been interviewed or who have completed surveys.



Going forward, the task of the Selection Committee is to review this feedback and to take it into account in helping to develop an Opportunity Brief for the new Chief Administrative Officer's role for presentation to Council for approval. The Opportunity Brief will include the following sections:

- A profile of the Niagara Region, including a list of key strengths identified in our consultation.
- A description of most important characteristics, values and preparation an ideal candidate should possess.
- A statement of mandate for the new CAO
- Suggested accomplishments for the new CAO twelve months from the start of employment.

Phelpsgroup suggests the mandate for the CAO to move the Strategic Directions of the Region forward should be organized with respect to the major relationships of the new CAO, namely:

- Working relationship with the Chair and other members of the Regional Council
- Working relationship with staff of the Region.
- Working relationship with leaders of municipalities within the Region.
- Working relationship with community stakeholders, including other levels of government, agencies, the business community and the general public.

We look forward to a vigorous and enlightening discussion with you tomorrow as we move forward to develop the Statement of Mandate.

Yours truly,

A handwritten signature in black ink, appearing to read "Jayson Phelps".

Jayson Phelps | Partner

A handwritten signature in black ink, appearing to read "Joan Green".

Joan Green | Senior Consultant, Public Sector



## Council Members

### Councillors:

Interviews requested with all Councillors: **30**

Interviews conducted with Councillors: **22**

Surveys sent: **8**

Surveys completed: **3**

**Total input: 25**

**(F)ew:** Less than 7 **(S)ome:** 8 – 12 **(M)ost:** More than 13

### Strengths:

#### Corporate

- Dynamic opportunities exist and exciting transformation possibilities to grow Niagara Region's economy and community assets/services.
- Previous CAO set example of excellent leadership and built relationships with staff, community partners and municipalities.
- This position will appeal to a leader interested in exciting transformation as the communities are in transition.
- Industry is transforming to create different economic outputs and cement the message of the Region being open for business.
- Newly established culture of 12 Municipalities working together for the good of the Region is very productive and has made a big difference.
- Municipal parochialism has taken a back seat. Eg. Niagara Fall supported Welland regarding the GE Plant
- The "big brother" attitude in the Region has been overcome
- Mayors are very close and have a partner in the Region that can now facilitate projects.
- Emerging economic transformation with the rare opportunity to plan and not let growth determine outcomes,



- Strong focus on economic development and strong staff support through EDOs
- Large reserves
- Well positioned for future growth from an economic perspective
- Opportunities are incredible from an economic perspective.
- Voices have come together to move the voices forward and there is a tremendous difference
- Generation of new politicians have stepped forward and are instituting change
- Hard working and talented staff at the Region
- “Awesome Staff”
- Great employees
- Marvellous staff in Region, not always utilized as well as they could be in terms of receiving their advice
- Heavy lifting restructuring and leadership changes have been done by the previous CAO and the Region is poised for change.
- Overcome the Big Brother attitude.
- Better customer service is being encouraged across the Region
- Shared work history of senior staff/strong senior team/excellent collaboration.
- Acknowledgeable Commissioners and accessible to Councillors for advice and information
- Excellent public works and public health services
- Clear budgets
- Young, enthusiastic staff in the municipalities
- Relationships with stakeholders, community partners and other levels of government is positive
- Improvements in inter-municipal transit
- Exciting place to grab steering wheel and guide staff in implementing Council’s direction
- Large employer, great place to work and well paying positions
- More Provincial recognition and support than in the past



## Regional

- Natural asset base (green spaces, water ways, recreational sites)
- Attractive lifestyle in Niagara Region: art, sports, theatre, wineries
- Large city/rural living
- Location attractive and quality of life is very good.
- Fantastic weather/longer summer and spring
- Great post-secondary institutions
- Southern most part of Canada and business ready.
- Great place to raise a family
- Great natural environment and easy access to big cities.
- Environmentally and economically diverse
- Francophone presence
- Low cost of living
- Local produce
- Proximity to the GTA and the borders
- Real estate market active
- Access to high speed train to New York City
- Niagara Falls restaurants and entertainment.
- Availability of social services: excellent health care
- Strong sense of community now in transition to new economic and social realities
- Greater influx of people from GTA and beyond
- Increasing cultural diversity with more room to grow



## Challenges/Opportunities

- Both confusion and tension exist regarding the relative roles of the Chair and the CAO. An opportunity exists for Council working with the CAO to clarify the respective roles. (M)
- Develop clear role definition for incoming CAO with Council and Staff as the present situation is now perceived to be a political mindfield with an inner and outer circle on Council. (M)
- CAO and Chair need to have a strong working relationship to reduce tension (M)
- Helping Council focus their discussion to avoid off the rail discussions around the table (F)
- Help Council to focus on policy review and development (S)
- Better job of selling Niagara so we can get results like GO (S)
- Opportunity to focus on the business of Council collectively (M)
- Continue momentum around local municipalities and Region collaborating (M)
- Convert strengths into economic revitalization (M)
- Improve the fiscal accountability of the Regional organization (S)
- Challenge to address infrastructure needs on time and on budget (F)
- Reduce representation of Mayors on Regional Council (F)
- Move the strategic priorities forward, including: community systems, employment, growth (behind in all three currently), infrastructure, investment and taxation. (Need for business culture) (S)
- Leadership of staff to identify strengths in the organization and effective succession plan for the organization (S)
- Be open minded to attract business and opportunities and extend outreach (M)
- Changes in staff allow opportunities to develop new staff and foster new growth (S)
- Challenge to increase diversity among senior staff (F)
- Help people understand that the organization is there to serve people and not there for profit (F)
- Strength in social services – making housing more affordable (F)
- Balancing fiscal constraint with social support (S)





- No new radical plans...need to assess and follow through and assess in a few years (F)
- Demonstrate respect for the Regional Council (M)
- Speaking with one voice in the Region (M)
- Continued focus on economic development among the Regions and among municipalities (M)
- Investigate cost structures for water and emergency services (F)
- CAO has to nurture good succession planning (F)
- Implement big picture items (S)
- Make building budgets a collaborative exercise between Region and municipalities (F)
- Support good governance and role definition (M)
- Consolidate regional services where possible (e.g. GO Transit, municipal bus and Airport) (F)
- Build an environment of trust and respect which celebrates successes and recognizes and takes action in areas in need of improvement (M)
- Continue to build collaborative relationships with local municipalities (M)
- Opportunity to build on awareness of upper and lower tier tensions to continue to move towards collaboration and demonstrate a vision of that to the Council (M)
- Enhance the focus on jobs and economic development (M)
- Opportunity to support and mentor Staff as there has been a significant turnover in the Region (S)
- Opportunity for a good communicator to win the support of the Council through open lines of communication to keep all councillors in the loop (M)
- Strong and insightful CAO has the opportunity to forge a productive relationship with the Chair (most Councillors expressed this need; however, some expressed doubt that this could be achieved) (M)
- There is an opportunity for the CAO to lead the Senior Staff in supporting and responding to Council in timely and effective ways thus strengthening the relationship between Staff and Council (M)
- Ensuring that financial health is in order (\$250 million in reserves) (S)



- Conduct a review of community services to ensure funding is being used to the best advantage (F)
- Opportunity for CAO to establish a reputation as an honest broker who supports good governance with Council with appropriate information for decision making (M)
- Opportunity to promote Niagara provincially and create strong networks with Queen's Park (F)
- Opportunity to develop wider regional sense and reduce parochialism (M)
- Opportunity to go away and come back with alternative solutions to problems along with strategies for Council to consider (F)
- Maintain and enhance relationships with LAMs (M)
- Articulate with clarity the leadership role the CAO plays in relation to Council and the Chair of Council (M)
- Continue the work with the municipalities begun by the former CAO to ensure that Regional staff take LAMs views into account (M)
- Clear distinction between the roles of the CAO as the leader of the employees and the Chair as the leader of the Councillors (M)
- Executive advisors to the Chair need a defined role as it relates to the Chair's responsibilities (M)
- The CAO needs to be visible in each unique municipality at events to support regional solidarity (M)
- Recognition and prioritizing of reporting to meet urgent needs along with being prepared to adjust timelines to ensure thorough reporting (S)
- The CAO needs to create a strong senior management team and clear role definitions for the entire staff (M)

### **Candidate profile:**

- Honesty/Integrity/ Ethical
- Strategic Thinker
- Problem solving skills
- Relationship building



- Has to know the Municipal Act and what they are responsible for
- CAO not a CEO/Buck stops at the CEO
- Government and business experience.
- Inspiring confidence in the team to empower them
- Self-motivated and outgoing
- Patient, calm and composed under pressure
- Passion
- Flexible person willing to bend when required
- High emotional intelligence/social skills to read situations
- Holistic manager who can motivate other and bring factions together
- Consensus builder and relationship builder
- Understanding of local region
- Nurtures relationships with Council, staff and members of the communities
- Facilitator of real dialogue and excellent communications skills
- Caring and compassionate leader and team builder
- Understands the needs of community and staff
- Open minded and adaptable to different styles
- Potential to grow in the role – long term commitment
- Gravitas and government experience
- Must be agnostic politically with keen political acumen to support Council's decision making
- Experience in cost recovery government environments versus profit generating environments
- Understands Fortune 500 companies and how to attract them to the Region
- Administrative and strategic skills to support "peace, order and good governance"
- Ability to help Council see specific issues that affect the Region



- Knowledge of provincial bureaucracy
- Customer Service oriented
- Demonstrated volunteer work in community
- Labour relations experience
- Hit ground running
- Strong profile with Queen's park, but not from Queen's park. Ability to establish relations both provincially and federally
- Approachable and outgoing
- Good delegator
- Open door to Chair
- Builder of reciprocal respect
- Dealt with billion-dollar budget and has gravitas to say where to go on spending
- Attend community events
- Understands the need for authenticity
- Speaks truth to power.
- Cultural leader – creates a culture for the organization
- Relaxed, visionary, understands how to delegate
- Moves fluently among municipalities.
- Someone who can resolve ambiguity.
- Solution oriented
- Respect and ability to carry out the direction of Council and execute.
- Information sharing focus
- Assures transparency to public
- Respect for legislation
- Knowledge of the Region
- Proven leader who wants a challenge



- Enthusiastic, vibrant leadership with the capacity to serve at least 8 years
- Collaborative, empowering yet tough minded
- Visionary with strong insight
- Ability to stretch outside of his/her comfort zone
- Not a yes person but able to foster a healthy dynamic between Staff and Council
- Dedication to excellence and continuous improvement
- Business acumen, but willingness to take advice from Staff
- Political acumen to read varying agendas
- Excellent stakeholder relations
- Principled strength combined with flexibility
- Maturity and wisdom
- Creative thinker
- Tough skin
- Visible – “Advocate for the Region’s priorities”
- Ability to meet timelines with checks and balances
- Active listener/excellent speaker
- Collaborative decision maker
- Team builder
- Charismatic
- Pragmatic
- Ambitious
- Strategic thinker
- Ability to prioritize



### **Experience and Credentials:**

- CAO or equivalent in large municipality
- Business Acumen and/or private sector experience.
- MPA not MBA
- 7-10 years of senior management experience
- MBA or Economics degree
- Hybrid of private and public sector experience
- Municipal experience or expertise at another level of government that dealt with municipalities
- Exposure to or understanding of private sector business strategies

### **Indicators of Success:**

- Clarification of expectations and roles of Council and Staff (M)
- Community builder and excellent relationship builder (i.e. with Niagara municipalities, College & University, Business Community) (M)
- Significant and continued progress on key strategic directions as outlined in the Strategic Plan, for example: GO Rail, Economic Development, Inter-municipal Transit, Master Plans (Niagara 2041, Transportation, Water and Wastewater) (M)
- Establish a corporate culture to build and retain professional talent and desire to be at work (M)
- Stabilization of Region as a corporate entity after a period of corporate change that produced anxiety (M)
- Better levels of governance information (M)
- Positive movement on all the needles on the Regional strategic plan (M)
- Good relations with staff and positive staff morale (M)
- Demonstrating strong personal carriage in the council chambers (M)
- Walks side by side with Council and staff (M)
- Stronger Regional perspective vs local perspective (M)



- Economic milestones achieved (M)
- Staff and senior team work better together with less tension (M)
- Moving the strategic plan forward (M)
- Managing the media for better coverage (S)
- Good governance supported well by staff (M)
- Positive and constructive relationship with the Chair (M)
- Benchmarks such as: extending GO, reducing the wait list for housing, etc. (S)
- More collaboration as opposed to us vs them mentality (M)
- Putting options on the table with implications without regardless of political fallout (M)
- Helpful information for budget decisions and implications, especially for new councillors (S)
- Continued progress on the One-Team Niagara approach (M)
- Strategic priorities embraced, articulated and advanced (M)
- Being able to prioritize around individual priorities and Council's strategic directions (M)
- Good financial oversight with checks and balances to hold people accountable (M)
- Establishment of mutual respect between the Chair and CAO (M)
- Demonstrated visibility within all 12 Municipalities in order to further enhance the collective efforts of the local municipalities towards regional economic growth (M)
- Good vibes in the community about Council's priorities (M)
- CAO is seen as a visible champion of Council's priorities (M)
- Modest tax increases (S)
- At least two thirds of the Council feel satisfied and informed (S)
- Chair speaks for the Council and the CAO represents the Council's priorities with staff and in the community (S)
- Senior Management feels confident and tension is reduced (S)
- Excellent communication channels established internally and externally to ensure the CAO's message is not muted (S)



- Projects on time and within budget (S)
- Enhanced relationships with municipal councils (M)
- Support good governance (M)
- Clarification of the roles of the Chair, Chair's Advisors and Administration (M)
- Established network of support with CAOs outside of the Region (F)





### Local Municipalities – CAO

- Interviews requested with CAOs: 11
- Interviews conducted with CAOs: 8
- Surveys sent to CAOs and EDOs: 17
- Surveys completed: 6
- **Total input: 14**

**(F)ew:** Less than 4 **(S)ome:** 5-7 **(M)ost:** More than 8

### Strengths:

#### Corporate

- Former CAO brought collaborative approach to the Region
- Two tier region has created a new spirit of cooperation across the municipalities that has allowed for working collectively toward regional success
- Parochialism has diminished
- Talented and leading-edge staff
- Team willingness to adapt to new ways of doing business
- Immense pride and passion for the community
- Queen's Park is now listening to Niagara
- Region is catching the eye of the Greater Toronto Area
- Expansion of Go Transit
- Discussions over merging Inter-municipal transit including the airport
- Economic development underway including efforts to attract foreign investors
- GE Plant placed in Welland but seen as beneficial for the Region
- Good planning for the Region underway
- Great people to work with
- Ripe for innovation



## Regional

- Close to the GTA
- Close to the US Border
- Temperate Climate
- Wine Country
- Big City and Rural combination
- Beginnings of economic resurgence
- New economy will be different from previous economy
- Small city living with access to the big city
- Potential for economic growth
- Economic and residential boom is underway
- Affordable housing

## Challenges/Opportunities:

- Setting the pattern to take Niagara forward for the next 20 years (M)
- Increase economic growth and cultural diversity (S)
- Continue with the OneTeam culture that has driven the Region to new ways of doing business both internally and externally (M)
- Provide clarity with respect to governance roles and responsibilities vs. administrative roles and responsibilities (clarifying the policy realm vs. the administrative realm) (M)
- Renewed focus on respectful interactions with the Council and senior staff in the interest of staff effectively implementing their decisions (M)
- Ensure Council remains aligned with the focus of their own plan. There are clear lines between politics and operations that exist and those should be respected (M)
- Working closely with Council to ensure the strategic priorities drive forward. Regional staff have invested considerable time, resources and energy in delivering these priorities (M)
- Build a strong relationship between the Chair and the CAO (M)



- Maintaining enhanced collaboration, trust and confidence amongst municipalities to pool resources and gain positive outcomes for the Region. The Region has made significant strides in the past 18 months (M)
- Maintaining good staff through skill training and clarity of roles. Steadying the ship and allaying anxiety by supporting Senior Managers (M)
- Create an atmosphere where staff are applauded and recognized for their contributions (M)
- Balancing the administrative and the policy side of the responsibilities (M)
- Ensuring trust between council and senior staff in terms of implementing Council's decisions (M)
- Continue to reposition the Region for the future, continuing to attract people and investment to keep the momentum going (M)
- Go Train and transit coming to Niagara represents an opportunity that requires a coordinated strategy (M)
- Fostering leadership amongst administrators at the corporate level to encourage growth and visionary efforts (M)
- Balancing development pressures across the Region (S)
- Managing a growing divisive political dimension to Council (M)
- Improve regional transportation model and support for mobile workforce (M)
- Improve Staff morale, currently at it's lowest (M)
- Appreciating the strong leadership skills of the CAO needed to bring together the municipalities (M)
- Heavy turnover among Municipal CAOs in the region (M)
- Limited participation of Municipal CAOs at Regional level. Regional CAO needs to be a team builder (M)
- With a fractured Council and parochial politics keeping the lower tier municipalities engaged and re-establishing the trust level gained by the former CAO is essential
- Providing immediate guidance and direction to keep staff engaged and enthusiastic about their roles (M)
- With the expansion in the Region, focusing on affordable housing and rising EMS costs (M)



- Opportunity for leadership from an individual who can foresee a unified, prosperous future for the entire Region (M)

### **Candidate Profile:**

- Dynamic
- Humble confidence
- Community connected
- Collaborative
- Lead by example “walking the walk”
- Gain respect from Council, Staff and Community Partners and enthusiasm for the work that people and the Region perform
- Political Acuity and connections to Toronto and Ottawa
- Fair interactions with Councillors and staff
- Balance taking direction from Council and councillors
- Communication skills
- Enthusiastic
- Consummate professional
- Respected and Respectful
- Organized
- Driven
- Does not need a technical skillset (does not need to be an expert on housing or hydro)
- Part cheerleader and facilitator
- CAO needs to be able to share information with Council but establish boundaries of information provided and limits on what Council needs
- Currency of CAO is public trust and confidence
- Meet the needs of the strategic plan of Council
- Bridge builder both externally and internally



- CAO should not seek the limelight, happy for others to take credit for success (it's the politicians that need to be re-elected)
- Able to build collaborative success
- Willing to take criticism and able to understand views of others
- Holistic view of the needs of the Region
- Education credentials are matched with practical experience
- Change agent
- Honest with no hidden agenda
- Respect leaders from smaller municipalities who understand local issues
- Needs practical experience as CAO
- The salary should be more competitive with other Regions
- Sense of humour
- Education in planning or finance
- Educated risk taker
- Trustworthy
- Municipal experience
- Advocacy skills
- Decisive
- Recognized mentor
- Resourceful, creative and intuitive
- Charismatic and diplomatic
- Strong character but not ego driven
- Maintain the collaboration among the local municipalities with the Region as a service provider and not big brother
- Thick skinned
- Engaging



- Relationship builder

### **Experience and Credentials:**

- 4 to 5 years of experience in a senior role with board experience
- Post graduate education
- Professional Designation (credible institution)
- Municipal government (comparable size) and private sector experience
- Leading large and diverse teams
- Political network

### **Indicators of Success:**

- Evidence of continuing growth and consensus building across the municipalities (M)
- Health morale and internal organization culture (M)
- Establishment of an outward appearance of unity and alliance across the Region (M)
- New projects brought to fruition (transit) (S)
- More positive Interactions between staff and elected officials (M)
- Evidence of a strong, confident senior team led in a professional and consistent way (M)
- Establish the respect and trust of the Chair and Council (M)
- Continue to build relationships with counterparts in the municipalities and have a level of respect and trust from all 12 local municipalities (M)
- Region seen as consultative and not elitist (M)
- Successful in getting funding from Council for needed projects (M)
- Foster economic development (M)
- Realize that the ship has just left the dock, job is to keep it going in the right direction (S)
- CAO focused on internal culture of staff in the Region (S)
- CAO should be supportive of Council, listen to Council but capable of making his/her own observations to Council (M)



- Successful communicator who has built a strong common Regional agenda beyond the GO Train (M)
- Established finite key goals for the Region (M)
- Has established agreement on a certain percentage of growth in the Region and how we will sell Niagara to others, including Government and the business community (S)
- Established a 5 to 10-year plan (M)
- Focused on economic development and transportation (M)
- Evidence of progress on a model for Regional transportation (M)
- Established a regional model for economic development (M)
- High visibility with local municipalities (M)
- Strong representation with upper tier governance (S)
- Advocacy for the Region and its attributes (M)



## Staff

- Interviews conducted with Acting CAO and Commissioners: 6
- Surveys sent to Director level: 20
- Surveys completed: 10
- **Total input: 16**

**(F)ew:** Less than 4 **(S)ome:** 5-8 **(M)any:** More than 9

## Strengths:

### Corporate

- Passionate Councillors
- Former CAO led a cultural and operation transformation focused on becoming One Team, working hand in hand, communicating and engaging each other with one common purpose and focusing on customer service and creative momentum for change
- Very committed but somewhat fatigued senior leadership group
- Appeal for a leader to provide transformational leadership as recently identified opportunities should be energizing for a new CAO
- Strong corporate culture and opportunity to work together to build strong results
- Work culture that supports change and continuous improvement
- Clear direction from Council on key issues
- Focused strategic priorities and a drive for results
- Untapped development possibilities within region
- Members of Council restructured the Niagara agenda to move it forward and significant strides have been made and now there is momentum to move forward, including recent accomplishment such as GO Transit and GE
- 12 municipalities now working together to demonstrate the quality of Niagara life and services
- Moving towards lock step in the initiatives with our GTA counterparts and we don't want





to lose the momentum

- Passion, intelligence and dedication of the people who work at Niagara Region serving the people of Niagara at almost all levels (this is often unappreciated)
- Excitement of urban and rural municipalities
- Commissioners working collaboratively
- Customer service and partnerships are strong
- Good track record on cost containment
- Long Term Care and EMS very strong in the Region
- Front line staff are committed to a high level of service
- New ERP system which was delivered on time and on budget
- Council is willing to be innovative, take chances and risks with an appetite to change
- High calibre, dedicated, professional staff
- Innovation and a drive for excellence
- Appetite for learning
- Municipalities have a strong working relationship with agencies

### **Regional**

- Opportunity to drive transformational change as the stage has been set
- Community has great natural assets and significant potential
- Beautiful and varied environments
- Educational opportunities
- Strong community volunteering ethic
- Community that balances a semi-urban advantage and great rural mix
- Close proximity to GTA and Buffalo
- Affordable housing
- Highly engaged community partners



- Vibrant cultural and recreational opportunities in the area
- Great schools, open spaces, property value is superior, not cost prohibitive and a lot of choice
- Niagara is the jewel of Ontario
- Future of Niagara is still unfolding
- Open playground and a chance to influence future
- High end restaurants
- Strong post-secondary education
- Access to many large centres within 90 minutes, proximity to GTA, Buffalo
- Heritage
- Tourist attractions

### **Challenges/Opportunities:**

- Leverage off the transformational change that has been initiated and continue to mature the bureaucracy and stabilize the organization (M)
- Major toe hold in this area has been gained but there are still many pockets where these changes may not have been made – the new CAO needs to continue to drive this change to avoid reverting back to complacency or silos. There is a strong commitment to this transformation and is an opportunity for the incoming CAO (M)
- Continue previous CAO's work in strengthening staff's competencies (M)
- Strengthen morale of regional staff and fight fatigue and disengagement amongst staff (S)
- Balance the expectations of Council with responsibility of staff in order to meet significant fiscal challenges (M)
- Keep organizational focus and resist project creep in addition to many priorities (S)
- Challenge on public perception of negative media coverage of Burgoyne bridge (F)
- Diminish staff uncertainty with new leader (M)
- Recognize the diversity of Council's interest and advance the agenda of the region as a whole with a divided and at times antagonistic Council (S)



- Capitalizing on the desire and effort to work cooperatively with all governments, government related bodies, businesses and agencies to move Niagara forward (S)
- Being able to demonstrate the values of the organization through actions and words (M)
- Continue the new culture of the organization which seeks to sustain and build the One Team philosophy, accountability, relationships and partnerships (M)
- Build staff/Council respect and trust for each other based on a better understanding of the governance role vs. operations (M)
- Remaining focused on key strategic priorities in managing budget rather than focusing on 'pet projects' (S)
- Fostering better media coverage on the Region's progress (S)
- Reversing remaining negativity about Niagara meaning older, sicker and poorer (S)
- Reduce the existing too many strategic priorities to deliver excellent service within budget constraints (S)
- Leverage recent growth and interest in Niagara (M)
- Harness the majority voting block in Council who want to get things done and not change course mid-stream (S)
- Foster untapped talent in the middle management group (F)
- Opportunity to enhance relationships with key stakeholders such as Brock University and Niagara College (S)
- Opportunity to extend keen interest in local municipalities to work collaboratively (M)
- Gain the trust of Regional Chair and Council in order to allow Council to focus on policy and let the CAO manage operations (M)
- Work within budget limitations to drive an economic prosperity agenda (M)
- Get corporate leadership team to share a leadership vision and look at doing business differently (S)
- Challenge is to defeat the physical and economic isolation of Niagara, to extend connections with the GTA and bring the communities together both economically and physically through infrastructure and employment and the use of technology (M)
- Further enhance the relationship between local communities and the Region (M)



- Councillors have two roles, municipal and Regional. CAO must address the tension between the leadership of the Region and their own leadership in their own municipalities (M)
- Diversity in terms of culture, landscape, approach to growth within the region is a challenge (F)
- Historically, East Niagara has been the stronger faction but this is changing with the recent announcement of the GO Train (S)
- Forge new partnerships with municipalities (S)
- Align with Council around business plan and strategies, to allow Council to understand the risks and rewards and own the implications (M)
- Opportunity to improve the brand value of the Region and to ramp up reputational value such as Brock University has done through community support (S)
- Opportunity to manage change and reduce anxiety as Niagara has come through significant internal change in the movement towards a progressive Niagara (M)
- Opportunity to foster an environment for economic prosperity and maintaining and improving relationships within 12 municipalities and other external municipalities (M)
- Balanced advice regarding the cost containment and providing needed community services (S)
- Embracing opportunities identified by the provincial government's significant change in both policy and structure of social service delivery to enhance municipal services (S)
- Maintain the strong CLT team (M)
- Focus on cohesive and strategic advice with Council – with full disclosure around risks and advantages (M)

### **Candidate Profile:**

- Fortright and open
- Strategic thinker
- Empathy for the team
- Leader who brings ideas to the table but confident to hear what others have to say and re-calibrate



- Sense of pride in quality of the work done by staff but not arrogant in a way that offend Council
- Integrity beyond reproach
- Transparency and no games
- Vision
- Approachable
- Understanding of responsibilities/understands rewards and frustrations of public service
- Courage
- Wisdom/authenticity
- Inquisitiveness
- Enthusiasm/energy
- Honesty/Integrity
- Collaborator
- Personable
- Modest
- Resilient
- Political acumen
- Business finance and labour relations experience
- Self-confident
- Commitment
- Active listener
- Receptive
- Behave honestly in partnerships
- Visionary who will support our continued journey
- Humour
- Outgoing



- Engaging
- Positive team builder
- Understands the role of CAO as it relates to governance
- Strong advocate for staff
- Can communicate distinct roles of staff and Council
- Bring together diverse groups to find a common goal
- Credibility with the right mix of credentials and demonstrated success
- Non-partisan
- Focused and driven for results
- Reasonable familiarity with the Region
- Creative problem solver
- Strategic perspective
- Thinks beyond traditional public sector ideas
- Supporter of staff
- Breadth of experience and understanding of the concerns and opportunities that face Niagara
- Self-reflection
- Warm personality (very thick skin and a warm heart)
- Half politician/half administrator
- Understands people
- Respects his role of working for the taxpayer
- Charisma
- CAO has to be able to drive the agenda administratively and take the backseat when necessary to allow the Chair to be the face of transformation
- Has to have the back of staff
- Give commissioners enough runway to do their jobs, be supportive not micro-managing



- “Servant leader”
- Steady
- Patient
- Change management skills
- Appreciation of the various components of meeting community needs
- Delegator
- Someone who asks the right questions
- Big passion
- A seasoned leader
- A leader, motivated by the success of Council
- A collaborative leader who breaks down silos

### **Experience and Credentials:**

- MBA or a comparable Master’s Degree
- Senior leadership experience in a combination of public and private sector environments, preferably in more than one municipality
- Financial and political acumen
- Senior municipal experience (over 10 years’ senior municipal management, preferably at the CAO level)
- Ability to garner respect
- Broad scope of knowledge
- Post secondary degree in political science, public administration, business administration or related public discipline
- Leadership of multi-year business and financial strategies
- Public administration background
- Manager of an organization with a billion plus dollar budget and 3,000 plus employees
- Results oriented



- Innovative
- Community-minded
- Ability to manage difficult people
- Private sector experience
- Ability to make difficult decisions
- Positive & Decisive
- Experience in another community or regional level
- Street smarts are a priority over education
- Fresh perspective

#### **Indicators of Success:**

- Establishing a positive relationship with Council by establishing trustworthiness with the corporation and the community (M)
- Further progress on transformational change by incorporating current work and insights of the previous CAO (M)
- Getting to a stable point where appropriate supports are in place for key staff and there is minimal turnover of key staff (M)
- Build more respectful culture with Council (M)
- Greater respect for staff contributions (M)
- Collaborative staff leadership team (M)
- Real results in achieving the Council's strategic priorities (M)
- Modelling the way for positive relationships between the senior leadership and Council (M)
- A healthy and evolved corporate culture (M)
- Trust and confidence with internal/external stakeholders (S)
- Commitment to improving the services that Niagara Region delivers (M)
- Continued momentum (M)





- Developed balanced work plan (M)
- Outreach to all significant community partners for input (M)
- Advancement of the strategic priorities with demonstrated progress on economic prosperity (M)
- Improved performance measures (M)
- Supportive CLT to drive equitable strategies in addressing budget constraints (S)
- Get Council focused on core municipal services (S)
- Mastery of and personal commitment to Council's priorities (M)
- Relationship building, including building the trust of Council, the organization and external stakeholders (M)
- Review of direct reports to the CAO (F)
- Separate the political agenda from the responsibilities of the bureaucracy (M)
- An Executive Leadership team that is collaborative, and recognized for its professionalism and a good and respectful relationship with Council (M)
- CAO to have a ten-year vision and ten-year master plan. Include a fiscal master plan and an economic development forecast (F)
- Masterplan that reflects new realities (F)
- Evidence of increased momentum around collaboration (M)
- Strengthening an already cohesive team (M)
- Articulation to staff on how to focus on core service delivery across the Region (M)
- Narrowing the vision of the organization to do fewer things better (S)
- Consistent engagement of staff (M)
- Hearing people and the ability to elicit information without inserting information (S)
- Capacity to reflect back on what has been heard (S)
- Speaking with confidence in Council and publicly (M)
- Develop a reasonable budget and provide information to allow Council to understand strategy and implications for balancing conflicting needs (M)



- Staff connection will be well established and there will be greater appreciation of staff contribution (M)
- Engaged staff working cohesively (M)
- Expanded positive relationships amongst CAO of the 12 Municipalities to advance the agenda for Niagara Region (M)



## External Stakeholders

- Interview requested: 9
- Interviews conducted: 0
- Surveys sent: 35
- Surveys completed: 5
- **Total input: 5**

**(F)ew:** Less than 2 **(S)ome:** 3 **(M)ost:** More than 4

### Strengths:

#### Corporate

- Accountable collaborative relationship between Municipalities and Region
- GE construction procurement as an example of collaboration
- Significant opportunities for further consolidation of effort
- Expertise among staff at Region

#### Regional

- Natural beauty
- Wine industry
- Population growth and prospects of business economic development e.g. GE and GO train announcement
- Solid relationships among political bodies, business communities, social organizations and post-secondary institutions
- Close to the border
- Location and area history
- GE announcement
- Go train announcement



### **Challenges/Opportunities:**

- Build on recent positive developments involving transit improvements and spin off businesses from these announcements (M)
- Expand the traction gained over the last few years through municipal leaders, businesses, economic development staff, social organizations working together as one voice in Niagara (M)
- Help create a team that recognizes the difference between administrative leadership vs. political leadership so that administrators action policy rather than create it (M)
- Build solid morale among staff while ensuring they understand their important role (M)
- Streamline administrative processes to achieve strategic goals for example affordable and senior housing (S)
- Re-organize to create synergies among departments and enhance staff morale (F)
- Council needs to improve its image to the business community (F)
- Assisting Councillors to address perceived weaknesses by strengthening Councillor's appreciation of the business perspective, strengthening working relationship between Councillors and business owners in the Region and addressing impression amongst some business stakeholders that Councillors are inattentive (S)
- Work with industry in Niagara region to reduce energy costs (F)
- Work to build greater support for progressive initiatives (M)
- Some External Stakeholders perceive a fear based work culture due to tension between Councillors and Staff (F)
- Encourage more clarity and precision to project implementation (S)
- Creating an economic climate that would attract much needed good paying jobs by stimulating growth in industries beyond tourism (M)

### **Candidate Profile:**

- Has experience with the local communities in Niagara
- Consensus builder with team builder/player mentality
- Business acumen
- Economic development experience



- Excellent communicator, promoter and public speaker to present the vision of the Region as set by Council
- A good listener
- Understanding his/her role as an implementer of policy set by Council
- Collaborator
- Humble
- Grounded
- Approachable and outgoing
- Problem solver
- Sense of fair play
- Consensus builder
- Visionary with ability to create a plan to grow the Region
- Works well with business and skilled people
- Outside perspective
- Cool and calm on his/her feet
- Pro-active
- Welcoming
- Able to read people
- Firm when needed, but flexible when appropriate
- Compassionate
- Passionate
- Able to look people in the eye
- Makes people feel comfortable and valued
- Ethical/honest with strong integrity
- Strong support of industry
- History of success working with NGOs



- Well-connected provincially and nationally
- Firm when needed, but flexible when appropriate
- Compassionate
- Passionate
- Able to look people in the eye
- Makes people feel comfortable and valued
- Ethical/honest with strong integrity
- Strong support of industry
- History of success working with NGOs
- Well-connected provincially and nationally
- Customer focused

#### **Experience and Credentials:**

- Financial acumen/business background
- Senior leadership role in the private sector
- University degree in finance, business or science
- Senior executive in industry, business or government
- Previous CAO or CEO experience in Public or Private Sector
- Experience managing key targets and budgets

#### **Indicators of Success:**

- Development of solid data to support increased economic development priorities showing benefit to communities and job creation – this should be done through the strong support of the economic development officials (M)
- Strong increase in staff morale that includes a much better relationship with the Regional Council (M)
- Engagement of existing and new partnerships with industry players, including in the United States (S)



- Demonstration of strong ability to collaborate and reduce tension by being open to other views (M)
- Establishing Greeting Committee of Regional Ambassadors to welcome prospective businesses (F)
- Have the courage to be in his/her own skin (M)
- Lead through consensus building (M)
- Create an inventory of property buildings available to new businesses (F)
- Establish business owners advisory board and learn from consultation with business owners (S)
- Establish a high performance work culture (M)
- Foster a sound relationship with stakeholders and key relationships with industry (M)
- Clear accountability and bench-marking of the Region's performance (M)

**THE REGIONAL MUNICIPALITY OF NIAGARA  
CHIEF ADMINISTRATIVE OFFICER RECRUITMENT COMMITTEE  
MINUTES - OPEN SESSION**

**CAORC 4-2016  
Wednesday June 22, 2016  
Committee Room 4  
Niagara Region Headquarters  
1815 Sir Isaac Brock Way, Thorold ON**

Council: Campion, Caslin (Regional Chair), Easton, Quirk

Absent/Regrets: Gale

Staff: R. D'Amboise, Policy Director, Chair's Office, J. Feren, Director, Legal and Court Services, K. Lotimer, Administrative Assistant to the Regional Clerk, F. Peacefull, Director, People Services and Organizational Development, R. Walton, Regional Clerk

Others Present: Jayson Phelps, Partner, Phelpsgroup, Joan Green, Senior Consultant, Phelpsgroup

---

**1. CALL TO ORDER**

Regional Chair Caslin called the meeting to order at 3:07 p.m.

**2. DISCLOSURES OF PECUNIARY INTEREST**

There were no disclosures of pecuniary interest.

**3. PRESENTATIONS**

Jayson Phelps and Joan Green reviewed the Chief Administrative Officer Search Process and Timeline with the committee (CAORC-C 3-2016 Appendix I).

**4. DELEGATIONS**

There were no delegations.



**5. ITEMS FOR CONSIDERATION**

5.1. CAORC-C 3-2016 Update from Phelps Group (Executive Search Firm) - CAO Recruitment Timelines

Moved by Councillor Quirk  
Seconded by Councillor Easton

That CAORC-C 3-2016 respecting an Update from Phelps Group (Executive Search Firm) - CAO Recruitment Timelines **BE APPROVED**.

**Carried**

**Councillor Information Request(s):**

That the Director, People Services and Organizational Development provide background information to the committee regarding the geographical scope of the search for candidates and where the Region advertised for the 2013 CAO recruitment process. Councillor Quirk

5.2. CAORC-C 4-2016 Consultation Process, Niagara CAO Traits and Competencies

Moved by Councillor Campion  
Seconded by Councillor Quirk

That CAORC-C 4-2016 dated June 22, 2016 respecting the Consultation Process, Niagara CAO Traits and Competencies **BE APPROVED**.

**Carried**

**6. CONSENT ITEMS FOR INFORMATION**

Moved by Councillor Easton  
Seconded by Councillor Campion

That the following items **BE RECEIVED** for information:

6.1. CAORC 3-2016

Minutes - Chief Administrative Officer Recruitment Committee Monday  
June 13, 2016

**Carried**

**7. OTHER BUSINESS**

There were no items of other business.

**8. MOTION FOR CLOSED SESSION**

The Chief Administrative Officer Recruitment Committee did not resolve into Closed Session.

**9. CLOSED SESSION**

The Chief Administrative Officer Recruitment Committee did not resolve into Closed Session.

**10. BUSINESS ARISING FROM CLOSED SESSION ITEMS**

Moved by Councillor Easton  
Seconded by Councillor Campion

That Confidential CAORC-C 2-2016 respecting A Matter of Labour Relations under s. 239(2) of the Municipal Act, 2001 - Chief Administrative Recruitment and Confidential CAORC 3-2016 being the Closed Session Minutes - Chief Administrative Officer Committee Meeting held Monday June 13, 2016 **BE RECEIVED.**

**Carried**

**11. NEXT MEETING**

The next meeting is to be held at the call of the Chair.

**12. ADJOURNMENT**

There being no further business, the meeting adjourned at 4:04 p.m.

---

Alan Caslin  
Regional Chair

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Ralph Walton  
Regional Clerk

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**MEMORANDUM**

**CAORC-C 3-2021**

**Subject: Chief Administrative Officer Recruitment – Executive Search Firm  
Procurement Options and Proposed Timelines**

**Date: January 26, 2021**

**To: Chief Administrative Officer Recruitment Committee**

**From: Franco Meffe, Director Human Resources**

---

This memo provides the Chief Administrative Officer Recruitment Committee (CAORC) with procurement options and estimated timelines regarding the selection of an external Executive Search Firm (ESF) concerning the recruitment of the Chief Administrative Officer (CAO).

As discussed at our initial CAORC meeting on January 12, 2021, in accordance with the CAO Recruitment, Selection, Offer of Employment, and Performance Policy, along with the corresponding CAO Recruitment, Selection, and Offer of Employment Procedure, the next step for the CAORC is to move forward with the selection of an ESF. The engagement of the ESF is to provide professional support throughout the duration of the CAO recruitment process. The ESF will provide guidance to the CAORC to ensure a transparent, competitive, and comprehensive CAO recruitment process.

To facilitate the process of selecting an ESF, consultation with Procurement has resulted with three options identified:

1. Modified Single-Source
2. Request for Proposal (RFP)
3. Single Source

*Table 1 below* contains the three proposed procurement options with the corresponding estimated recruitment timelines for each option:

*Table 1: Procurement Options and Corresponding Estimated Timelines*

<b>Activity</b>	<b>Option 1: Modified Single-Source (n=5-8)</b>	<b>Option 2: Request for Proposal (RFP)</b>	<b>Option 3: Single Source</b>
Procurement method determined by CAORC, in alignment with Niagara Region CAO recruitment policy, procedures, and procurement bylaw	January 26, 2021	January 26, 2021	January 26, 2021
Procurement activities for external ESF undertaken	February 1 – 14, 2021	February 8 – April 6, 2021	February 1 - 5, 2021
Selection of ESF by CAORC to afterwards Finalize Contract	Week of February 22, 2021	Week of April 12, 2021	Week of February 9, 2021
Communication to Regional Council re: selected ESF (weekly correspondence)	February 26 or March 5, 2021	April 16 or 23 or 30, 2021	February 12 or 19, 2021

In addition, the following is a high-level summary of supplementary details of each option:

Option 1: Modified Single-Source

- Approximate procurement timelines: 4-5 weeks; full recruitment approximately 4 months
- Human Resources, in consultation with Procurement, to identify 5 – 8 ESFs to submit a Request for Submission including but not limited to the following:
  - o Company background
  - o Pricing (percentages, hourly rate, etc.)
  - o Comparable recruitments
  - o Consultation process
  - o Recruitment methodologies
  - o Guarantees
- Human Resources will provide a summary of ESF responses to the CAORC to consider
- CAORC to select ESF based on submission summary and to provide direction to staff to enter into and conclude negotiations, as per Procurement By-law

### Option 2: Request for Proposal (RFP)

- Approximate procurement timelines: 8-10 weeks; full recruitment approximately 6 months
- In the RFP, proponents shall provide through their submissions including but not limited to the following:
  - o Company background
  - o Pricing (percentages, hourly rate, etc.)
  - o Comparable recruitments
  - o Consultation process
  - o Recruitment methodologies
  - o Guarantees
- CAORC would be required to approve a Procurement representative who would help facilitate the RFP process, including attendance at all meetings
- CAORC to develop evaluation matrix, scope of work, terms of reference, and selection process
- Human Resources, in consultation with Procurement, to prepare and finalize and distribute a RFP based on the above direction and input
- Staff to complete RFP review based on CAORC direction
- CAORC to receive recommendation from staff and ratify evaluation results; provide direction to staff to enter into Contract

### Option 3: Single Source

- Approximate timelines: 3 weeks; full recruitment approximately 4 months
- CAORC selects a preferred ESF and directs Human Resources to enter into and conclude negotiations with the ESF
- Though this method would meet the requirements of the Procurement By-Law, it is not recommended as there might not be sufficient information for an informed selection of an ESF

Regardless of which option is selected, in addition to what is noted above, the ESF would also be required to satisfy all requirements of corporate policy and procedures, including would be required to support the CAORC, as required, with the following:

- Attendance as required at CAORC meetings
- Development of the consultation framework and stakeholder list to seek input on CAO character traits and competencies
- Consultation process to inform recruitment strategy
- Status Updates to Regional Council from the Regional Chair on behalf of the CAORC, including attendance at Council as requested
- Job posting/nation-wide search
- Development of interview framework (questions, approach, testing, etc.)
- Candidate review and selection of candidates for Interview
- Facilitate interviews

- Conduct references and any background checks
- Perform any follow up with preferred candidate
- Update to Regional Council for approval to proceed with preferred candidate and terms and conditions for conditional offer of employment
- Formal offer of employment extended to preferred candidate

The recommendation of staff is that the CAORC select Option 1 as the preferred procurement method. Following the selection of the preferred procurement method by the CAORC, Human Resources will initiate next steps.

Respectfully submitted and signed by

---

Franco Meffe  
Director, Human Resources

**Minute Item No. 6.1**

**AC-C 2-2021**

**Three Year Internal Audit Workplan**

That Report AC-C 2-2021, dated February 8, 2021, respecting Three Year Internal Audit Workplan, **BE RECEIVED** and the following recommendation **BE APPROVED**:

1. That the three year Internal Audit Workplan **BE APPROVED**.

**Minute Item No. 7.1**

**AC-C 1-2021**

**Further Analysis of KPMG Final Audit Report on Non-Competitive Procurement Audit**

That Report AC-C 1-2021, dated February 8, 2021, respecting Further Analysis of KPMG Final Audit Report on Non-Competitive Procurement Audit, **BE RECEIVED** for information.

**THE REGIONAL MUNICIPALITY OF NIAGARA  
AUDIT COMMITTEE  
OPEN SESSION**

**AC 1-2021  
Monday, February 8, 2021  
Council Chamber/Video Conference  
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 Video Conference: Bradley (Regional Chair), Foster, Gale, Redekop, Whalen (Committee Vice-Chair)

Staff Present in the Council Chamber: E. Fabiani, Technology Support Analyst, T. Harrison, Commissioner/Treasurer, Corporate Services, B. Menage, Director, Procurement & Strategic Acquisitions, A.-M. Norio, Regional Clerk, R. Tripp, Acting Chief Administrative Officer

Staff Present via Video Conference: E. Amirault, Associate Director, Finance, Operations and Systems, H. Chamberlain, Director, Financial Management & Planning/Deputy Treasurer, A. Jugley, Commissioner, Community Services, K. Lotimer, Legislative Coordinator, F. Marcella, Internal Auditor, B. Zvaniga, Interim Commissioner, Public Works

Others Present via Video Conference: N. Rolfe, Partner, and R. Hacking, Manager, Advisory Services, KPMG

---

**1. CALL TO ORDER**

Ann-Marie Norio, Regional Clerk, called the meeting to order at 1:00 p.m.

**2. DISCLOSURES OF PECUNIARY INTEREST**

There were no disclosures of pecuniary interest.

**3. SELECTION OF COMMITTEE CHAIR AND VICE-CHAIR**

**3.1 Call for Nominations for Committee Chair**

Ann-Marie Norio, Regional Clerk, called for nominations for the position of Chair of the Audit Committee for a two year term (2021-2022).



Moved by Councillor Gale  
Seconded by Councillor Foster

That Councillor Rigby **BE NOMINATED** as Chair of the Audit Committee for a two-year term (2021-2022).

3.2 Motion to Close Nominations for Committee Chair

Ann-Marie Norio, Regional Clerk, called a second and third time for nominations for the position of Audit Committee Chair. There being no further nominations, it was:

Moved by Councillor Whalen  
Seconded by Councillor Gale

That nominations for the position of Chair of the Audit Committee for the 2021-2022 term, **BE CLOSED**.

**Carried**

3.3 Voting for the Position of Committee Chair

There being only one nominee for the position, the Regional Clerk, announced that Councillor Rigby would be the Audit Committee Chair for the 2021-2022 term.

At this point in the meeting, Councillor Rigby assumed the Chair.

3.4 Call for Nominations for Committee Vice-Chair

Councillor Rigby, Committee Chair, called for nominations for the position of Vice-Chair of the Audit Committee for the 2021-2022 term.

Moved by Councillor Foster  
Seconded by Councillor Gale

That Councillor Whalen **BE NOMINATED** as Vice-Chair of the Audit Committee for a two-year term (2021-2022).

3.5 Motion to Close Nominations for Committee Vice-Chair

Committee Chair Rigby called a second and third time for nominations for the position of Audit Committee Vice-Chair. There being no further nominations, it was:

Moved by Councillor Foster  
Seconded by Councillor Gale

That nominations for the position of Vice-Chair of the Audit Committee for the 2021-2022 term, **BE CLOSED**.

**Carried**

3.6 Voting for the Position of Committee Vice-Chair

There being only one nominee for the position of Committee Vice-Chair, the Committee Chair announced that Councillor Whalen would be the Audit Committee Vice-Chair for the 2021-2022 term.

4. **PRESENTATIONS**

There were no presentations.

5. **DELEGATIONS**

There were no delegations.

6. **ITEMS FOR CONSIDERATION**

6.1 AC-C 2-2021

Three Year Internal Audit Workplan

Moved by Councillor Whalen  
Seconded by Councillor Gale

That Report AC-C 2-2021, dated February 8, 2021, respecting Three Year Internal Audit Workplan, **BE RECEIVED** and the following recommendation **BE APPROVED**:

1. That the three year Internal Audit Workplan **BE APPROVED**.

**Carried**

**Councillor Information Request(s):**

Provide information respecting the scope of the Biosolids Value for Money and Consulting Assignments Audits (items 3 and 5) identified for 2021 internal audits. Councillor Gale.

Provide information respecting various types of compliance and value for money audits and considerations for Council when they are requested. Councillor Whalen.

**7. CONSENT ITEMS FOR INFORMATION**

7.1 AC-C 1-2021

Further Analysis of KPMG Final Audit Report on Non-Competitive Procurement Audit

Moved by Councillor Foster  
Seconded by Councillor Redekop

That Report AC-C 1-2021, dated February 8, 2021, respecting Further Analysis of KPMG Final Audit Report on Non-Competitive Procurement Audit, **BE RECEIVED** for information.

**Carried**

**8. OTHER BUSINESS**

8.1 Audit Committee Mandate/Composition

Councillors enquired about the mandate of the Audit Committee and considerations to allow members of the private sector to be part of the Committee. Todd Harrison, Commissioner/Treasurer, Corporate Services, advised that KPMG, as part of the sustainability review provided suggestions for an updated Committee Terms of Reference. He advised that staff would provide a report on this matter for the Audit Committee meeting being held on May 10, 2021.

**9. NEXT MEETING**

The next meeting will be held on Monday, May 10, 2021 at 1:00 p.m.

**10. ADJOURNMENT**

There being no further business, the meeting adjourned at 2:09 p.m.

---

Tim Rigby  
Committee Chair

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Kelly Lotimer  
Legislative Coordinator

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Ann-Marie Norio  
Regional Clerk

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**MEMORANDUM**

**AAC-C 2-2021**

**Subject: Transit Systems of Niagara – Draft of Bus Stop Accessibility  
Criteria & Guidelines**

**Date: January 19, 2021**

**To: Accessibility Advisory Committee**

**From: Steve Murphy, Accessibility Advisor**

---

Attached is a draft copy of the Bus Stop Accessibility Criteria & Guidelines being put together by Niagara's transit authorities. If Committee Members are interested in providing feedback, please provide any comments to me no later than Tuesday, January 26, 2021, so that it may be shared with the authors.

Respectfully submitted and signed by

---

Steve Murphy  
Accessibility Advisor



TRANSIT SYSTEMS OF NIAGARA

# BUS STOP ACCESSIBILITY CRITERIA & GUIDELINES



Transit Systems of Niagara

# Transit Bus Stops

Accessibility Criteria & Guidelines

DRAFT

Created: December 2020

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## 1.0 Introduction

These criteria and guidelines were developed to verify if a transit bus stop is accessible or not. This document should be used as a reference when designing new roads, bus stops, reconstruction of roads or new developments.

The requirements for persons with disabilities, the dimensional and operational features of the current fleet of buses in the Region, City Site Plan Guidelines and the practices followed in other jurisdictions were considered in the development of these guidelines. The criteria may be considered as the minimum requirements for the Bus Stop Landing Pad and doesn't include areas or facilities beyond the bus stop landing pad.

Since the features and elements of a bus stop have to be designed to suit individual locations, with several other considerations and standards, these criteria may not be complete in all respects. Under such situations, the user should refer to other requirements, existing conditions, and limitations, exercising their best judgment in preparing a final design for a specific location.

DRAFT



## 2.0 Accessible vs Inaccessible Bus Stops

For a bus stop to be accessible, it must have a raised landing pad connected to the sidewalk. Without a raised landing pad, the slope of the bus ramp would be too high for mobility device users. Because curbs and sidewalks are generally provided in urban settings only, most rural bus stops are not accessible.

### 2.1 Accessible Bus Stop Examples



*Figure 1: Bus stop on a road with an urban cross section, including municipal sidewalks.*



*Figure 2: Bus stop on an urban road with a landing pad connected to the sidewalk.*

## 2.2 Inaccessible Bus Stop Example



*Figure 3: Non-accessible bus stop on a rural road with no landing pad or sidewalk.*

## 3.0 Accessibility Criteria & Guidelines

### 3.1 Landing Areas

#### 3.1.1 Landing Pad Dimensions

*A minimum 18.6 m x 2.5 m landing pad is provided, with a hard, even surface and minimum 1.6m x 2.5m ramp deployment and loading area.*

The types of transit buses currently in use in the Region were considered to determine the minimum length and depth of the landing pad. The longest bus ramp extends to a length of 1.27 metres onto the landing pad when deployed. In order for a mobility device user to comfortably manoeuvre onto and off of the ramp, the landing pad must be at least 2.5 metres deep, as measured from the face of the curb. Where the landing pad abuts a sidewalk, the sidewalk width can be included to achieve a 2.5 metre landing pad depth. Ramps are located at the front doors of buses. In order to span both sets of doors, an 18.6-metre-long landing pad is desirable, in order to provide a hard-even surface for passengers alighting from the rear door. Within the landing pad a clear space of 1.5-metre-wide by 2.5-metre-deep area is required for ramp deployment and loading/unloading purpose (refer to Appendix C-F for layout drawings).

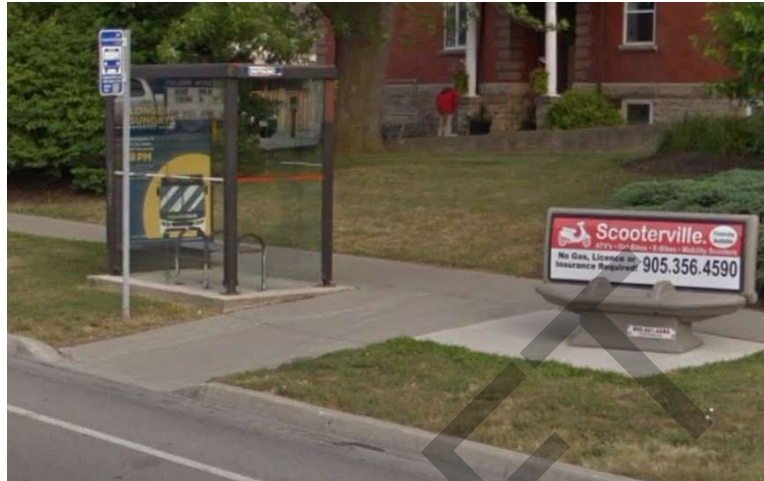


*Figure 4: Landing pad is long and deep enough to deploy the ramps and have space to manoeuvre.*

### 3.1.2 Sidewalk Connection

*The deployment and loading area are connected to an accessible sidewalk by a hard, even-surfaced pathway with a minimum 1.5 m clearway.*

To allow a mobility device user to travel between the loading area and the sidewalk, a hard even-surfaced pathway with a 1.6 metre clearway is required. The sidewalk itself should also be accessible, as defined in Ontario Reg. 191/11.



*Figure 5: A landing pad connected to the sidewalk by a concrete pathway with cut-out.*

### 3.1.3 Pathways

*The pathways between the landing pad, sidewalk and passenger amenities are unobstructed.*

There should not be any obstructions for any user on the paths between the deployment/ loading area, shelter, sidewalk and other passenger amenities.



*Figure 6: A stop with smooth unobstructed surfaces between the loading area, sidewalk and passenger amenities.*

### 3.1.4 Curb Depressions

*The sidewalk or landing pad has curb depressions where appropriate.*

Where appropriate, curb depressions should be provided to enable mobility device users to cross the road. In order for curb depression to be useable for a mobility device, they must have a width of at least 80 centimetres and be provided on both side of the roadway.

### 3.1.5 Landing Pad Cross Slope

*Landing pad cross slope should be no more than 2%.*

Cross slope, also known as crossfall, is the slope perpendicular to the direction of the travel. For any paved surface the design practice is to provide a slope for drainage purposes. For a mobility device user to negotiate the path, the slope for the landing pad should not exceed 2%. Site plan guidelines also specify a maximum 2% cross slope for sidewalks and boulevards.

### 3.1.6 Barriers

*Where the bus stop abuts a steep slope, ditch or any other hazardous feature, an appropriate barrier such as a handrail, fence or wall is provided between the landing pad and the feature.*

Where a steep slope, ditch or any other hazardous condition abuts the landing pad or sidewalk, a physical barrier such as a handrail, fence or barrier wall should be constructed to protect all users.

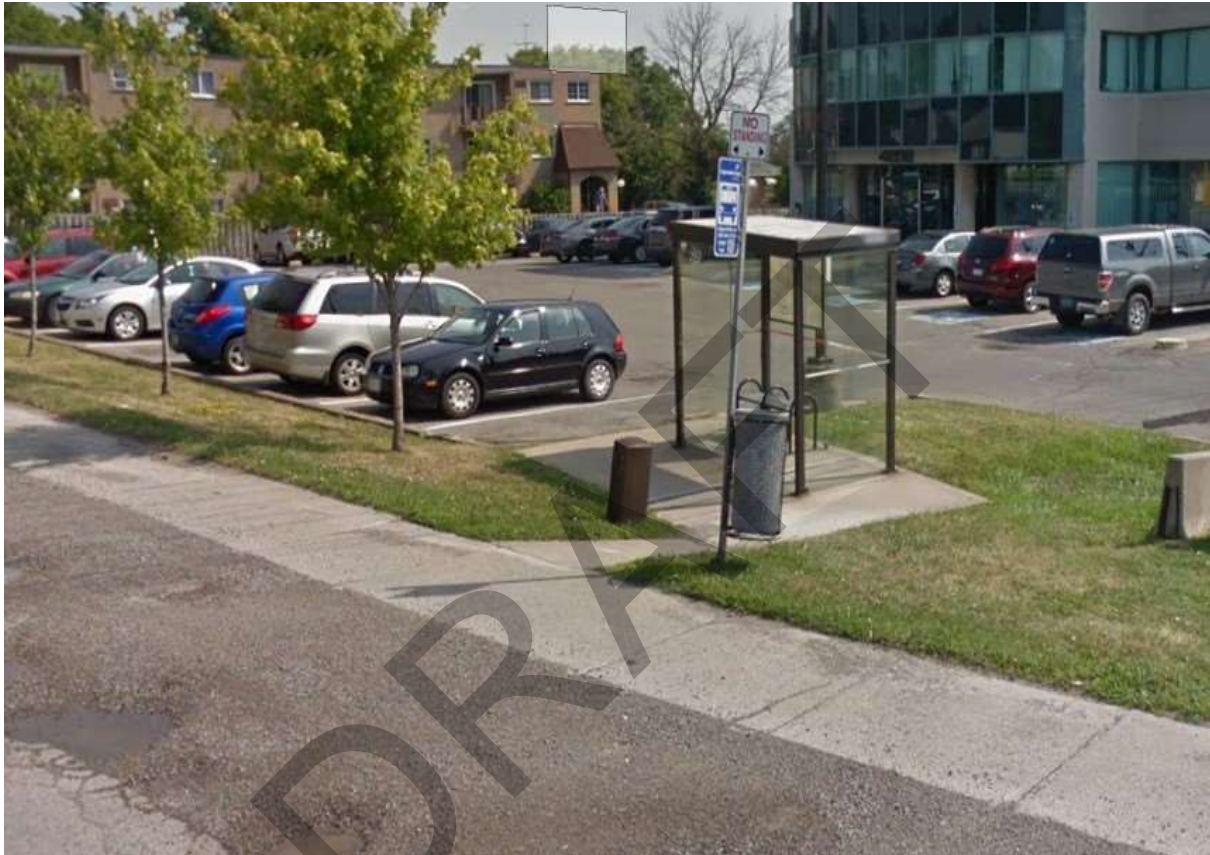


*Figure 7: A non-accessible stop which lacks a physical barrier between the deployment area and a steep slope.*

### 3.1.7 Shelter Connection

*Where shelters are provided, they are connected to the deployment and loading area via hard even surface pathway with a minimum 1.5m clearway.*

Where bus shelters are located away from the landing pad, they must be connected to it by a hard, even-surface pathway with a minimum clearway width of 1.6 metres. Standard practice is to provide a concrete pathway.



*Figure 8: A non-accessible stop with shelter connected to the loading area by a concrete sloped pathway.*

### 3.1.8 Vertical Obstructions

*The passenger deployment areas have a vertical clearance of at least 2.1m and any vertical obstructions that cannot be relocated are clearly marked.*

To ensure the safety of all users, vertical obstructions should be avoided below an elevation of 2.1 metres. Where obstructions cannot be removed or adjusted, they should be clearly marked (for example, a yellow sheath on a utility guy wire). Common vertical obstructions include guy wires, tree limbs, advertisement boards and utility wires.



*Figure 9: A non-accessible bus stop with a utility guide wire obstructing the landing area with reflective sheath.*



*Figure 10: A bus stop with a tree with low-hanging branches.*

## 3.2 Street Furniture

To ensure that the transit stop is entirely accessible, service contracts entered into for the operation, maintenance and retrofitting works should require AODA-compliant design and construction. This would include the design, installation, location and maintenance of the pathways and amenities within the bus stop area. See Appendix C-F for typical bus stop area examples.

## 3.3 Bus Stop Infrastructure

Bus stops are the public's first actual interaction with public transit and provide an economical way to educate the public about basic information about the service.

The following should be available at each bus stop:

- a. Phone number
- b. Website address
- c. Stop Number/Identifier
- d. Bus stop signs should be double sided with the international bus pictogram (or similar)
- e. Bus stop signs should use 3M reflective sheeting material to enable bus drivers to easily view them during low visibility periods.

## 4.0 Passenger Amenities

The following guidelines outline the level of passenger amenities which may be provided at these locations based on the number of passengers using the facility, the number of routes servicing the stop, and the environmental conditions.

### 4.1 Level 1 – Regular Bus Stop

Basic bus stop amenities are found at all locations where passengers can board or exit a transit vehicle. These bus stops can be served by any number of routes, and all bus stops are marked by a bus stop sign that meets the standards in section 11. Where possible, these stops will have a landing pad.

### 4.2 Level 2 – Sheltered Stop

In addition to a marked bus stop, these locations include a concrete landing pad and passenger shelter. A regular bus stop is a candidate to have a shelter installed if there are more than 100 passenger boardings per day. Shelters may be considered in some circumstances with lower volumes (i.e. stops with 50-99 boardings per day), such as when the stop is adjacent to seniors manors or community centre, or if environmental conditions warrant a passenger shelters (i.e. stop is located in a particularly exposed or windy location). Due to maintenance contracts, resource availability, and space constraints, not all stops which meet these criteria can receive shelters.



### 4.3 Level 3 – Enhanced Stop

Enhanced bus stops are typically found at major intersections and/or transfer locations for a large volume of passengers. This classification represents a new level of investment, meant to facilitate the transfer required to complete a trip in the transit network. A bus stop is a candidate to become an enhanced bus stop if there are more than 250 boardings per day, and the stop is serviced by at least two routes and/or is located at a city destination or intermodal transportation hub. Bus stops will be upgraded to enhanced bus stops based on resource availability.

The amenities at each enhanced bus stop will vary based on site conditions, but in addition to a shelter, they may be equipped with additional seating, lighting, passenger information (route maps or schedule information), waste receptacles, and/or larger shelters.

### 4.4 Level 4 – Transit Centre

The level of bus stop amenity is often found at transit terminals that do not have indoor passenger waiting area, and in other major transit centres/transfer locations with more than 500 boardings per day. This level of stop is a transfer node and may also have a Park & Ride facility. In addition to level III amenities, these locations could be candidates to be fitted with electronic message boards, bike racks, and pay phones, where space permits.

### 4.5 Level 5 – Interior Passenger Space

This level only exists at transit terminals that have interior passenger waiting space. Amenities can include a protected interior waiting space, public washrooms, drinking fountains, availability of refreshments, and interior seating.

**Note: All standards and regulations in the AODA and Ontario Regulation 191/11 Integrated Accessibility Standards apply and govern. The above guidelines are intended to supplement AODA and all applicable standards. Ontario Regulation 239/02 shall also be used as a resource with this guideline.**

## Appendix A: Measurements Quick Reference

### Bus Measurements

1270 mm	ramp extends from the bus
813 mm	width of the ramp

### Conventional Bus

12192 mm	bumper to bumper
7620 mm	front of the front door to the rear of the rear door

### Articulated Bus

18288 mm	bumper to bumper
6427 mm	front of the front door to the front of the mid door
915 mm	width of mid door
5563 mm	rear of the mid door to the front of the rear door
915 mm	width of rear door
13820 mm	front of the front door to the rear of the rear door

### Accessibility Measurements

1500 mm	required path
2100 mm	headroom

### Snow Removal Equipment

1524 mm	width of Niagara Falls' sidewalk plow blade
1524 mm	width of St. Catharines' sidewalk plow blade
1474 mm	width of St. Catharines' sidewalk "V" plow blade

### Stop Amenities Dimensions (approximate)

1524 mm x 2134 mm	Creative Outdoor Standard bench
1524 mm x 3048 mm	Pattison Shelters Standard shelter

### Design Standards

2.5 m x 15 m	minimum size pad to cover two doors of a bus
2.5 m x 18.6	minimum size pad to cover three doors of a bus
2.5 m	minimum area clear for the front door ramp deployment
2100 mm	minimum overhead clearance
1600 mm	clear path between furniture and from landing pad to sidewalk

## Appendix B: Information Gathering Form

Stop ID: \_\_\_\_\_ Location/Description: \_\_\_\_\_

Area:	<input type="checkbox"/> Urban	<input type="checkbox"/> Rural
Even, hard, non-slippery landing pad provided?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Concrete or asphalt pad?	<input type="checkbox"/> Concrete	<input type="checkbox"/> Asphalt
Pad measurements (Meters)	Length _____	Width _____
Clear area available for ramp deployment?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Bus shelter/furniture Exists?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Sidewalk exists?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Curb cut exists?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Paved connections/access between pad, sidewalk, shelter, and/or furniture?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Bus target within a bus length of a driveway or sidewalk?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Vertical headroom clearance of 2.1 meters over all passenger, deployment and loading areas AND pathway available?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Do hazards or obstructions currently exist?	<input type="checkbox"/> Yes	<input type="checkbox"/> No

NOTES:

This stop is considered:

Fully Accessible     Accessible via other means     Non-Accessible

## Appendix C: Bus Stop with Landing Pad

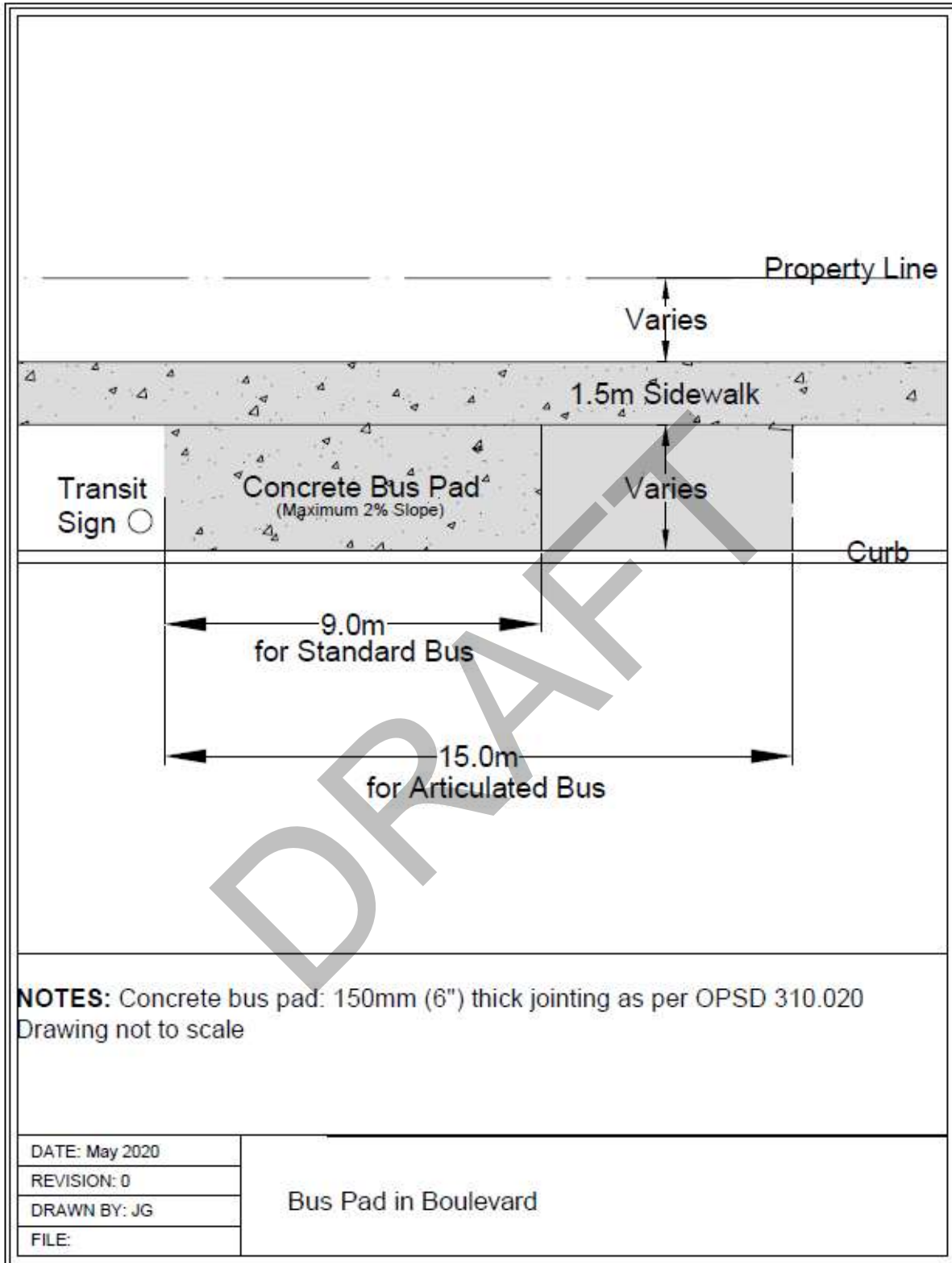


Figure 11: Diagram of bus pad in boulevard.

## Appendix D: Bus Stop with Bus Shelter

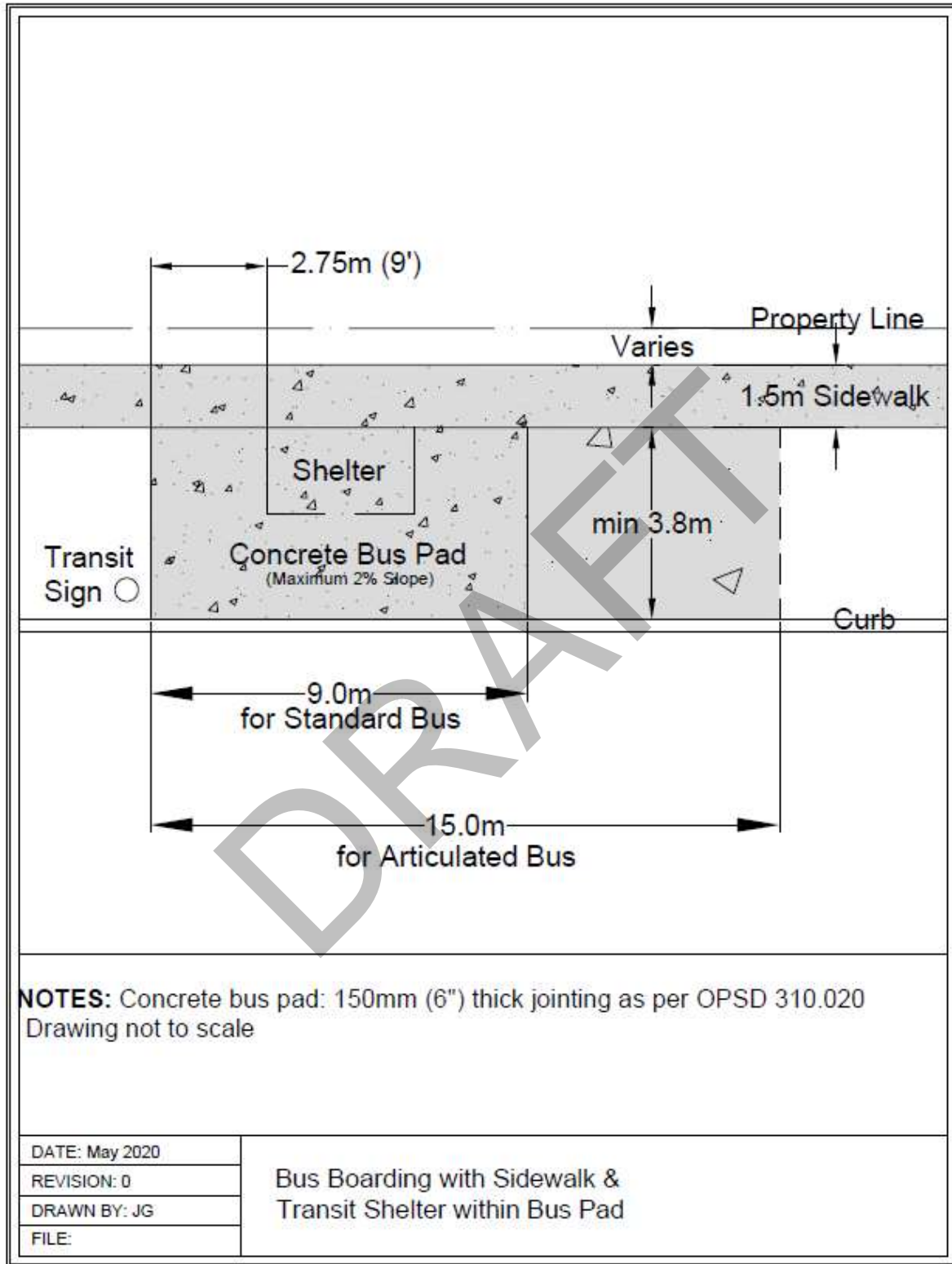


Figure 12: Diagram of bus boarding with sidewalk and transit shelter within bus pad.

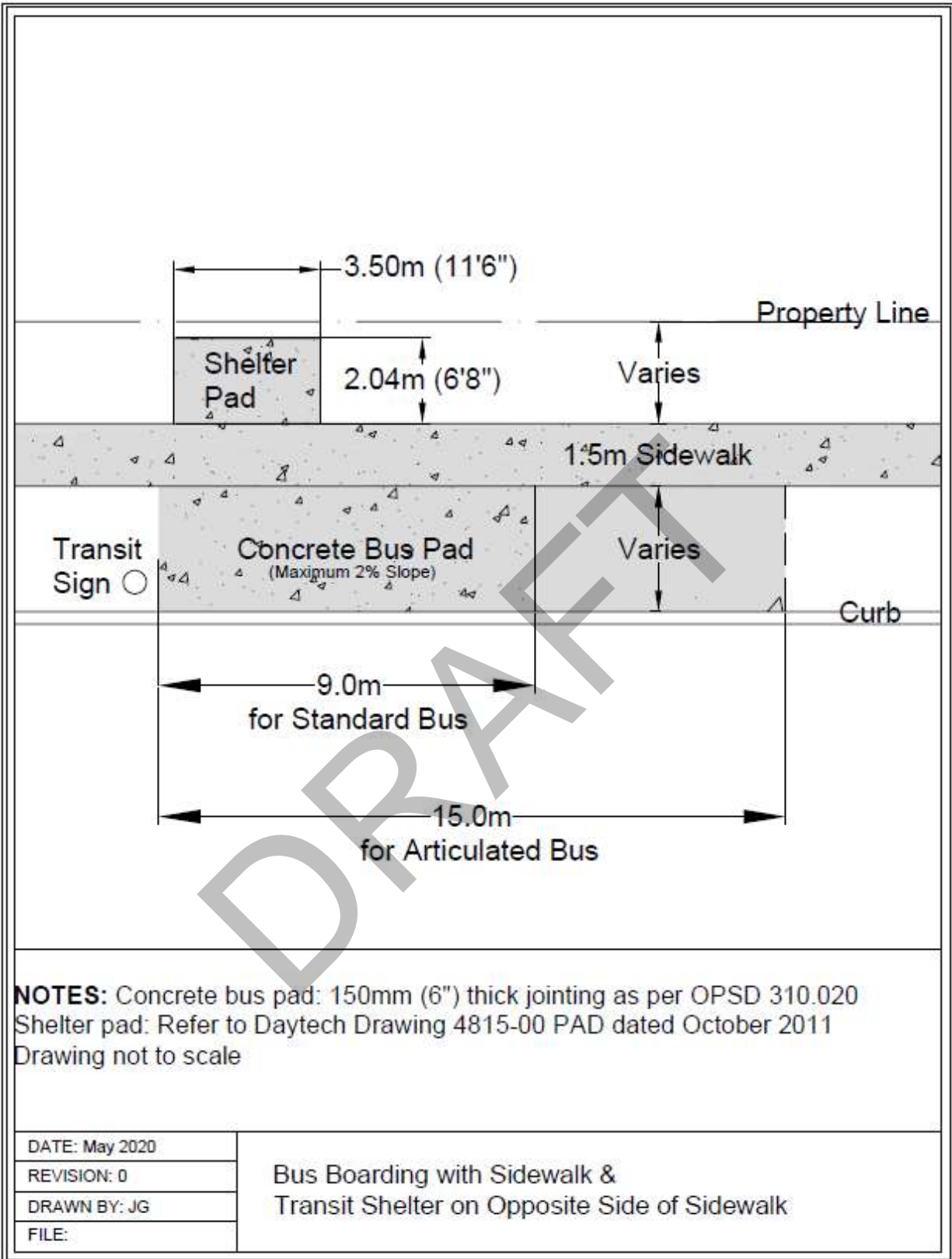


Figure 13: Diagram of bus boarding with sidewalk and transit shelter on opposite side of sidewalk.

## Appendix E: Bus Stop with Bench

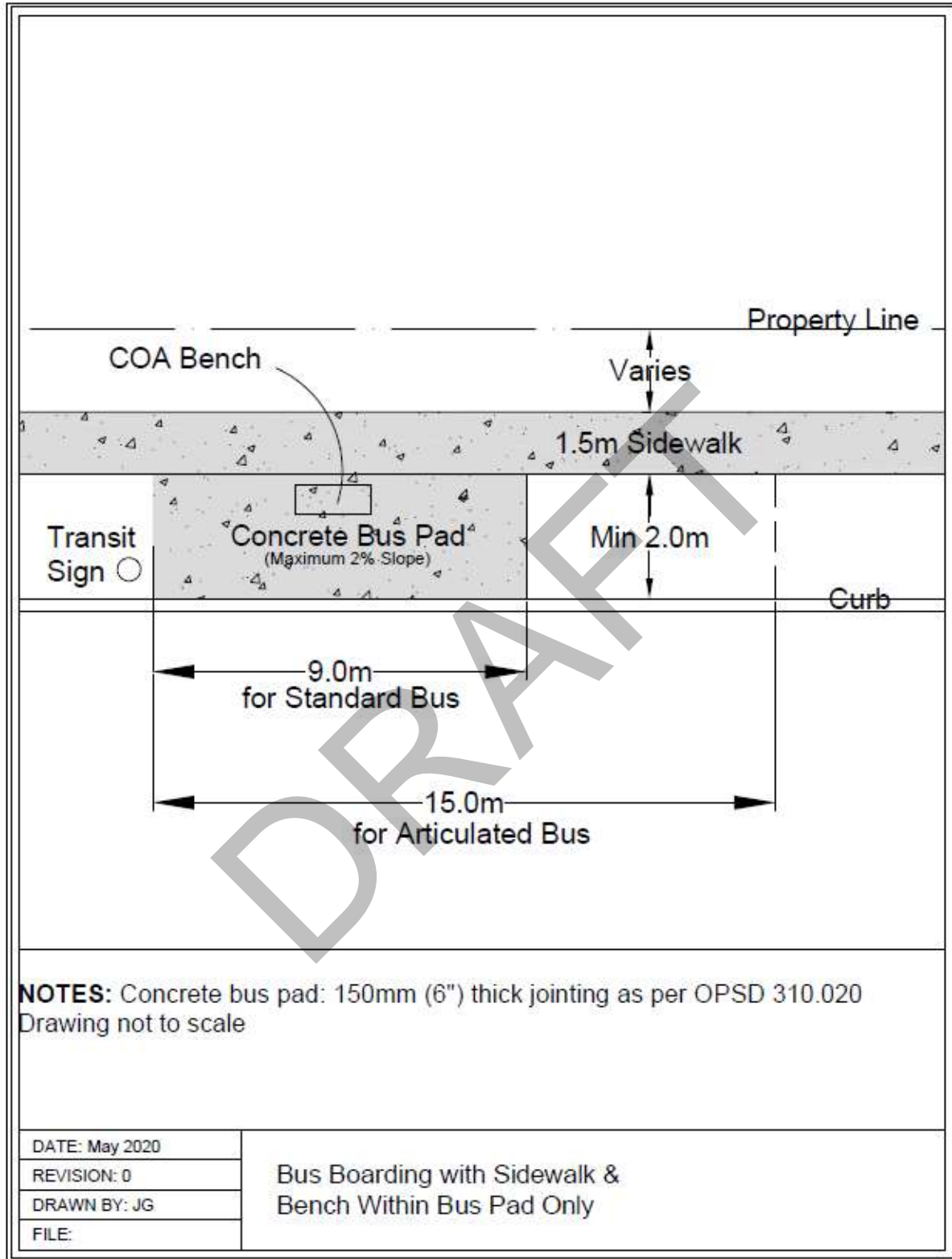


Figure 14: Diagram of bus boarding with sidewalk and bench within bus pad only.

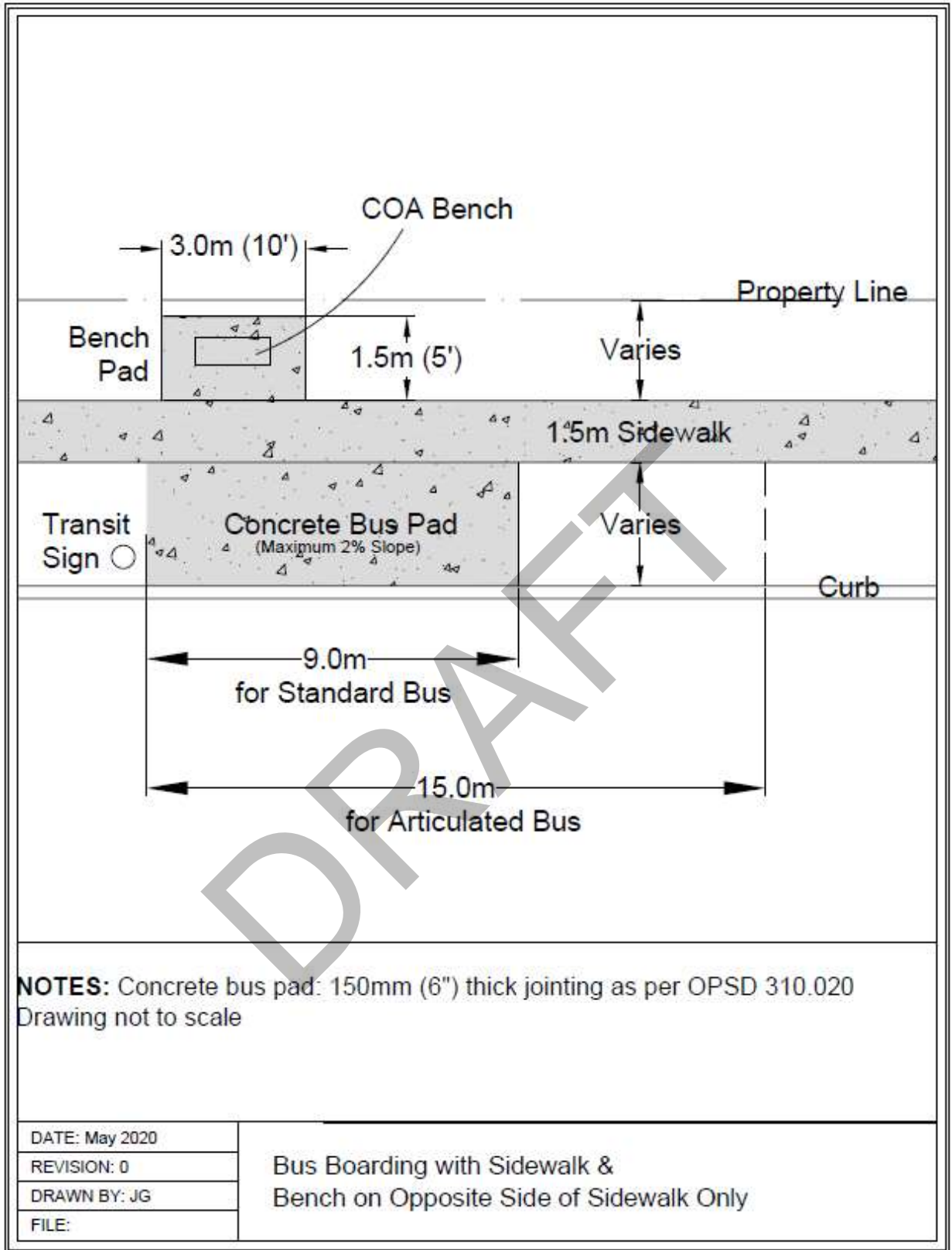


Figure 15: Diagram of bus boarding with sidewalk and bench on opposite side of sidewalk only.



## Appendix F: Bus Stop with Bus Shelter and Bench

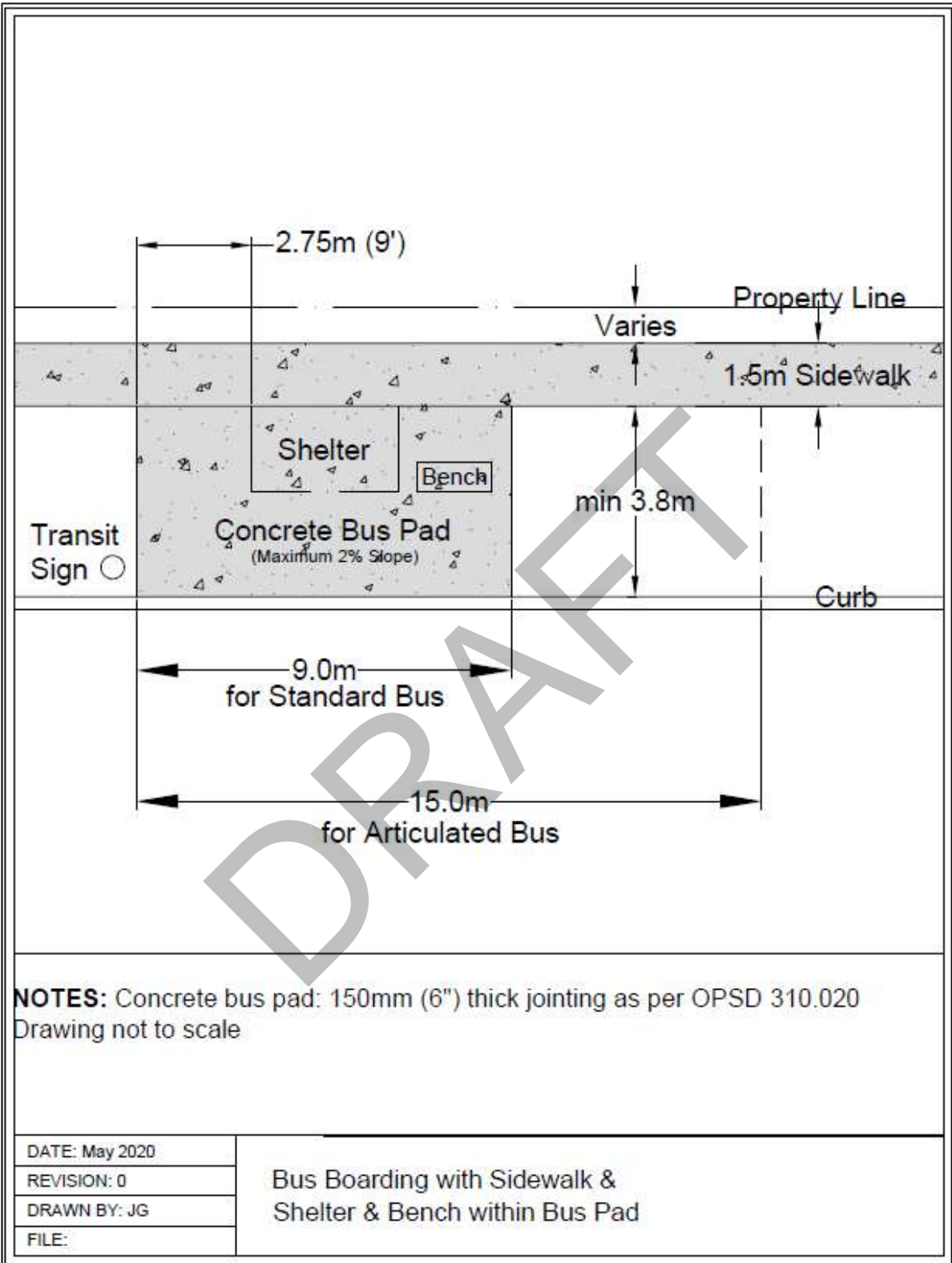


Figure 16: Diagram of bus boarding with sidewalk, shelter and bench within bus pad.

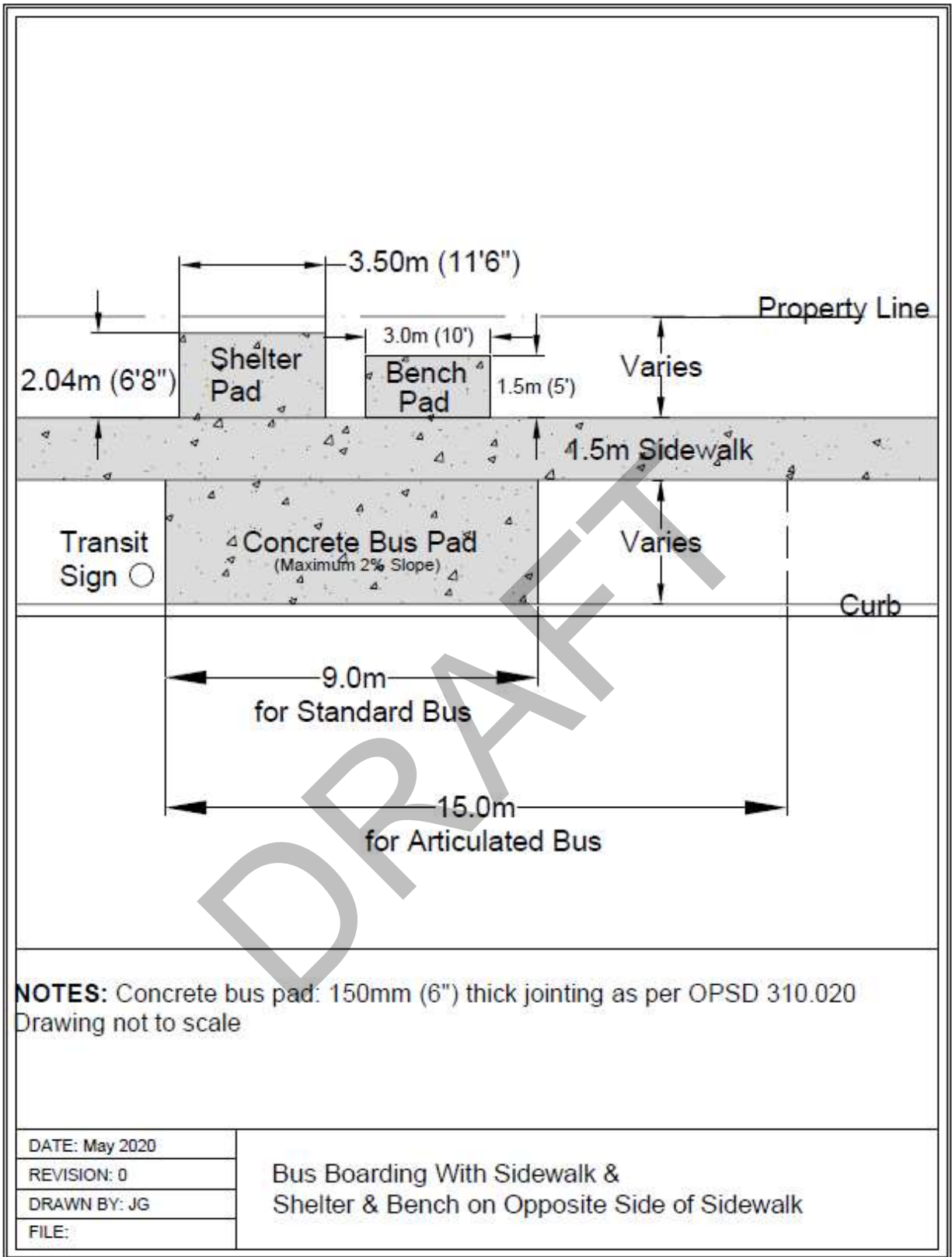


Figure 17: Diagram of bus boarding with sidewalk, shelter and bench on opposite side of sidewalk.

# Appendix G: Typical Bus Stop and Furnishing Layout

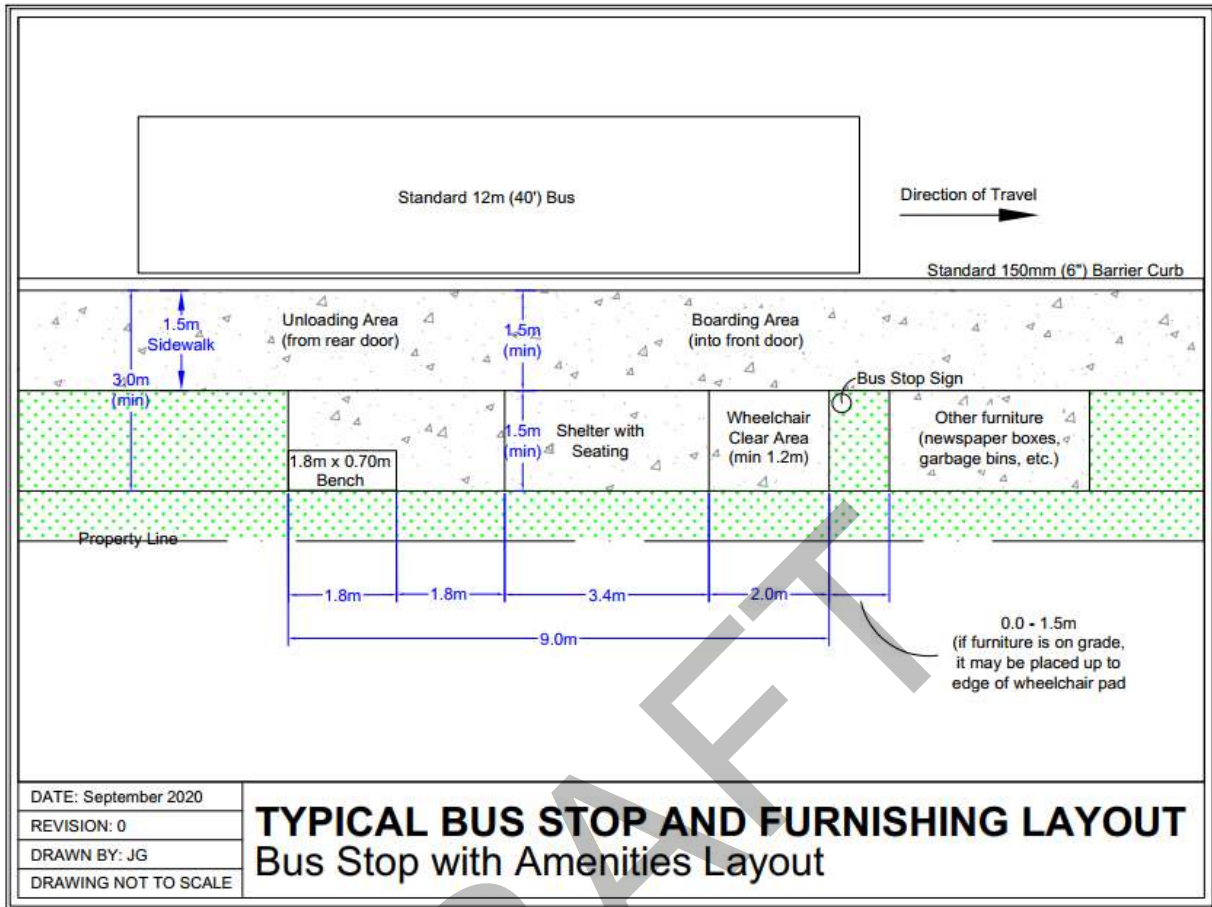


Figure 18: A diagram of the layout of a typical bus stop with furnishings.

## Appendix H: References

City of Hamilton Public Work Department, Transportation Division – Transit Bus Accessibility Criteria & Guidelines

Transit Consulting Network – Town of Fort Erie Transit Phase III Bus Stop and Facility Improvement Plan

Halifax Transit – Moving Forward Together

DRAFT

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**MEMORANDUM**

**AAC-C 1-2021**

**Subject: 2021 Accessibility Advisory Committee Meeting Dates**

**Date: January 19, 2021**

**To: Accessibility Advisory Committee**

**From: Steve Murphy, Accessibility Advisor**

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The following is a list of proposed dates in 2021 that have been identified to hold meetings of the Accessibility Advisory Committee:

**Tuesday, March 30, 2021**

**Tuesday, June 1, 2021**

**Tuesday, September 28, 2021**

**Tuesday, November 30, 2021**

A resolution of the Accessibility Advisory Committee is required to approve the meeting dates. Suggested wording is as follows:

That the Accessibility Advisory Committee meetings, **BE HELD** on Tuesdays at 1:30 p.m. on the following dates in 2021:

March 30, June 1, September 28, and November 30, 2021.

Respectfully submitted and signed by

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Steve Murphy  
Accessibility Advisor

**Minute Item No. 5.1**

**PW 7-2021**

**Approval of Public Works Single Source Purchase Order Requests and Purchase Change Order Requests Exceeding \$100,000**

That Report PW 7-2021, dated February 16, 2021, respecting Approval of Public Works Single Source Purchase Order Requests and Purchase Change Order Requests Exceeding \$100,000, **BE RECEIVED** and the following recommendation **BE APPROVED**:

1. That the Single Source Purchase Order Requests and Purchase Change Order Requests identified in Appendix 1 of Report PW 7-2021 **BE APPROVED**.

**Minute Item No. 5.2**

**PW 9-2021**

**Niagara Transit Governance Study – Niagara Region Considerations**

That Report PW 9-2021, dated February 16, 2021, respecting Niagara Transit Governance Study - Niagara Region Considerations, **BE RECEIVED** and the following recommendations **BE APPROVED**:

1. That the assessment of expected impacts to Regional services arising from the consolidation of transit services in Niagara **BE RECEIVED**; and
2. That staff **BE DIRECTED** to consider and incorporate these impacts as part of the updated transition plan to be returned in a final report to Regional Council for triple-majority consideration of transit consolidation.

**Minute Item No. 6**

**Consent Items for Information**

That the following items **BE RECEIVED** for information:

PWC-C 3-2021

COVID-19 Response and Business Continuity in Public Works

PWC-C 5-2021

Appointment of By-law Officers for the Enforcement of the Sewer-use By-law (By-law #27-2014)

**THE REGIONAL MUNICIPALITY OF NIAGARA  
PUBLIC WORKS COMMITTEE  
MINUTES**

**PWC 2-2021  
Tuesday, February 16, 2021  
Council Chamber / Video Conference  
Niagara Region Headquarters, Campbell West  
1815 Sir Isaac Brock Way, Thorold, ON**

Committee Members Present in the Council Chamber: Fertich (Committee Vice Chair)

Committee Members Present via Video Conference: Bradley (Regional Chair), Chiocchio, Disero, Edgar, Foster, Gale, Heit, Insinna, Junkin, Nicholson, Rigby (Committee Chair), Sendzik, Steele, Ugulini, Witteveen, Zalepa

Absent/Regrets: Diodati

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 Video Conference: M. Evely, Legislative Coordinator, S. Fraser, GO Implementation, Transportation Lead, C. Habermehl, Director, Waste Management Services, B. Menage, Director, Procurement & Strategic Acquisition, M. Robinson, Director, GO Implementation Office, C. Ryall, Director, Transportation Services, R. Salewytch, Program Manager, Transit Services, H. Talbot, Consultant, Financial and Special Projects, J. Tonellato, Director, Water & Wastewater Services

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**1. CALL TO ORDER**

Committee Chair Rigby called the meeting to order at 9:30 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 PW 7-2021

Approval of Public Works Single Source Purchase Order Requests and Purchase Change Order Requests Exceeding \$100,000

Moved by Councillor Zalepa  
Seconded by Councillor Foster

That Report PW 7-2021, dated February 16, 2021, respecting Approval of Public Works Single Source Purchase Order Requests and Purchase Change Order Requests Exceeding \$100,000, **BE RECEIVED** and the following recommendation **BE APPROVED**:

1. That the Single Source Purchase Order Requests and Purchase Change Order Requests identified in Appendix 1 of Report PW 7-2021 **BE APPROVED**.

**Carried**

5.2 PW 9-2021

Niagara Transit Governance Study – Niagara Region Considerations

Moved by Councillor Sendzik  
Seconded by Councillor Steele

That Report PW 9-2021, dated February 16, 2021, respecting Niagara Transit Governance Study - Niagara Region Considerations, **BE RECEIVED** and the following recommendations **BE APPROVED**:

1. That the assessment of expected impacts to Regional services arising from the consolidation of transit services in Niagara **BE RECEIVED**; and
2. That staff **BE DIRECTED** to consider and incorporate these impacts as part of the updated transition plan to be returned in a final report to Regional Council for triple-majority consideration of transit consolidation.

**Carried**



**6. CONSENT ITEMS FOR INFORMATION**

Moved by Councillor Edgar  
Seconded by Councillor Insinna

That the following items **BE RECEIVED** for information:

PWC-C 3-2021

COVID-19 Response and Business Continuity in Public Works

PWC-C 5-2021

Appointment of By-law Officers for the Enforcement of the Sewer-use By-law  
(By-law #27-2014)

**Carried**

**Councillor Information Request(s):**

Provide information respecting environmental enforcement by staff. Councillor Witteveen.

**7. OTHER BUSINESS**

7.1 Recycling Bin Covers

Councillor Foster thanked Catherine Habermebl, Director, Waste Management Services, for her efforts in assisting with recent waste collection service issues in the Town of Lincoln. Councillor Foster further noted that the Town of Lincoln recently passed a motion respecting recycling bin covers.

**8. NEXT MEETING**

The next meeting will be held on Tuesday, March 9, 2021 at 9:30 a.m.

**9. ADJOURNMENT**

There being no further business, the meeting adjourned at 9:58 a.m.

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Councillor Rigby  
Committee Chair

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Mark Evely  
Legislative Coordinator

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Ann-Marie Norio  
Regional Clerk

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**Subject:** Approval of Public Works Single Source Purchase Order Requests and Purchase Change Order Requests Exceeding \$100,000

**Report to:** Public Works Committee

**Report date:** Tuesday, February 16, 2021

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1. That the Single Source Purchase Order Requests and Purchase Change Order Requests identified in Appendix 1 of this report **BE APPROVED**.

### Key Facts

- At the Special Council meeting on July 30, 2020, Regional Council instructed staff that, “If any single source [Public Works] procurement [over \$5000] is deemed essential there must be approval first received by the Public Works Committee.”
- On August 18, 2020, the CAO provided Confidential Memorandum CONF-C 6-2020 providing key information in response to the July 30, 2020 staff direction. The memo identified that pursuant to a formal competitive procurement process, a change to the resulting contract (via the Change PO process) is required for any additional goods and/or services, which were not part of that formal process (consider Single Source additions). This includes most (if not all) instances where the “work” is underway when a Change PO request initiates.
- At the Council meeting on September 17, 2020, Regional Council approved an increase in the limit to \$100,000 above which approval must first be received by the Public Works Committee.

### Financial Considerations

The included Single Source requests have approved funding in place from either Capital or Operating budgets in the respective divisions in Public Works.

### Analysis

Niagara Region’s Procurement By-law 02-2016 as amended February 28, 2019 provides controls and methods that ensure, among other things, that the procurement processes undertaken to procure Goods and/or Services achieves, “best value for the Corporation”.

Pursuant to the formal procurement process, which culminates in contract award, there are occasions, when new information identified after award, requires further consideration of how these unforeseen additional requirements will impact the final project deliverable.

When this happens, staff consider the following alternative approaches to addressing the scope change:

1. Is the original project objective still achievable or should it be abandoned?
2. Can the project proceed as originally planned and this new information be deferred to a later time without reducing the integrity of the design, construction, etc.?
3. Is the current work at a point where it can be terminated, and a new competitive procurement for the additional scope items be initiated without excessive costs or negative impacts to the community from the delays?
4. Does the addition of this new work to the current assignment still achieve best value if Staff can validate that it represents fair value?

Staff note, that where a construction project is underway, the Ontario Occupational Health and Safety Act dictates that, "When an owner undertakes a project by contracting with more than one employer (contractor), the owner is undertaking the project and is the constructor." As a result, if Niagara Region were to initiate additional work on a project site at the same time by two contractors, Niagara Region would assume significant additional liability risk for the safety of all workers on the site. Ideally, the work of first contractor must be completed prior second contractor commencing.

### **Alternatives Reviewed**

Staff have considered the following alternatives for each of the change order requests appended as Appendix 1:

- Closing out the current work. Abandoning the previous approach and re-considering strategy;
- Proceeding as originally planned and addressing the new information/change in scope at a later time through a competitive process; and,
- Terminating the current contract where possible and conducting a competitive procurement process to complete the work with the additional scope items added.

Staff conclude that none of the aforementioned options achieves the desired best value outcome without significant risk to the Region in terms of cost, delay and unavailability of critical infrastructure. Staff have assessed the financial impact of these additionally scoped items, deemed them fair and reasonable hence, the recommendation contained herein is presented for approval as it offers the best value for the Corporation given in the specific circumstances.

### **Relationship to Council Strategic Priorities**

- Responsible Growth and Infrastructure Planning

### **Other Pertinent Reports**

- CONF-C 6-2020, July 30, 2020 Closed Session - Update from Special Council Meeting
- PW 42-2020, September 8, 2020 - Approval of Various Single Source Public Works New Purchase Orders and Purchase Order Change Request
- PW 45-2020, October 13, 2020 - Approval of Public Works Single Source Purchase Requests Over \$100,000
- PW 47-2020, November 10, 2020 Approval of Public Works Single Source Purchase Requests Over \$100,000
- PW 3-2021, January 12, 2021 Approval of Public Works Single Source Purchase Requests Over \$100,000

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**Prepared and Recommend by:**  
Bruce Zvaniga, P.Eng.  
Commissioner of Public Works (Interim)  
Public Works Department

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

*This report was prepared in consultation with Dan Ane, Manager Program Financial Support and Bart Menage, Director Procurement and Strategic Acquisitions*

### **Appendices**

Appendix 1            Single Source PO Requests and Change PO Requests

## Appendix 1

### Purchase Order Change Requests to Existing Contracts

#### 1. Grimsby Watermain Replacement (Phases 1 and 2) 2016-RFP-43

Request: Consulting Engineering Services

Consultant: Associated Engineering

Purchase Order Number: 24165

**Increase original contract amount of \$371,484 (excl. HST) by \$172,840 for a new total of \$544,324.**

#### Rationale for Increase

Associated Engineering (AE) was awarded consulting engineering services competitively bid under 2016-RFP-43 Grimsby Watermain Replacement, which closed on September 8, 2016. The original scope of work was to replace the existing 500 mm watermain with a new 750 mm watermain along South Service Road / CNR from Murray Street to Baker Road as recommended under the Niagara Region's Water and Wastewater Master Servicing Plan. AE's assignment was later extended and approved by Change PO to include a further extension of watermain replacement along the South Service Road / CNR from Baker Road to Park Road due to linear infrastructure reliability and security of supply concerns from Operations and Maintenance staff. Based on the construction cost estimate at 90% detailed design, the project budget was insufficient. It was decided to split the Grimsby Watermain Replacement project along South Service Road / CNR into 2 phases: Phase 1 from Murray Street to Baker Road, and Phase 2 from Baker Road to Park Road.

Phase 1 construction was completed at year end 2020 and is now in maintenance warranty phase. Currently, Phase 2 is at 90% detailed design and tender for construction is expected in early 2022.

During Phase 1 construction a four (4) month contract extension was required to address watermain construction challenges and delays associated with a coordinated transportation project. The General Contractor was granted a contract extension to address constructability challenges, rectifying watermain leaks detected, and to confirm successful passing of watermain pressure testing, disinfection, microbiological testing, and commissioning of the watermain into service. The Region's Transportation simultaneously performed a portion of their road resurfacing project along with asphalt restoration within Phase 1 of the Grimsby Watermain Replacement project site. There were delays associated with unforeseen conditions encountered within the resurfacing

limits and coordination efforts required during Phase 1. Associated Engineering completed four (4) months of additional engineering services for Phase 1 Construction for contract administration and full time inspection beyond the contract completion date of August 31, 2020 to year end.

Additional engineering services were required from Associated Engineering during Phase 2 Detailed Design. Based on initial testing results, additional geotechnical work was necessary, including environmental and pesticide testing, additional CN borehole depths, material testing and EASR support. Coordination and communication with CN and MTO to obtain approvals resulted in efforts beyond Associated Engineering's original scope of work. These efforts include additional meetings in Toronto, reviewing watermain alignment options and property issues, additional drawings for MTO to indicate the proposed watermain location would not impact future QEW widening and additional design for watermain microtunneling under CNR (design details, work areas, shafts, size and layout). Splitting the watermain project into two construction phases requires Associated Engineering to prepare a second tender package for Phase 2 and provide support during the tendering period.

This Change PO is a single source assignment as this portion of work was not included in the original contemplated scope of work. It is in accordance with Niagara Region Purchasing By-law 02-2016, Section 18(a)(i) as AE is familiar with the existing conditions in the immediate area and this work is directly related to the current project.

### **Alternatives Reviewed**

(i) Do nothing:

- This alternative does not address the additional engineering services required to provide construction support for the construction contract extension period and is not recommended.
- Not providing the additional engineering efforts associated with obtaining approvals from MTO and CN would prevent Phase 2 construction from proceeding and would not address the needs of the project.

(ii) Proceed with competitive RFP process:

- As described above, the additional engineering services were required immediately to support active construction.
- A competitive process will take more time than is available as there is immediate need for these services;
- A different consultant will require additional cost, effort and time to become familiar with the project, requirements and approval agency coordination.

- Having another consultant complete this work would also cause inefficiency in design cohesion and difficulty with construction and commissioning coordination.

(ii) Proceed with Engineering Consultant Services:

- Associated Engineering was awarded the RFP through a competitive process and it is recommended that the Niagara Region approve additional consulting engineering services for the Grimsby Watermain Replacement Phase 1 Construction Contract Administration and Inspection, and Phase 2 design engineering services.

### **Funding Source**

Original PO \$371,484

Change PO \$172,840 (no HST)

Total changed unit price \$544,324

Total Budget \$16,825,092

Expenditures including commitments \$12,038,475.88

Budget Remaining \$4,786,616.12

There is sufficient budget in the project budget to assign this change PO.

## **2. Municipal Class Environmental Assessment for the Reconstruction of Regional Road 87 (Main Street, Lock Street, Lakeport Road) between Verdun Avenue and Michigan Avenue in the City of St. Catharines 2018-RFP-60**

Request: Additional fees resulting from increased consultation with the City of St. Catharines

Consultant: Associated Engineering

Purchase Order Number: 0000051808

**Increase original contract amount of \$234,762 (excl. HST) by \$61,640 for a new total of \$296,402.**

### **Rationale for Increase**

The request is for an extension to an existing contract.

Associated Engineering (AE) was retained through a competitive bidding process under Request for Proposal 2018-RFP-60. The additional fees are a result of additional coordination with the City of St. Catharines to review proposed alternatives.

The City of St. Catharines is a major stakeholder and partner in the project, and as such has been included in the development of alternatives throughout the EA. As Port

Dalhousie is an important destination undergoing development and growth, in working with City staff, additional alternatives were agreed upon to be reviewed as a potential EA alternative to presented to the community.

One of the alternatives identified significant City of St. Catharines property, which may be a viable solution to meet the vision and operation of the area. The work associated with these meetings (i.e. preparation of presentation material, revisions to alternative solutions, development of new alternatives, and additional analysis) is considered beyond the scope of the original assignment.

Included in the additional fees are additional Archaeological / Heritage investigation required for one of the alternative solutions, and a provisional Public Information Centre should revision to the preferred solutions be necessary based on comments received from the public/stakeholders.

The accumulated change, including the current change (iii), to the original Purchase order is \$118,138 as summarized below. There is available budget for this increase request:

- i. Extension of study limits: \$51,878
- ii. Additional Traffic Analysis: \$4,620
- iii. Additional scope relating to St. Catharines underground utility works: \$61,640

### **Alternatives Reviewed**

(i) Do nothing:

- Exposure to significant risk and cost when trying to implement a preferred solution not supported by the local municipality.

(ii) New procurement:

- Increased risk exposure to the Region as a result of the lack of project specific knowledge and decisions.
- Increase in timeline (three to four months) due to project delay.
- Not considered a viable alternative since compatibility with existing service is a paramount consideration

(iii) Extend current assignment to cover the additional services:

- Compatibility with existing service is a paramount consideration since there is consistent professional and technical knowledge with the current professional services contract.
- Keeps the integrity of the Environmental Assessment process being undertaken by ensuring consistent non-conflicting information is evaluated to determine the preferred solution.



### **Recommendation by Transportation Services**

Approval of additional fees to support the review of additional alternatives as part of the EA process in partnership with the City of St. Catharines.

#### **3. St. Paul West CNR Bridge Replacement – Environmental Assessment and Design 2018-RFP-41**

Request: Additional design supporting property acquisition, utility relocation, and heritage consultation with the City of St. Catharines

Consultant: Associated Engineering

Purchase Order Number: 0000052177

**Increase original contract amount of \$201,294 (excl. HST), plus prior approved increases (i-vi) by \$18,966 for a new total of \$318,466.**

#### **Rationale for Increase**

The request is for an extension to an existing contract.

Associated Engineering (AE) was retained through a competitive bidding process under Request for Proposal 2018-RFP-41. The additional fees resulted from design reviews and changes associated with property acquisition, intersection design, additional meetings with utilities for relocation coordination, and heritage consultation with the City of St. Catharines.

The project requires the acquisition of property adjacent to Regional Road 81. In order to justify the need for the acquisition of property, AE prepared sketches identifying impacts to the properties as a result of steep road grade changes. In addition, AE prepared a design identifying a proposed solution for the access of one of the adjacent properties. The design and sketch was required to support Niagara Region's acquisition of potential adjacent property(ies).

At the request of Niagara Region, AE reviewed the proposed design for the intersection of Regional Road 81 and St. Paul Crescent. The revised design was required to mitigate the impact of potential adjacent property(ies), and to allow for suitable access related to the road curvature. The revision of the intersection also provided a better horizontal alignment intersection for better traffic control.

As a result of the complexity of the project within the vicinity of the CNR, and the numerous jurisdictions required to provide input, additional utility coordination is required to assist with steep road grades and potential property requirements. AE undertook additional meetings with Bell and Alectra Utilities resulting from property changes and easement needs from CN and Transport Canada.

Also to note, the existing bridge was determined to have cultural and/or heritage significance. A Heritage Impact Assessment undertaken during the Environmental Assessment recommended mitigation measures to address the cultural heritage value of the existing structure. To ensure that the most appropriate mitigation measure is implemented there is a requirement to prepare and present a commemoration plan to the City of St. Catharines.

The accumulated change, including the current change (vii), to the original Purchase Order is \$117,172 as summarized below. There are sufficient funds within the budget:

i. Monitoring Well decommissioning and Heritage Impact Assessment.....	\$11,760
ii. Additional Public Information Centre .....	\$7,640
iii. Additional scope relating to St. Catharines underground works .....	\$41,406
iv. Additional survey for property impacts.....	\$5,973
v. Additional Geotechnical review for consolidation testing .....	\$19,880
vi. Street lighting design .....	\$11,547
vii. design associated with property acquisition, intersection design, additional utility relocation coordination, and heritage consultation.....	\$18,966

### **Alternatives Reviewed**

(i) Do nothing:

- Unknown cost exposures likely to occur during construction since these issues would need to be addressed during construction.

(ii) New procurement:

- Increased cost due to additional surveying for access designs and procurement delays, and with coordination between assignments.
- Increased risk exposure to the Region as a result of the lack of project specific knowledge and decisions.
- Increase in timeline (three to four months) due to project delay
- Not considered a viable alternative since compatibility with existing service is a paramount consideration

(iii) Extend current assignment to cover the additional services:

- Compatibility with existing service is a paramount consideration since there is consistent professional and technical knowledge with the current professional services contract.
- Mitigates the risk/cost exposure resulting from conflicting information.

### **Recommendation by Transportation Services**

Approval of additional fees to support property acquisition, utility relocations, and heritage commemoration.

#### 4. Bridgeport Sewage Pump Station (SPS) Upgrades 2018-RFP-50

Request: Additional design supporting MECP approval

Consultant: CIMA+

Purchase Order Number: 49672

**Increase original pre-tax amount of \$106,273.00 by a further \$79,000.00 for a new total of \$655,650.00**

Originally contemplated fees (2018-RFP-50)	\$106,273.00
Total approved scope changes to date (single source)	\$470,377.00
Current request (single source)	\$ 79,000.00
Total fees for CIMA	\$655,650.00

#### **Rationale for Increase**

The request is to increase the current purchase order in order to account for additional work for revisions to the design and MECP approvals.

Revisions to the design for the Bridgeport SPS Upgrades. During the current design process, the orientation and overall layout of the new pumping station changed dramatically. Through stakeholder consultation during design, the local residents expressed significant concerns regarding the expansion of the existing pumping station within the right-of-way (ROW). The Region has been working with the local landowners and CIMA to develop a feasible design to address the stakeholders' concerns and to expedite the design and tendering process to allow the new development in the Town of Lincoln to proceed. Moving the SPS expansion footprint onto Region owned property adjacent to the pumping station, out of the ROW, was determined to be beneficial for all parties.

Concurrently with completing the Municipal Class Environmental Assessment and conducting required Archaeological Assessments on the property parcel, Region staff have been working with Cima to develop a SPS design. A revised orientation of the proposed wetwell and valve chamber are required to ensure that the SPS meets our design standards, to reduce risk during construction, and address stakeholder concerns. The new orientation of the proposed wetwell and valve chamber including incorporation of detailed internal review comments will result in a significantly better solution for both the overall design of the pumping station and satisfying the neighboring property owners.

In addition to revisions to the design, additional coordination is required with MECP to obtain approvals for an Environmental Compliance Approval amendment based on the

revised design within the new property parcel. CIMA will be leading the MECP coordination and managing approvals on behalf of the Region.

This project is DC recoverable. The Region, in consultation with the Town of Lincoln and local developers, has agreed to progress the project on an expedited schedule. With the revised design, CIMA has assured the Region they will be able to maintain an expedited schedule. This revised scope of work is directly related to CIMA's current assignment. CIMA has issued a change PO request for the required hours for the completion of the revised design and MECP approvals for the Bridgeport SPS Upgrade.

### **Alternatives Reviewed**

#### (i) Do Nothing:

- This alternative does not address needs of the project as it does not address the need for development and growth that requires an increase of the pumping station capacity.
- This alternative would prevent the Region from expanding the pumping station within the purchased property parcel which will not address the needs and concerns of the local residents, Town of Lincoln and Niagara Region WWW Operations and Maintenance staff.

#### (ii) Proceed with competitive RFP process:

- The engineering services are required immediately to move on with the design and tendering for construction. A competitive process will take more time than is available.
- Cima's current scope of work includes completion of the Environmental Assessment and Archaeological Assessment (Stage 4). Retaining a consultant through competitive RFP process would result in two consultants concurrently working on one project. This would increase risk and cost to the project.

## **Sole Source Purchase Requests for Approval**

### **5. Request: Fare Payment Technology Harmonization (i.e. mobile ticketing, contactless payment, etc.)**

Supplier: Masabi

**Sole source purchase of 35 Masabi Fare Validators required for Mobile Ticketing and Fare Payment Technology Harmonization at a total cost of \$121,450 USD (exclusive of HST).**

#### **Rationale for Purchase**

This purchase is part of the long-standing, multi-year Niagara-wide effort to bring mobile ticketing and contactless payment to transit. The Region, in coordination with the IMT Working Group (whose 2020 and 2021 workplans, under the direction of the LNTC, has been to implement mobile ticketing and contactless payment fare technology), have begun procuring the hardware and software necessary to enable this technology. The St. Catharines Transit Commission was the first transit property to pilot the technology, and recently received their new validator hardware. They have been piloting mobile ticketing in one form or another since May 2019 and their selection of Masabi as the service provider is the conclusion of months of research into available providers. With Standard Bus fleet specifications for local and regional fleet already in place at the IMTWG level, all other properties would follow suit in the procurement after the successful pilot.

Niagara Falls Transit has also placed its order with Masabi which will cover its own fleet, and the fleet that it maintains for Niagara Region operating NRT. Niagara Region staff have confirmed that similar orders will take place in St. Catharines and Welland with Masabi to cover all existing NRT fleet operated by our municipal partners. However, Niagara Region is still required to acquire the technology for use on both NST and NRT OnDemand which are under contract with different service providers to ensure alignment, parity and consistency across the NRT system. This request reflects the needs of that acquisition and includes hardware and software setup costs.

Section 18(a)(i) of the Procurement Bylaw justifies this Sole Source as each transit property is required to utilize the same hardware under the common bus specification standards established by the IMTWG as part of the harmonization work required for consolidation of transit.

### **Alternatives Reviewed**

(i) Do nothing:

The option remains for Niagara Region to not continue with the mobile ticketing project; however, Niagara Falls Transit has already begun procuring assets as this project was previously approved as part of the IMT Working Group's work plan regardless of the transit governance outcome. This is not advisable as it will create significant challenges for riders in that different forms of payment will be required depending where they start or end their trip. It also creates significant technology challenges as future bus purchases will not be equipped with the necessary infrastructure needed to install fare technology at a later date, thus incurring significant additional cost for adaptive post-production installation.

(ii) Procurement strategy is under review:

No additional review of the procurement strategy is currently being undertaken as the IMT Working Group, representing transit operations in all 13 municipalities, jointly agreed that the work done by St. Catharines Transit in preparation for its Mobile Ticketing Pilot was sufficient in finding a quality, proven product that integrates with existing technology (i.e. Transit App) and is priced below other competitors.

### **Funding Source**

Niagara Region has already been approved for funding for this project through ICIP (formerly PTIF Phase 2). Niagara Falls Transit and St. Catharines Transit also were approved for the fare technology project under the ICIP program. Niagara Region's portion was approved as part of the 2020 Capital Budget plan as this project was delayed to 2021 due to COVID-19.

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**Subject:** Niagara Transit Governance Study – Niagara Region Considerations

**Report to:** Public Works Committee

**Report date:** Tuesday, February 16, 2021

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## Recommendations

1. That the assessment of expected impacts to Regional services arising from the consolidation of transit services in Niagara **BE RECEIVED**; and
2. That staff **BE DIRECTED** to consider and incorporate these impacts as part of the updated transition plan to be returned in a final report to Regional Council for triple-majority consideration of transit consolidation.

## Key Facts

- The purpose of this report is to provide Council an assessment of expected impacts to Regional services arising from the consolidation of transit services in Niagara, as previously directed by the Linking Niagara Transit Committee (LNTC) as recommended in *LNTC-C 4-2020 - Niagara Region Transit Governance Study (NTGS)*.
- The three transit services currently delivered by the Region (Niagara Region Transit, Niagara Specialized Transit, NRT On-Demand pilot) are anticipated to form important components of the future consolidated transit system. Recent extensions/renewal of these contracted services by Council have focused on the purposeful and strategic alignment of these services with the potential for a transition to a consolidated Commission.
- Support from a wide range of Regional services will be required to facilitate both the transition to the Commission as well as its future operation, with potential for future shared-services between Regional and Commission services, with the degree of this integration varying by the business function or division.
- Additional resources will be required to support some Region-provided shared services through the transition process as the scope of required activities increases; to be provided through a combination of external consulting services, as well as through additional internal staff dedicated to the transition.

- Subject to the adoption of the recommendations of this report, this assessment and any additional feedback provided will serve, along with any feedback similarly acquired from the Local Area Municipalities (LAMs), as Regional Council's inputs to the future report which will initiate the triple-majority process.

## **Financial Considerations**

The initial financial strategy outlined in *LNTC-C 4-2020* estimates \$3.85 - \$4.96 million (\$1.67-\$2.25 million capital and \$2.17-\$2.73 million operating) in total operating and capital transition costs associated with the consolidation of transit in Niagara. All costs referenced in this report, including the referenced external legal retainer and HR strategy consultant, are incorporated within the transition costs originally estimated as part of the NTGS, and will be funded through a combination of funds identified in the 2021 Regional operating budget and through future separate transit levies identified in an agreed upon Commission financial model. Staff continue to seek support from senior levels of government to offset these costs through intergovernmental funding programs. The 2021 net Regional transit budget that will be transferred to the new Commission is \$16.1 million inclusive of debt servicing costs.

The initial funding strategy recommends that all existing and incremental transit spending will be transferred to the new Commission, funded through a single Regional tax levy. As directed by LNTC through *LNTC-C 4-2020*, feedback on this initial strategy is currently being sought from LAMs by the requested input date of February 28, 2021. Once received, this input will be joined with the ongoing review of alternative funding options directed by *LNTC-C 6-2020*, leading to a final recommended financial model with discussion of alternatives considered as part of the final triple-majority approval report.

## **Analysis**

At its meeting of October 21, 2020, LNTC considered *LNTC-C 4-2020 - Niagara Transit Governance Study* which presented the preferred governance and financial models for the consolidation of transit in Niagara. LNTC adopted amended recommendations providing support for a Full Commission and recommending further engagement with each of the twelve (12) local area municipalities to seek their feedback on and support for the recommended governance and financial models.

In parallel, LNTC directed staff to undertake an assessment of the expected impacts to Regional services that may arise from the consolidation of transit services in Niagara.



The purpose of this report is to provide that assessment, examining the potential impacts of consolidation across both the transit services that are currently being delivered by the Region as well as the Regional corporate services that will support the transition and future operation of the Commission.

### **Transit Operational Assessment**

Niagara Region currently operates three transit services: Niagara Region Transit (NRT), Niagara Specialized Transit (NST), and the recently launched NRT On-Demand (NRTOD) pilot. Each of these services fulfill a unique and important role in serving the mobility needs of Niagara residents and will form an important component of the future consolidated transit system.

Recent efforts have focused on the strategic alignment of each of these services with the potential for a transition to a consolidated Commission. This has included the planned intersection of agreements and future contractual decisions for all three services. This strategic alignment is purposefully intended to create an optimal situation whereby the Commission will be empowered to make decisions regarding the potential combination of on-demand and specialized services, in-house or contracted delivery models, and agreement terms. This alignment has been advanced through Council's recent approvals of *PW 52-2020*, *PW 53-2020*, and *PW 1-2021*.

The transition plan outlined as part of the NTGS anticipates that the Commission will assume operational responsibility for delivery of transit services in Q4 2022.

#### **Niagara Region Transit**

First initiated as a pilot project in 2010, the Region formally assumed jurisdiction for the delivery of conventional inter-municipal transit (IMT) services in 2017 through a triple-majority process.

This service is currently delivered on behalf of the Region by local transit providers through an agreement with the St. Catharines Transit Commission, the City of Welland, and the City of Niagara Falls. This agreement is in the process of being extended for a two-year period to 2022 through Council's adoption of *PW 52-2020*.

It is anticipated that the Commission will assume responsibility for the delivery of IMT services as part of the overall consolidation of transit services and through the transfer of the assets, personnel, and other resources currently used to deliver this service. The

two-year extension period of the current NRT operating agreement was selected to align with this assumption of service delivery in Q4 2022.

As outlined in the NTGS, there is significant latent demand for IMT services in Niagara. An early objective for the Commission will be completion of a strategic growth plan that will identify the IMT service enhancements and associated investments that will best realize this potential growth. Consistent with principles being applied to local transit services, a minimum of the existing service level hours will be maintained for a period of five years. The current scope of NRT operations is a fleet of 30 buses operating 163,000 service hours, with a \$17.3M gross transit expenditure before offsetting revenues.

#### Niagara Specialized Transit and Niagara Region Transit On-Demand

In addition to conventional IMT services, the Region also operates two additional transit services:

- **Niagara Specialized Transit** - provides inter-municipal specialized transit services across Niagara, delivered on behalf of the Region by a third-party service provider. The inter-municipal service operated by the Region is supplemented at the intra-municipal level by the para-transit and specialized services operated by the region's municipalities. These local services are currently delivered through a combination of both direct service delivery in parallel with conventional services and through additional third-party agreements.

It is anticipated that the Commission will assume responsibility for both the Region's inter-municipal specialized service and the local intra-municipal specialized services in Q4 2022. The Region's third-party agreement for NST has recently been extended to 2021 through Council's approval of *PW 53-2020*, and contains options for additional one-year extension periods subject to the approval of Council. Work is currently underway through the Inter-Municipal Transit Working Group (IMTWG) to understand the contractual arrangements between local municipalities and their third-party providers to ensure the overall strategic alignment of these agreements with the planned consolidation.

- **Niagara Region Transit On-Demand** – launched as a pilot project in Q3 2020, the NRTOD service provides on-demand transit services in areas of the region that have historically been underserved or unserved by conventional transit services (i.e. Grimsby, Lincoln, Pelham, Wainfleet, and West Lincoln). There has

been significant growth in the use of NRTOD since inception, with a 463% growth in average rides taken between Week 1 and Week 15 of the pilot representing a total of 5,408 riders. In November 2020, a secondary service area was launched in Niagara-on-the-Lake after the Town's Council made a formal request to Regional Council.

Based on the early positive trends associated with the launch of NRTOD, it is anticipated that the on-demand model will be an important component of the future Commission. The current pilot project has recently been extended for an additional one-year period (*PW 1-2021*) with a strategic focus on alignment with the timelines in the transition plan for the consolidation of transit.

As these services are transferred to the Commission, there is strong potential to combine the on-demand model and delivery of specialized transit services. Accessibility advocates have long called for a transit system which provides social and transit equity – enabling both specialized and non-specialized riders to simultaneously utilize the same system, thereby eliminating social barriers and creating significant improvements to transit mobility and social determinants of health. A combination of the two systems could also create economies of scale and reduce the overall costs of running two parallel systems covering similar geographic areas.

### **In-House Regional Support Services – Capacity Assessment**

A number of Regional divisions currently support the delivery of NRT, NST, and NRTOD, as well as the work completed to date to advance future consolidation. The purpose of this section is to:

- outline the major activities that are applicable to each division during the transition to the Commission, including additional supports or resources that may be required; and
- provide an overview of the future-state relationship that may exist between some Regional divisions and the Commission, including the potential for shared-services and key considerations that will be taken into account in the development of those models.

It should be noted that in the analysis of each of these corporate divisions, senior staff in all cases have been engaged collaboratively to ensure each divisional representation is accurate and capacity thoroughly reviewed as to how existing support or further support is provided along the transition to the Commission.

### Office of the Regional Clerk

The Regional Clerk's office currently supports the consolidation of transit service through its facilitation of LNTC and by providing advice to the transition team on matters of legislative procedure.

Through the transition to the new Commission, the Regional Clerk will assist the transition team in the establishment of the Commission's Board and Advisory Committee, including the development of new Terms of References for each body. The Regional Clerk could then support these bodies through agenda management, meeting facilitation and minutes, and provide guidance respecting Records Management and Privacy legislation requirements.

The Regional Clerk will also support the appointment of members to the Commission Board. Political members of the Board will be selected by Regional Council, based on the board composition criteria that will be outlined in the final triple-majority report. An application process will take place through the Region's website for persons wishing to express interest in becoming public members of the board. Staff, working through the CAO Working Group (CAO WG), will forward recommended candidates to Regional Council for consideration and approval.

The transition to the Commission is not expected to result in a net increase in required support from the Regional Clerk's office, as the level of support required for LNTC is anticipated to proportionally decrease as the Commission's Board is established and it assumes greater responsibility for guiding the integration of transit in Niagara.

### Financial Management & Planning (FMP) - Corporate Services

Financial support is an integral part of advancing transit consolidation, responsible for providing strategic financial analysis and direction along with direct budgetary and financial reporting support to the Governance Project Team. The Finance Division also supports the delivery of the Region's three transit services through a similar provision of budgetary and financial analysis. Niagara Region's FMP division has led the development of the recommended financial strategy for consolidation, consulting regularly with the area Treasurers along the way, and guides the preparation of the annual operating and capital budgets for the GO Implementation Office which has oversight for all transit services.

Financial support is anticipated to expand through the approval and transition phases of consolidation. Niagara Region's FMP Division has established a position dedicated to supporting both the transition activities and future Commission support. Primary tasks of the role are anticipated to include:

- Support the final recommended financial model as part of the future "triple-majority" approval report incorporating feedback received from the LAMs through the first round of engagement, including consideration of any alternative funding models (*LNTC-C 6-2020*);
- Supporting the financial reporting implications of transfer of assets to the Region from the LAMs who currently operate transit services;
- Continuing to guide the capital and operating budgets of the GO Implementation Office which includes NST/NRT and GO; and
- Supporting the new Commission in the development of the budgetary and financial reporting structures/policies of the Commission, including determination of the shared services model with the Region;
- Prepares specific external reporting, liaising with Commission specific agencies as needed.

As a Municipal Services Board of the Region, it is critical to ensure financial alignment is consistent with Regional financial structures and reporting, to enable best practices for financial reporting and consolidation, cost effectiveness and taxpayer fiscal prudence, without limiting the Commission ability to develop their own strategic-level planning. The Region's FMP Division will directly support the Commission in its financial reporting and budgetary preparation to ensure alignment and integration with the Region's own reporting structures in a manner similar to that of Niagara Region Housing Corporation and the Joint Board of Management. The use of common platforms, systems, and processes has been identified as a critical element of this integration and consistent with other shared services being evaluated at the municipal CAO level.

#### GO Implementation Office

Under the direction of the CAO WG, the GO Implementation Office has had primary responsibility for advancing the consolidation of transit in Niagara. This responsibility includes providing day-to-day leadership of the initiative, consultation with partner divisions, outreach and engagement with local area municipalities and external stakeholders, and the oversight of supporting consulting assignments. This is in addition to providing leadership and secretariat support to the IMTWG since its inception in 2017. The GO Implementation Office has further management oversight and

responsibility for the three aforementioned transit services currently operated by Niagara Region.

The GO Implementation Office is expected to continue these roles through the transition to the new Commission. It will continue to coordinate all major deliverables pertaining to Transit Governance through 2021, including the future “triple-majority” approval process, supporting consulting assignments, and the steps necessary to establish and undertake the early transition to the Commission. It will also continue to oversee the delivery of the Region’s transit services until the all operational responsibility is assumed by the Commission, anticipated for Q4 2022, in addition to serving as liaison with the CAO WG and leadership on the IMTWG throughout the transition phase.

Responsibility for leading the later phases of the transition plan, including elements such as strategic planning and the transfer of assets, will shift to the Commission once the Board and Commission’s new senior leadership teams are in place.

#### Information Technology

The role of the Regional Information Technology division is anticipated to initially focus on supporting the establishment of the day-to-day functionality of the new Commission during the early phases of transition, including elements such as the provision of email and phone services, and supporting the integration or expansion of back-end systems for financial and human resources business requirements.

Subject to the final determination of the specific and/or extent of the shared-services models that could exist between the Commission and Region, it is anticipated that common platforms for back-end systems will be used. This may include either leveraging or expanding existing Regional contracts to meet the requirements of the Commission, or the Commission undertaking its own independent procurements with similar requirements to the Region’s.

A parallel exercise will also be required to integrate the in-field and transit-specific technologies to be used by the Commission such as fare payment technology, CAD/AVL systems, GPS formats and dispatch/scheduling software. The IMTWG has undertaken a significant effort in recent years to align many of these platforms and systems between the existing transit system providers in Niagara to accelerate this transition, including alignment of requirements for bus procurements and on-board systems. An update to LNTC by the IMTWG on the transition to a single integrated fare technology across Niagara is anticipated in 2021.

To understand the full scope of the required integration of both transit-specific systems and back-end systems, an inventory of the current systems employed by the LAMs and Region will be undertaken as the consolidation approval process proceeds.

### Human Resources (HR)

The successful transition to a consolidated transit Commission will require the completion of a number of milestones with significant HR components, including:

- the development of a new organizational reporting structure, including the creation or consolidation of job descriptions and salary structures;
- the transfer of personnel from the local area municipalities currently operating transit services, and recruitment for those positions not filled through transfer;
- the potential transfer, consolidation, or creation of new benefit and pension programs;
- the negotiation and/or consolidation of collective bargaining agreements;
- development of new organizational policies and procedures;
- the appointment or selection of members to the Board and Advisory Committee; and
- the determination of a potential future shared-service model between the Commission and Regional HR division.

### *Consulting Assignment*

Given the scope of these deliverables, additional resources will be required to supplement the Regional HR staff that have been supporting the consolidation exercise to date. In Q1 2021, a consulting assignment will be developed to create a comprehensive HR strategy that will outline in greater detail the steps required to facilitate the transfer of personnel to the new commission.

Key elements of this assignment will include outlining transition activities and confirming required resources, advancing the organizational structure and job descriptions, developing a change management process, and supporting the transition and onboarding of HR staff to Commission.

The HR strategy developed through this assignment will be used as an input to the future 'triple-majority' report, and inform ongoing discussion with LAMs and Transit Unions throughout the transition process.

This assignment will be coordinated through the GO Implementation Office, with support from Regional HR staff. In order to fully support this assignment, additional capacity within the Regional HR division may be required. A determination regarding this potential need will be made as the scope for the consulting assignment is finalized.

#### *Future Shared Services Model*

The HR Strategy developed through this assignment will also advance a preferred future shared-service model between the Commission and Regional HR division. There are a wide variety of potential models for this relationship, from establishment of a fully independent HR department within the Commission, to having some integration with Regional services.

Current support from HR for other Regional agencies and boards operates under a variety of models. For example, Regional HR staff process payroll for Niagara Regional Police, whereas no services are provided for Niagara Peninsula Conservation Authority, and payroll, benefits, recruitment and other consultative support is provided to Niagara Regional Housing (NRH).

Each potential model has a variety of potential benefits and offsets, each of which will need to be considered in development of a final recommendation on this item. These criteria will be evaluated as part of the consulting assignment for the purpose of developing a recommended model for the consideration of both the Region and the future Board of the Commission.

#### Legal Services

Legal support will be required throughout the transition to the Commission, focused in 2021 on the Phase 1 and Phase 2 Transition Plan activities such as the development of municipal transfer agreements (MTAs), drafting the by-law for approval as part of the triple-majority process and, subject to that approval, undertaking the steps required to establish the Commission as a Municipal Services Board.

An external legal retainer will be developed in early 2021 to provide additional resources to the project team and supplement the support provided from internal Legal Services staff. The costs for this assignment are included within the previously identified overall Transition Plan costs for legal services. It is anticipated that there may be a need for additional external legal support for some Phase 3 transition activities, such as development of internal policies, formalization of working relationships with partners, or



additional facilitation of asset and personnel transfer; however a final determination in this regard will be made later in 2021 and will be accommodated in the existing budget.

Responsibility for legal services related to the operation of the organization will transfer to the Commission as part of its new Corporate Services division once established. While subject to the future direction of the Commission and Council approval, there is potential benefit to the Commission and Region entering into a shared services agreement for the Region to provide some legal services on behalf of the Commission. Entering into an agreement of this nature would utilize existing staff expertise, and could achieve a costs savings as the Commission would otherwise require external legal support or its own in-house counsel.

Key considerations regarding any future service agreement will include the establishment of the scope of services (e.g. legal advice, risk management, insurance, claims support), determining appropriate service levels and responsiveness, and addressing the management of any potential conflict of interest that may arise. The current shared services agreement with NRH dating back to 2006 is an example of the Region providing legal services in this way.

### Procurement

The Region's Procurement division currently supports the GO Implementation Office in the development and issuance of procurements related to both the operation of the Region's three transit services as well as the consolidation of transit services. The ongoing need for procurement support will continue throughout the transition period, including the facilitation of procurements for external support assignments as identified herein. In consultation with Procurement, staff acknowledge that the prioritization and timing of these (all) projects deemed urgent and essential are predicated on the Procurement Intake Process.

A future determination will be required regarding the recommended shared-services arrangement, which could exist between the Commission and the Regional Procurement Division. This recommendation will be developed in the lead-up to the triple-majority report in Q2 2021, with a final determination being made early in 'Phase 3' of the transition plan. This recommendation will result from consultation with the Region's Corporate Leadership Team and the Commission's Senior Leadership Team, including its new Director of Corporate Services.

The relationship between the Region's Procurement Division and other Regional agencies varies. For example, both Niagara Regional Police and NRH operate under their own separate procurement by-laws and structures, have delegated authorities for their own staff, and have limited integration with the Region's Procurement Division. By contrast, Procurement has previously lead joint procurement exercises between Regional divisions and Regional agencies.

Staff note that other peer transit Commissions have typically operated their own decentralized Procurement Divisions tasked with undertaking their own independent procurement processes, recognizing the need for transit-specific expertise and knowledge in the development of competitions. Regardless of the approach followed, there will be benefit to ensuring alignment with Regional policies and procedures to facilitate collaboration and support between the organizations where required.

#### Strategic Communications & Public Affairs

Strategic Communications & Public Affairs supports the consolidation of transit through its provision of guidance and input on key messaging, assisting in stakeholder engagement and management, providing graphic design support to the GO Implementation Office, and in media relations.

It is expected that the role of Regional Communications staff will remain consistent through the early phases of the transition. It is anticipated that the Commission will assume primary responsibility for its own Communications activities when established, under its Corporate Services department. This approach will ensure that transit-related messaging is coming directly from the service provider, helping to build the brand of the Commission. Regional Communications staff will continue to coordinate with the Commission on broader strategic messaging which may affect the broader corporation.

Early areas of focus for this department will include the development of a corporate branding strategy, and significant internal communication and change management as part of the transition of staff.

#### **Next Steps**

Through January and February 2021, the Project Team will be engaging with LAMs to receive input and feedback on the proposed governance and financial models advanced by *LNTC-C 4-2020*. When completed, that combined feedback will be merged with this

assessment to fully inform the future 'triple-majority' report for the consolidation of transit to be brought to Council in Q2 2021.

### **Alternatives Reviewed**

There are no specific alternative scenarios or options that are directly relevant to this report. Subject to its approval, as the transition to a consolidated transit Commission advances, further ongoing discussion and consideration of alternatives will be required regarding the future shared-services relationships that will be recommended to exist between the Commission and Regional Divisions. Alternatives will be considered at that time and may include external legal advice in support of these options.

### **Relationship to Council Strategic Priorities**

The Niagara Transit Governance Strategy and the proposed consolidation of transit services across Niagara directly aligns with the Council Strategic Priority: Responsible Growth and Infrastructure Planning (Objective 3.1) through advancing regional transit and facilitating the movement of people and goods.

### **Other Pertinent Reports**

CAO 8-2017	Niagara Region's Transit Service Delivery and Governance Strategy
LNTC-C 21-2018	Inter-Municipal Transit (IMT) Service Implementation Strategy
PW 60-2019	On-Demand Transit - Pilot Authorization
LNTC-C 4-2020	Niagara Region Transit Governance Study
LNTC-C 6-2020	Councillor Information Request - Niagara Transit Governance - Local Area Municipality Engagement
PW 52-2020	Niagara Region Transit Service Agreement Renewal
PW 53-2020	Niagara Specialized Transit Service Agreement Amendment 2021

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**Prepared by:**

Scott Fraser  
Transportation Lead  
GO Implementation Office  
Public Works Department

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**Recommended by:**

Bruce Zvaniga, P.Eng.  
Commissioner of Public Works (Interim)  
Public Works Department

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**Submitted by:**

Ron Tripp, P. Eng.  
Acting Chief Administrative Officer

This report was prepared in consultation with: Ann-Marie Norio, Regional Clerk; Bart Menage, Director, Procurement & Strategic Acquisitions, Corporate Services; Donna Gibbs, Director Legal & Court Services, Corporate Services; Heather Talbot, Financial & Special Projects Consultant, Financial Management and Planning; Julie Max, Associate Director - Infrastructure & Operations, Corporate Services; Jeff Garritsen, Associate Director Employee Relations, Human Resources; Robert Salewysch, Program Manager – Transit Services, GO Implementation Office; Sean O’Brady, Associate Director, Strategic Communications & Public Affairs; Tracie Byrne, Procurement Manager, Corporate Services; and reviewed by Matt Robinson, Director, GO Implementation Office; and Helen Chamberlain, Director, Financial Management & Planning/Deputy Treasurer.

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**MEMORANDUM**

**PWC-C 3-2021**

**Subject: COVID-19 Response and Business Continuity in Public Works**

**Date: February 16, 2021**

**To: Public Works Committee**

**From: Bruce Zvaniga, P.Eng., Commissioner of Public Works (Interim)**

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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 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.

The Department Leadership team continue to 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**

The focus continues to be providing high quality safe and reliable water and wastewater services to the residents of Niagara while continuing to implement the necessary safety

and social distancing protocols in accordance with Niagara Region Public Health directives and Ontario Regulations.

Both the Drinking Water and Wastewater Quality Management Systems (QMS) remain active. Capital infrastructure projects are deemed essential and continue to be delivered.

All W-WW staff and contractors continue to be reminded of their obligations to comply with the Niagara Region mask by-law and other pandemic mitigation policies and procedures.

### **Service/Operational Change**

As a result of January 14, 2021 Provincial Stay-at-Home Order and new State of Emergency declaration the following mitigation measures have been reinstated at all W-WW locations:

- All non-essential staff must work from home wherever possible and limit any on-site work to essential tasks only; designation of essential staff is at the discretion of the manager based on business needs identified in the Business Continuity Plan.
- Closure of all plant meeting rooms to non-essential in-person meetings. All essential in-person meetings must adhere to posted occupancy limits.
- Essential site tours outdoors must be limited to a maximum of five (5) with participants with all participants wearing face coverings where physical distancing cannot be maintained.
- Cancellation of all non-essential indoor site visits.
- Cancellation of all in-person training (including mandatory Health and Safety training).
- Deferral of non-essential drone flights and Matterport (360 View) scanning.
- Deferral of all non-essential contracted services.
- Limiting operations/maintenance staff from working/moving between multiple W/WW facilities to be implemented as much as possible as per business need and at the discretion of the operations and/or maintenance managers.
- Provision of manager's vehicles will be made for staff as per business need and at the discretion of the operations and/or maintenance managers.
- Using Regional courier to send items between facilities instead of in-person drop off as much as possible
- Re-adoption of no-contact drop-off/pick up for courier, deliveries, uniforms and lab supplies if not currently being practised

## **Operational Outlook**

- 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.

### **Service/Operational Changes**

Transportation staff will be redeployed to assist with pandemic needs as required.

The Province of Ontario issued a Stay-at-Home Order and a new State of Emergency declaration effective January 14, 2021 in response to the second wave of the COVID-19 pandemic. In response to this, Management implemented several prevention measures some of which were adopted in the first state of emergency in spring of 2020.

Effective January 14, 2021, the following measures were implemented:

- All staff able to perform work duties from home must do so and limit any on-site work to essential tasks only.
- Essential work as outlined by the Province and identified by Management in the Transportation Business Continuity Plan will continue in accordance with the State of Emergency Declaration.
- Essential construction projects and contracted services are under review based on information coming from the Province and staff, contractors, constructors, etc., will be notified as required.
- All non-essential in-person meetings are cancelled until further notice.

- Closure of all Transportation facilities and yards to visitors. Visitors requiring stock items from our stores at Thorold Service Center must now call Fleet Services Department, Materials Technician Leadhand at **905-227-2220, press 2** in order to place and arrange for curbside pick-up only.
- Essential construction project on-site meetings (per bullet 3) must be limited to a maximum of five (5) participants wearing face masks until further notice.
- Cancellation of all in-person training.
- Staggered shifts and locations are under review and will be implemented as deemed necessary.

Staff continue to follow existing measures diligently and already in practice:

- Pre-screening is Mandatory before entry into a Regional work location.
- Stay home if you have any of the symptoms and contact manager.
- Sanitation of workstations, regional property and vehicles per procedures put in place.
- Maintain physical distancing and mask wearing, especially in break rooms, vehicles and shared spaces

### **Operational Outlook**

- 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.
- 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**

The Province of Ontario's Stay-at-Home Order and a new State of Emergency declaration, which came into effect January 14, 2021, has not impacted service and program delivery. Modifications that have been implemented are as follows:

- Staff who are able to perform work duties from home have been asked not to attend their work location. On-site work has been limited to essential tasks only.



- Essential work as outlined by the Province and identified in the Waste Management Business Continuity Plan will continue in accordance with the State of Emergency Declaration.
- Essential site tours outdoors must be limited to a maximum of five with participants with all participants wearing face coverings where physical distancing cannot be maintained.
- Cancellation of all non-essential indoor site visits,
- All non-regional recycling bin destruction centres are closed. Regional sites continuing to remain open with modifications to limit in person interactions. Residents encouraged to visits Region's website for waste management service/program updates.

Strategic initiatives are continuing such as the MRF Opportunity Review, administration of new collection contracts and services levels, Strategy Plan, construction projects, and operational tenders.

### **Operational Outlook**

- Continue to provide waste management services as an essential service.
- Review contingency plans with contractors to ensure plans are updated and current.
- RFP will be issued for the division's Long-term Strategic Plan.
- NRFP MRF Opportunity Review will be issued Q1.
- Preparation for the start of the new Humberstone contract.

### **Niagara Region Transit/Specialized Transit & GO Implementation**

#### **Current Status of Operations**

As of November 23, 2020, every transit service in Niagara has reduced its onboard passenger capacity to 50% of the vehicle's seated capacity rating. For Niagara Region, this includes NRT, NST and NRT OnDemand. After additional consultation with the IMT Working Group, these capacity changes will remain in place for an indefinite period of time, however further reductions are not recommended at this time.

Niagara Region Transit (NRT) is operating at a reduced level of service when compared to a typical January through April schedule. This is due to Brock University being 95% online, and Niagara College having significant enrollment reductions combined with many online programs and lower Niagara-based student residency:

- 7:00 a.m. - 11:00 p.m. operating hours effective Sept 7 (back up from 7:00 a.m. - 9:00 p.m. from May 4 to Sept 6)
- Hourly service (60 minutes) on most routes except 40, 45, 60 and 65 as those are typically well utilized student routes.
- The only Express routes currently running are the 60A, 65A but only during typical morning and afternoon peak periods to help prevent potential crowding.

Niagara Specialized Transit (NST) continues 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 continued to show small signs of recovery but still sits at approximately 40-50% of typical usage.

NRT OnDemand service operates in Grimsby, Lincoln, Pelham, Wainfleet and West Lincoln from Monday to Saturday, 7 a.m. - 10 p.m. and in Niagara-on-the-Lake from 7 a.m. - 7 p.m. Staff are monitoring the ridership levels. Since moving into lockdown, ridership has dropped roughly 50%, but is still quite strong and comparable to NST.

Mandatory mask usage is required as per the Region's Face Covering By-law.

### **Service/Operational Changes**

Despite the reduction of vehicle capacity, there is no need to return to rear door boarding as each vehicle has a partition separating the operator/driver from the passengers.

The "Rear door boarding" policy enacted on March 23 to temporarily limit driver contact and respect physical distancing has been lifted on July 2. Because Niagara's transit providers have installed plexi-glass bio-barriers across the entire fleet of vehicles to protect bus operators, even if COVID-19 numbers increase, there will not be a need to return to rear door boarding and thus fare collection will be maintained as well.

A lower than typical service level began on January 4, however staff attempted to maintain an adequate amount of service as the student demand from Niagara College was unclear.

## Significant Initiatives or Actions undertaken

- All NRT, and NST fleet vehicles continue to be 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.
- NRT OnDemand does not permit the use of the front passenger seat in order to maintain distance between the drivers and passengers.

## Operational Outlook

### 1 month

- Staff will continue to monitor the COVID-19 numbers and categorization for Niagara. Service adjustments may be required as the situation worsens, however the current belief held by the IMT Working Group is to continue offering existing service for essential workers.
- NRT staff continue to review ridership data closely in order to determine appropriate levels of service.
- 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

- Staff are preparing schedules for May through August 2021. Due to the extremely low ridership, the loss of the bulk U-Pass revenue (i.e. from Niagara College) and increasing COVID-19 numbers, the service level has been significantly scaled back as of January and will likely see similar service levels in the summer.
- 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.

- 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.

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 being targeted, however orders for the hardware are just beginning to be made. Staff will continue to provide updates once a timeline has been established and at the major milestones.

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,

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Bruce Zvaniga, P.Eng.  
Commissioner of Public Works (Interim)

## **Other Pertinent Reports**

CAO 10-2020, April 23, 2020 COVID-19 Response and Departmental Updates

PWC-C 13-2020, May 12, 2020 COVID-19 Response and Business Continuity in Public Works

PWC-C 20-2020, June 16, 2020 COVID-19 Response and Business Continuity in Public Works

PWC-C 24-2020, July 14, 2020 COVID-19 Response and Business Continuity in Public Works

PWC-C 27-2020, August 4, 2020 COVID-19 Response and Business Continuity in Public Works

PWC-C 33-2020, September 8, 2020 COVID-19 Response and Business Continuity in Public Works

PWC-C 37-2020, October 13, 2020 COVID-19 Response and Business Continuity in Public Works

PWC-C 41-2020, November 10, 2020 COVID-19 Response and Business Continuity in Public Works

PWC-C 47-2020, December 8, 2020 COVID-19 Response and Business Continuity in Public Works

PWC-C 1-2021, January 12, 2021 COVID-19 Response and Business Continuity in Public Works

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**MEMORANDUM**

**PWC-C 5-2021**

**Subject: Appointment of By-law Officers for the Enforcement of the Sewer-use By-law (By-law #27-2014)**

**Date: February 16, 2021**

**To: Public Works Committee**

**From: Jason Oatley, Manager, Quality and Compliance (Wastewater)**

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Niagara Region enacted Sewer-use By-law #27-2014 (the By-law) on February 27, 2014. The By-law contains concentration-based limits for the discharge of heavy metals, suspended solids, oil and grease, phosphorus and other parameters of concern. The By-law also contains requirements for the discharge of Hauled Sewage and storm water. The limits and requirements of the By-law are designed to protect the wastewater collection system and sewage treatment plant infrastructure from adverse effects and to ensure the wastewater treatment plant discharges are maintained in environmental compliance with various provincial and federal legislation.

The purpose of this memorandum is to request approval from Regional Council for the appointment of individuals involved in administration and enforcement of the By-law as listed below. Individuals responsible for the administration and enforcement of this By-law require Council approval to be duly authorized as by-law enforcement officers and Provincial Offences Officers.

Under Section 87 of the Municipal Act, 2001, *“a municipality may enter on land, at reasonable times, to inspect the discharge of any matter into the sewage system of the municipality or into any other sewage system the contents of which ultimately empty into the municipal sewage system and may conduct tests and take samples for this purpose.”*

Under Section 3.1 of Niagara Region By-law, 27-2014, *“Regional Council may enact a by-law appointing enforcement officers for the purpose of the enforcement of this By-law as required.”*

A temporary Environmental Enforcement Officer has joined the Environmental Enforcement Section to replace another officer currently on leave. Staff is requesting that the required by-law be enacted to appoint this individual to enforce the Bylaw.

The following list of individuals are employees of the Corporation and are trained and qualified for the enforcement of the By-law:

Jason Oatley, Manager, Quality and Compliance (Wastewater) - Previously Appointed

Dominic Valentini, Environmental Enforcement Officer- Previously Appointed

Craig Burns, Environmental Enforcement Officer – Previously Appointed

Ashley Marshall, Environmental Enforcement Officer – Previously Appointed

Chris Brylinski, Environmental Enforcement Officer – Previously Appointed

Jasson Villeneuve, Environmental Enforcement Officer – New appointment needed

It is therefore recommended that the individual(s) above be appointed (or remain appointed as the case may be) as by-law enforcement officers and Provincial Offences Officers and included in a by-law as appropriate.

Respectfully submitted and signed by

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Jason Oatley, B.Sc., C.Chem.  
Manager, Quality and Compliance (Wastewater)

**Minute Item No. 5.1**

**COM-C 8-2021**

**Motion from Councillor Insinna respecting Homelessness, Mental Health and Addiction in Niagara**

WHEREAS Niagara Region prides itself as being a caring and compassionate community that continually strives to be a place where people want to live, work and play;

WHEREAS providing access to safe, adequate and affordable housing for everyone is fundamental to achieving that goal;

WHEREAS Niagara Region acknowledges that mental health, mental illness, addiction and homelessness, while important issues, are not homogenous, interchangeable or consistently interconnected, and doing so may over simplify exceptionally complex issues that require targeted policy solutions and intervention;

WHEREAS Niagara Region's 10-year Housing and Homelessness Action Plan (HHAP), A Home For All, outlines the Region's vision, challenges, and the actions required to achieve its goals;

WHEREAS Niagara Region has embarked on an ambitious effort to end chronic homelessness through participation in the national Built for Zero campaign;

WHEREAS Regional Council formally adopted Mental Health and Wellbeing (2.2) and Addressing Affordable Housing Needs (2.3) as strategic priorities for the current term of our Council;

WHEREAS a recent KPMG report commissioned by Niagara Region indicated that Council invests more levy funding than its peers into homelessness, demonstrating a steadfast commitment to addressing the issue;

WHEREAS Niagara Region acknowledges that people living in shelters are part of the crisis and not the solution;

WHEREAS Niagara Region has two planned housing projects that would directly address those in Niagara who experience chronic homelessness;

WHEREAS the implementation plan for Council's strategic objectives states that staff will identify gaps within the mental health system to increase the functionality and collaboration within it;

WHEREAS the same implementation plan directed staff to partner with Ontario Health (formally the LHIN) to review the local landscape to identify opportunities, including new investment;

WHEREAS the treatment and supports for mental illness, addiction, and homelessness are predominantly funded and directed by the Province;



WHEREAS the success of the Region's Housing and Homelessness Action Plan is dependent on a commitment of sustained and increased funding (both operational and capital) from all levels of government to address the issues of housing insecurity and homelessness in Niagara; and

WHEREAS the needs of the community far outweigh Niagara Region's available resources and funding required to effectively address these issues, and the support of both the Provincial and Federal governments are needed to meet these needs.

NOW THEREFORE BE IT RESOLVED THAT:

1. That Niagara Region Council officially **ACKNOWLEDGE** that a significant crisis exists in Niagara in regard to the prevalence of chronic homelessness and the lack of affordable housing that far surpasses the Region's ability to meet the vision dictated in its 10-year Housing and Homelessness Action Plan (HHAP);
2. That the Regional Chair **BE DIRECTED** to send advocacy letters directly to the appropriate Federal and Provincial ministries outlining Niagara's current situation and requesting additional funding be provided to ensure Niagara can meet the vision outlined in its housing action plan;
3. That the Regional Chair **BE DIRECTED** to advocate to the Minister of Municipal Affairs and Housing and the Minister of Families, Children and Social Development for the required operational funding for the planned supportive and bridge housing initiatives;
4. That Regional staff **BE DIRECTED**, in alignment with the planned review of Council's strategic priorities, to produce a report specifically highlighting the progress being made and critical gaps in regard to services related to mental health, addictions and wellbeing;
5. That Regional staff **BE DIRECTED** to continue providing Regional Council updates on the HHAP and Built for Zero initiatives; and
6. That Regional staff **BE DIRECTED** to request an update from the Overdose Prevention and Education Network of Niagara (OPENN) regarding the current status of the actions being taken to address addiction related issues in Niagara.

**Minute Item No. 5.2**

**PHD 1-2021**

**Collaborative Action to Prevent COVID-19 Transmission and Improve Health Equity by Increasing Access to Paid Sick Days**

That Report PHD 1-2021, dated February 16, 2021, respecting Collaborative Action to Prevent COVID-19 Transmission and Improve Health Equity by Increasing Access to Paid Sick Days, **BE RECEIVED** and the following recommendations **BE APPROVED**:

1. That Regional Council **ENDORSE** the Decent Work and Health Network's report Before it's too late: How to close the paid sick days gap during COVID-19 and beyond attached as Appendix A to Report PHD 1-2021;
2. That Regional Council **BE DIRECTED** to send the letter, attached as Appendix B to Report PHD 1-2021, to the provincial Minister of Health; Minister of Labour, Training and Skills Development; and the Premier, expressing its support for legislated paid sick days through the Employment Standards Act; and
3. That a copy of the letter and Report PHD 1-2021 **BE CIRCULATED** to local members of provincial parliament, local members of Parliament, and to the Association of Local Public Health Agencies for dissemination to all Ontario boards of health, AMO and the local area municipalities.

**Minute Item No. 6  
Consent Items for Information**

That the following items **BE RECEIVED** for information:

PHD-C 3-2021

COVID-19 Response and Business Continuity in Public Health & Emergency Services

COM-C 3-2021

COVID-19 Response and Business Continuity in Community Services

COM-C 4-2021

Request for Declaration of State of Emergency for Mental Health, Homelessness and Addiction – Additional Correspondence

COM-C 6-2021

Improving the Long-Term Care Outbreak Response in Ontario – Association of Municipalities of Ontario's (AMO) Final Submission to the Long-Term Care COVID-19 Commission

PHD-C 2-2021

Niagara Emergency Medical Services Temporary Funded Opportunities

COM-C 7-2021

Responding to an Information Enquiry Regarding a Community Request for the Region to Declare a State of Emergency on Mental Health, Homelessness and Addiction

PHD-C 4-2021

Considerations & Context Regarding Declaration of a State of Emergency

**THE REGIONAL MUNICIPALITY OF NIAGARA  
PUBLIC HEALTH & SOCIAL SERVICES COMMITTEE  
OPEN SESSION**

**PHSSC 2-2021  
Tuesday, February 16, 2021  
Council Chamber/Video Conference  
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 Video Conference: Bellows, Bradley (Regional Chair), Butters, Darte, Foster, Gibson, Insinna, Ip, Jordan, Nicholson, Rigby, Sendzik, Villella, Whalen, Witteveen

Other Councillors Present via Video Conference: Diodati, Disero, Easton, Edgar, Gale, Junkin, Redekop, Steele

Staff Present in the Council Chamber: S. Guglielmi, Technology Support Analyst, Dr. M. M. Hirji, Acting Medical Officer of Health, A. Jugley, Commissioner, Community Services, A.-M. Norio, Regional Clerk, R. Tripp, Acting Chief Administrative Officer

Staff Present via Video Conference: A. Alfieri-Maiolo, Director, Clinical Services, C. Cousins, Director, Homelessness and Community Engagement, R. Ferron, Deputy Chief/Associate Director, Emergency Medical Services, L. Garofalo, Manager, Chronic Disease and Injury Prevention, D. Gibbs, Director, Legal & Court Services, S. Kearns, Director, Environmental Health, H. Koning, Director, Senior Services, K. Lotimer, Legislative Coordinator, D. Lorenzo, Associate Director, Chronic Disease and Injury Prevention, M. Mako, Commander, Mobile Integrated Health, Emergency Medical Services, E. Mozina, Manager, Social Assistance and Employment Opportunities, K. Smith, Chief/Director, Emergency Medical Services, D. Woiceshyn, Chief Executive Officer, Niagara Regional Housing

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**1. CALL TO ORDER**

Committee Co-Chair Chiocchio 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**

4.1 Request for Declaration of State of Emergency for Mental Health, Homelessness and Addiction - Additional Correspondence (COM-C 4-2021 (Agenda Item 6.4))

Steven Soos, Resident, City of Welland, and Wayne Campbell, Resident, City of Niagara Falls, appeared before Committee requesting support for a state of emergency to be declared for mental health, homelessness and addiction.

**5. ITEMS FOR CONSIDERATION**

5.1 COM-C 8-2021

Motion from Councillor Insinna respecting Homelessness, Mental Health and Addiction in Niagara

Moved by Councillor Insinna  
Seconded by Councillor Foster

WHEREAS Niagara Region prides itself as being a caring and compassionate community that continually strives to be a place where people want to live, work and play;

WHEREAS providing access to safe, adequate and affordable housing for everyone is fundamental to achieving that goal;

WHEREAS Niagara Region acknowledges that mental health, mental illness, addiction and homelessness, while important issues, are not homogenous, interchangeable or consistently interconnected, and doing so may over simplify exceptionally complex issues that require targeted policy solutions and intervention;

WHEREAS Niagara Region's 10-year Housing and Homelessness Action Plan (HHAP), A Home For All, outlines the Region's vision, challenges, and the actions required to achieve its goals;

WHEREAS Niagara Region has embarked on an ambitious effort to end chronic homelessness through participation in the national Built for Zero campaign;

WHEREAS Regional Council formally adopted Mental Health and Wellbeing (2.2) and Addressing Affordable Housing Needs (2.3) as strategic priorities for the current term of our Council;

WHEREAS a recent KPMG report commissioned by Niagara Region indicated that Council invests more levy funding than its peers into homelessness, demonstrating a steadfast commitment to addressing the issue;

WHEREAS Niagara Region acknowledges that people living in shelters are part of the crisis and not the solution;

WHEREAS Niagara Region has two planned housing projects that would directly address those in Niagara who experience chronic homelessness;

WHEREAS the implementation plan for Council's strategic objectives states that staff will identify gaps within the mental health system to increase the functionality and collaboration within it;

WHEREAS the same implementation plan directed staff to partner with Ontario Health (formally the LHIN) to review the local landscape to identify opportunities, including new investment;

WHEREAS the treatment and supports for mental illness, addiction, and homelessness are predominantly funded and directed by the Province;

WHEREAS the success of the Region's Housing and Homelessness Action Plan is dependent on a commitment of sustained and increased funding (both operational and capital) from all levels of government to address the issues of housing insecurity and homelessness in Niagara; and

WHEREAS the needs of the community far outweigh Niagara Region's available resources and funding required to effectively address these issues, and the support of both the Provincial and Federal governments are needed to meet these needs.

NOW THEREFORE BE IT RESOLVED THAT:

1. That Niagara Region Council officially **ACKNOWLEDGE** that a significant crisis exists in Niagara in regard to the prevalence of chronic homelessness and the lack of affordable housing that far surpasses the Region's ability to meet the vision dictated in its 10-year Housing and Homelessness Action Plan (HHAP);

2. That the Regional Chair **BE DIRECTED** to send advocacy letters directly to the appropriate Federal and Provincial ministries outlining Niagara's current situation and requesting additional funding be provided to ensure Niagara can meet the vision outlined in its housing action plan;
3. That the Regional Chair **BE DIRECTED** to advocate to the Minister of Municipal Affairs and Housing and the Minister of Families, Children and Social Development for the required operational funding for the planned supportive and bridge housing initiatives;
4. That Regional staff **BE DIRECTED**, in alignment with the planned review of Council's strategic priorities, to produce a report specifically highlighting the progress being made and critical gaps in regard to services related to mental health, addictions and wellbeing;
5. That Regional staff **BE DIRECTED** to continue providing Regional Council updates on the HHAP and Built for Zero initiatives; and
6. That Regional staff **BE DIRECTED** to request an update from the Overdose Prevention and Education Network of Niagara (OPENN) regarding the current status of the actions being taken to address addiction related issues in Niagara.

**Carried**

5.2 PHD 1-2021

Collaborative Action to Prevent COVID-19 Transmission and Improve Health Equity by Increasing Access to Paid Sick Days

Moved by Councillor Ip

Seconded by Councillor Whalen

That Report PHD 1-2021, dated February 16, 2021, respecting Collaborative Action to Prevent COVID-19 Transmission and Improve Health Equity by Increasing Access to Paid Sick Days, **BE RECEIVED** and the following recommendations **BE APPROVED**:

1. That Regional Council **ENDORSE** the Decent Work and Health Network's report Before it's too late: How to close the paid sick days gap during COVID-19 and beyond attached as Appendix A to Report PHD 1-2021;

2. That Regional Council **BE DIRECTED** to send the letter, attached as Appendix B to Report PHD 1-2021, to the provincial Minister of Health; Minister of Labour, Training and Skills Development; and the Premier, expressing its support for legislated paid sick days through the Employment Standards Act; and
3. That a copy of the letter and Report PHD 1-2021 **BE CIRCULATED** to local members of provincial parliament, local members of Parliament, and to the Association of Local Public Health Agencies for dissemination to all Ontario boards of health, AMO and the local area municipalities.

**Carried**

**6. CONSENT ITEMS FOR INFORMATION**

Dr. Hirji provided an update to Committee respecting vaccines, variants of concern and re-openings.

Moved by Councillor Witteveen  
Seconded by Councillor Gibson

That the following items **BE RECEIVED** for information:

PHD-C 3-2021

COVID-19 Response and Business Continuity in Public Health & Emergency Services

COM-C 3-2021

COVID-19 Response and Business Continuity in Community Services

COM-C 4-2021

Request for Declaration of State of Emergency for Mental Health, Homelessness and Addiction – Additional Correspondence

COM-C 6-2021

Improving the Long-Term Care Outbreak Response in Ontario – Association of Municipalities of Ontario's (AMO) Final Submission to the Long-Term Care COVID-19 Commission

PHD-C 2-2021

Niagara Emergency Medical Services Temporary Funded Opportunities

COM-C 7-2021

Responding to an Information Enquiry Regarding a Community Request for the Region to Declare a State of Emergency on Mental Health, Homelessness and Addiction

PHD-C 4-2021

Considerations & Context Regarding Declaration of a State of Emergency

**Carried**

**Councillor Information Request(s):**

Provide information highlighting key metrics regarding COVID-19, vaccines and re-openings over the next 2, 4 and 6 week periods. Councillor Sendzik.

**7. OTHER BUSINESS**

7.1 Social Services Relief Funding Phase 2 Holdback Fund Update

Cathy Cousins, Director, Homelessness and Community Engagement, provided an update respecting the Social Services Relief Funding Phase 2 Holdback Fund. The information included provincial deadlines and the potential of funds being clawed back if timelines are not met, work being done with the Ministry of Municipal Affairs and Housing to extend the current timelines and where the process currently stands.

7.2 Board of Health

Councillor Rigby requested information respecting the Board of Health.

7.3 Well Water Testing

Councillor Whalen requested an update respecting water sample drop off locations for residents of Niagara. Dr. Hirji, Acting Medical Officer of Health, advised that staff continue to look for options and invited municipalities to reach out to Public Health with possible locations.

**8. NEXT MEETING**

The next meeting will be held on Tuesday, March 9, 2021 at 1:00 p.m.



9. **ADJOURNMENT**

There being no further business, the meeting adjourned at 4:02 p.m.

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Councillor Chiochio  
Committee Co-Chair

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Councillor Greenwood  
Committee Co-Chair

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Kelly Lotimer  
Legislative Coordinator

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Ann-Marie Norio  
Regional Clerk

**From:** [PF-Mailbox-01](#)  
**To:** [Norio, Ann-Marie](#); [Trennum, Matthew](#)  
**Subject:** FW: Online Form - Request to Speak at a Standing Committee  
**Date:** Thursday, February 04, 2021 12:02:27 PM

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**From:** Niagara Region Website  
**Sent:** Thursday, 04 February 2021 12:02:20 (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  
Steven Soos

Address  
[Redacted]

City  
Welland

Postal  
[Redacted]

Phone  
[Redacted]

[Redacted]

Organization

standing committee  
Public Health and Social Services Committee

Presentation Topic  
State of Emergency on Mental Health, Homelessness and Addiction

Presentation includes slides

Yes

Previously presented topic

No

Presentation Details

-Would like to include Wayne Campbell, Niagara Falls as part of the delegation: [REDACTED] -11/12 of Niagara's local area municipalities have unanimously supported the request for Niagara Regional Council to declare a state of emergency on mental health, homelessness and addiction. Public Health and Social Services were copied on all of the resolutions. -Looking to have Niagara Public Health and Social Services committee endorse the resolution to declare a state of emergency on mental health, homelessness and addiction.

Video Consent

Yes



To: Ann-Marie Norio, Clerk, Region of Niagara  
From: Councillor Insinna

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Motion for consideration at Public Health and Social Services Committee:

**HOMELESSNESS, MENTAL HEALTH AND ADDICTION IN NIAGARA**

**MOVED BY** Councillor Insinna

**SECONDED BY** Councillor Foster

WHEREAS Niagara Region prides itself as being a caring and compassionate community that continually strives to be a place where people want to live, work and play;

WHEREAS providing access to safe, adequate and affordable housing for everyone is fundamental to achieving that goal;

WHEREAS Niagara Region acknowledges that mental health, mental illness, addiction and homelessness, while important issues, are not homogenous, interchangeable or consistently interconnected, and doing so may over simplify exceptionally complex issues that require targeted policy solutions and intervention;

WHEREAS Niagara Region's 10-year Housing and Homelessness Action Plan (HHAP), *A Home For All*, outlines the Region's vision, challenges, and the actions required to achieve its goals;

WHEREAS Niagara Region has embarked on an ambitious effort to end chronic homelessness through participation in the national Built for Zero campaign;

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WHEREAS Niagara Region acknowledges that people living in shelters are part of the crisis and not the solution;

WHEREAS Niagara Region has two planned housing projects that would directly address those in Niagara who experience chronic homelessness;

WHEREAS the implementation plan for Council's strategic objectives states that staff will identify gaps within the mental health system to increase the functionality and collaboration within it;

WHEREAS the same implementation plan directed staff to partner with Ontario Health (formally the LHIN) to review the local landscape to identify opportunities, including new investment;

WHEREAS the treatment and supports for mental illness, addiction, and homelessness are predominantly funded and directed by the Province;

WHEREAS the success of the Region's Housing and Homelessness Action Plan is dependent on a commitment of sustained and increased funding (both operational and capital) from all levels of government to address the issues of housing insecurity and homelessness in Niagara; and

WHEREAS the needs of the community far outweigh Niagara Region's available resources and funding required to effectively address these issues, and the support of both the Provincial and Federal governments are needed to meet these needs.

THEREFORE BE IT RESOLVED THAT:

1. That Niagara Region Council officially **ACKNOWLEDGE** that a significant crisis exists in Niagara in regard to the prevalence of chronic homelessness and the lack of affordable housing that far surpasses the Region's ability to meet the vision dictated in its 10-year Housing and Homelessness Action Plan (HHAP);
2. That the Regional Chair **BE DIRECTED** to send advocacy letters directly to the appropriate Federal and Provincial ministries outlining Niagara's current situation and requesting additional funding be provided to ensure Niagara can meet the vision outlined in its housing action plan;
3. That the Regional Chair **BE DIRECTED** to advocate to the Minister of Municipal Affairs and Housing and the Minister of Families, Children and Social Development for the required operational funding for the planned supportive and bridge housing initiatives;
4. That Regional staff **BE DIRECTED**, in alignment with the planned review of Council's strategic priorities, to produce a report specifically highlighting the progress being made and critical gaps in regard to services related to mental health, addictions and wellbeing;
5. That Regional staff **BE DIRECTED** to continue providing Regional Council updates on the HHAP and Built for Zero initiatives; and
6. That Regional staff **BE DIRECTED** to request an update from the Overdose Prevention and Education Network of Niagara (OPENN) regarding the current status of the actions being taken to address addiction related issues in Niagara.

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**Subject:** Collaborative Action to Prevent COVID-19 Transmission and Improve Health Equity by Increasing Access to Paid Sick Days

**Report to:** Public Health and Social Services Committee

**Report date:** Tuesday, February 16, 2021

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## Recommendations

1. That Regional Council **ENDORSE** the Decent Work and Health Network's report *Before it's too late: How to close the paid sick days gap during COVID-19 and beyond*<sup>i</sup> attached as Appendix A to Report PHD 1-2021;
2. That Regional Council **BE DIRECTED** to send the letter, attached as Appendix B to Report PHD 1-2021, to the provincial Minister of Health; Minister of Labour, Training and Skills Development; and the Premier, expressing its support for legislated paid sick days through the *Employment Standards Act*; and
3. That a copy of the letter and Report PHD 1-2021 **BE CIRCULATED** to local members of provincial parliament, local members of Parliament, and to the Association of Local Public Health Agencies for dissemination to all Ontario boards of health.

## Key Facts

- The purpose of this report is to seek Council's endorsement of the Decent Work and Health Network's report *Before it's too late: How to close the paid sick days gap during COVID-19 and beyond*<sup>i</sup> and to seek Council's support for legislated paid sick days through the Employment Standards Act.
- Currently no requirement for paid sick days exist through provincial employment standards.<sup>ii</sup>
- The gap in access to paid sick days is associated with transmission of infectious illnesses at workplaces<sup>iii</sup> including COVID-19, as many lower paid employees are compelled to work while sick and infectious so as to be able to earn the income they need to live.
- In *From Risk to resilience: An Equity approach to COVID-19*, Chief Public Health Officer of Canada, Dr. Theresa Tam, highlights the need to address the gap of access to paid sick days as an intervention effective in curbing the spread of COVID-19.<sup>iv</sup>

## **Financial Considerations**

There are no immediate financial considerations for Council to consider for this report.

Should the Government of Ontario legislate seven (7) paid sick days to be paid on day one of illness, there would be a financial impact on Niagara Region to pay current employees that do not normally have access to paid sick days on day one of illness – primarily part-time and casual staff. Using January 2021 staffing complement, the cost of providing seven (7) paid sick days to each of these staff is estimated at \$1.46 million, excluding other payroll related costs. The bulk of Regional staff working part time or casual are in the following classifications: paramedics, early childhood educators, personal support workers, recreationists, dietary aides, housekeeping & laundry aides, registered practical nurses, registered nurses (in long term care and public health), systems status controllers, students, for example. The local business community who employs staff without access to at least seven (7) paid sick days would have proportionate financial impact as well.

An estimated direct cost of absenteeism to the Canadian economy is \$16.6 billion. Universal paid sick leave would likely reduce these costs by keeping infectious illness out of workplaces, balancing out at least part of the increased costs of paid sick leave.

## **Analysis**

### **Disproportionate Impacts of COVID-19 & Access to Paid Sick Days**

The health of Canadians was inequitable prior to COVID-19. Differential access to factors such as housing, income and employment have long resulted in health disparities. <sup>iv</sup> More access to these social determinants of health is linked to better health. In Canada, both the risk of COVID-19 infection and the severity of illness, is disproportionately impacting populations with less access to affordable housing, income and employment. <sup>i</sup> [PHD 6-2020](#) previously described the inequitable impacts of COVID-19 and called upon the federal and provincial government to prioritize measures to reduce poverty and income inequality as a change that should be initiated by this pandemic.

As epidemiological study of COVID-19 has progressed, unpaid sick leave has been identified as key determinant of inequity in this pandemic. <sup>iv</sup> Staying home when sick is one of the most effective containment strategies for infectious disease, yet a benefit more accessible to some workers than others. The Decent Work and Health Network, is

an Ontario based group of health workers and trainees aimed at addressing working and employment conditions in Ontario. Their report, *Before it's Too Late: How to Close the Paid Sick Day Gap During COVID-19 and Beyond* synthesizes evidence that workers without paid sick days are more likely to go to work with contagious illness<sup>v</sup>; and it summarizes data on the number of workers without access to paid sick days and the disproportionate impacts of COVID-19. For instance, in Canada recent data indicates that more than half (58%) of Canadian workers do not have access to paid sick time. Over 70% of workers that make less than \$25,000 do not have access to paid sick days.<sup>vi</sup> Low-wage racialized workers, who are more likely to be denied paid sick days, have faced higher rates of COVID-19.<sup>i</sup> In Toronto, reported COVID-19 infection rate is higher for those identifying with racialized groups, 1372.0 cases per 100,000, than it is among those identifying as white, 396.6 cases per 100,000 people. COVID-19 infection rate among people in Toronto is also higher for low-income earning households, 808.0 cases per 100,000 people, compared to individuals not living in low-income households, 355.9 cases per 100,000 people.<sup>vii</sup>

In Ontario, there are no legislated paid sick days through employment standards.<sup>ii</sup> In the absence of legislated paid sick days, workers rely solely on workplace policies for access to paid sick days. Ultimately, workers without paid sick days are faced with a choice between sacrificing their financial security for public health or going to work sick to support themselves and their families. Workplaces with lack of paid sick leave are at greater risk of outbreaks. In Ontario, workplaces with precarious jobs and lack of paid sick leave have become hotspots for COVID-19 infection transmission, including outbreaks in long-term care homes, farms, meat-processing plants, grocery stores, and warehouses. In Niagara, as of January 21, 2021 18% of all COVID-19 cases were staff at a workplace associated with an outbreak. Of the total 1,261 staff associated with an outbreak; 751 were associated with a long-term care or retirement home, 239 with a community location, 207 with a hospital, and 64 with a communal/congregate living setting.

Through Public Health's contact tracing, there have been numerous examples found where the absence of paid sick leave likely contributed to infection spreading:

- Employees who continued to work with infection, thereby spreading illness to others and causing outbreaks
- Employees who are high risk contacts to someone infected with COVID-19; but who continued to work, eventually becoming infectious and harming co-workers



In many cases, these have been low paid employees of settings with vulnerable persons such as long-term care homes. In such settings, continuing to work while sick has likely lead to deaths that could be prevented.

Niagara's large tourism and hospitality industry is particularly at risk from the absence of paid sick leave. Many workers in this industry do not enjoy comprehensive benefits including paid sick leave. Therefore, as tourism resumes, this industry could pose a risk for resurgence of COVID-19 leading to increased infections in Niagara, tourists becoming ill, and Niagara's reputation as a premier tourist destination potentially harmed.

### **Current Public Policy on Paid Sick Leave**

During the COVID-19 pandemic, the Infectious Disease leave within Ontario's *Employment Standards Act* has provided only unpaid, temporary leave that is restricted to COVID-19 related reasons.<sup>viii</sup> Federally, the temporary Canada Sickness Recovery Benefit (CSRB) provides 10 days of income support for COVID-related leave for workers without paid sick days.<sup>vi</sup> However, this program requires workers to have lost at least 50% of their wages, apply for the benefit after that has happened, and endure a waiting period while they wait for their application to be approved and then funds to begin to flow.<sup>viii</sup> Legislated paid sick days would allow workers to receive full and uninterrupted income replacement without delay, which is a primary concern for workers in low-wage and precarious employment.

Canada lags behind other nations globally in guaranteeing workers access to adequate paid sick days for short-term illness. Canada is in the bottom quarter of countries worldwide that do not guarantee paid sick leave on the first day of illness, which is a crucial measure to enable workers to stay home at the first sign of symptoms of an illness. Many other Organisation for Economic Co-operation and Development (OECD) countries legislate employer provided paid sick days for short-term illness, with social insurance programs supplementing for longer term sick leaves.<sup>i</sup>

### **An Opportunity for Healthy Public Policy Measures through Provincial Legislation**

Advocacy efforts have been underway in the United States (US) and Canada to improve public policy related to paid sick days. In Canada, Chief Public Health Officer Dr. Theresa Tam's report, *From risk to resilience: An equity approach to COVID-19* points to paid sick days as an intervention that is essential to protect workers and mitigate the spread of COVID-19. The Decent Work and Health Network's report, *Before it's Too*

*Late: How to Close the Paid Sick Day Gap During COVID-19 and Beyond* cites research projects that have explored the relationship between paid sick days and infectious disease rates. In the US one study reported that cities with paid sick days saw a 40% reduction in influenza rates during flu waves compared to cities without. <sup>ix</sup> Recent efforts in the US have seen some states expanding employer-provided permanent paid sick days and brought in additional paid sick days for public health emergencies. <sup>x</sup>

Recent calls on the Government of Ontario to take action on paid sick leave include the following:

- November 27 2020, Ontario's Big City Mayors made up of Mayors from 29 cities across Ontario with a population of 100,000 or more, expressed their belief that paid sick leave is needed immediately as a measure to help stop the spread of COVID-19 and to protect workers, urging the Federal and Provincial government to implement paid sick leave
- December 8, Stay Home if You are Sick Act<sup>xi</sup>, a Private Member's Bill, was introduced in the Ontario Legislature, calling for permanent paid sick days for Ontario workers during the pandemic and beyond
- January 18, 2021, Toronto City Council requested the Government of Ontario to take immediate action to address rising rates of COVID-19 by requiring paid sick leave
- January 25, 2021 the Greater Toronto and Hamilton Area mayors and regional chairs renewed calls to both the Provincial and Federal Government for all workers to have access to paid sick days
- January 27, 2021 the Kingston, Frontenac, Lennox & Addington (KFL&A) health unit endorsed in principle, the Stay Home if You Are Sick Act<sup>xi</sup>; called on the Province of Ontario to amend Employment Standards Act to provide paid sick days; and called on the Ontario Government to provide fiscal relief and other supports to employers to provide this sick leave
- February 1, 2021 the city of St. Catharines endorsed legislated sick leave and calls on the government of Ontario to permanently legislate universal paid sick days for all workers in Ontario
- February 9, 2021 the Association of Local Public Health Agencies (aLPHa) express that under the Employment Standards Act, the Government of Ontario reinstate guaranteed paid sick leave to protect workers and reduce workplace outbreaks

Based on a jurisdictional scan of best practices and review of medical evidence, the Decent Work and Health Network has developed a criteria of five principles for effective paid sick days policy (further details in Appendix A):

- **Universal:** Available to all workers regardless of workplace size, type of work (including temporary, part time and independent contracts) or immigration status. Legislated, with no exemptions.
- **Paid:** Fully paid to ensure workers are not financially penalized for following public health advice.
- **Adequate:** At least seven paid sick days provided on a permanent basis, with an additional 14 paid sick days during public health emergencies.
- **Permanent:** Available during the COVID-19 pandemic and beyond.
- **Accessible:** No barriers to access. Prohibit employers from requiring sick notes; ensure no disruption of income or unnecessary applications; and provide sufficiently flexible leave that reflects the reality of workers' lives, healthcare needs, and caregiving responsibilities.

## **Alternatives Reviewed**

The alternative of taking no action on paid sick time was considered. However, not taking action will continue to place burden of responsibility on the individual to decide between getting paid and staying home if they are sick. Evidence indicates that this is resulting in the spread of infectious disease, including COVID-19.

## **Relationship to Council Strategic Priorities**

Paid sick days will help to lessen the disproportionate impact COVID-19 is having on workers that do not have access to paid sick leave. Additionally, paid sick leave will help to reduce transmission of COVID-19. This healthy public policy is linked to Council's Healthy and Vibrant Community strategic priority, in particular, the desire to improve health equity.

## **Other Pertinent Reports**

- [PHD 6-2020](#) - Basic Income for Income Security

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**Recommended by:**

Adrienne Jugley, MSW, RSW, CHE  
Commissioner, Community Services

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**Recommended by:**

M. Mustafa Hirji, MD, MPH, PCPC  
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**Submitted by:**

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*This report was prepared by Lindsay Garofalo, Manager, Chronic Disease and Injury Prevention in consultation with Pam Abeyskara, Integrated Planning and Policy Advisory, and reviewed by David Lorenzo, Associate Director Chronic Disease & Injury Prevention.*

**Appendices**

- Appendix A      Decent Work & Health Network. Before It's Too Late: How to Close the Paid Sick Day Gap During COVID-19 and Beyond
- Appendix B      Advocacy Letter

## Sources

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<sup>i</sup> Decent Work & Health Network. Before it's Too Late: How to Close the Paid Sick Day Gap During COVID-19 and Beyond. Published August 2020. Available from: (<https://www.decentworkandhealth.org/beforetoolate>)

<sup>ii</sup> Ontario Employment Standards Act. Section 50. Available from: (<https://www.ontario.ca/laws/statute/00e41>)

<sup>iii</sup> Drago R, Miller K. Sick at Work: infected employees in the workplace during H1N1 pandemic IWPR.org (2010). Available from: (<https://iwpr.org/iwpr-general/sick-at-work-infected-employees-in-the-workplace-during-the-h1n1-pandemic/>)

<sup>iv</sup> From Risk to Resilience: An Equity Approach to COVID-19. The Chief Public Health Officer of Canada's Report on the State of Public Health in Canada 2020. Published October 2020. Available from: (<https://www.canada.ca/content/dam/phac-aspc/documents/corporate/publications/chief-public-health-officer-reports-state-public-health-canada/from-risk-resilience-equity-approach-covid-19/cpho-covid-report-eng.pdf>)

<sup>v</sup> Estimates of Foodborne Illness in the United States (2020). Available from: (<https://www.cdc.gov/foodborneburden/2011-foodborne-estimates.html>)

<sup>vi</sup> Yalnizyan A. After CERB: Paid Sick leave provisions in Canada (2020). Available from: (<https://atkinsonfoundation.ca/atkinson-fellows/posts/after-cerb-paid-sick-leave-provisions-in-canada/>)

<sup>vii</sup> COVID-19: Status of Cases in Toronto. Available from: (<https://www.toronto.ca/home/covid-19/covid-19-latest-city-of-toronto-news/covid-19-status-of-cases-in-toronto/>)

<sup>viii</sup> Canada Recovery Sickness Benefit. Government of Canada. Updated November 30, 2020. Available from: (<https://www.canada.ca/en/revenue-agency/services/benefits/recovery-sickness-benefit.html>)

<sup>ix</sup> Pichler S, Ziebarth N. The pros and cons of sick pay schemes: Contagious presenteeism and concontagious absenteeism behaviour. Voxeu.org. Pichler S, Ziebarth N. (2016) Available from: (<https://www.nber.org/papers/w22530>)

<sup>x</sup> New York State Passes Permanent Right to Paid Sick Leave. Available from: (<https://www.abetterbalance.org/new-york-state-passes-permanent-right-to-paid-sick-leave/>)

<sup>xi</sup> Stay Home if You are Sick Act, 2020. Available from:  
(<https://www.ola.org/en/legislative-business/bills/parliament-42/session-1/bill-239>)



# **BEFORE IT'S TOO LATE:**

**How to close the paid  
sick days gap during  
COVID-19 and beyond**

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## ABOUT THIS REPORT

This report was prepared by the Decent Work and Health Network (DWHN) – a network of health providers based in Ontario who advocate for better health by addressing employment conditions. It is the first report of its kind in Canada. The analysis included in this report draws from best practices in jurisdictions across Canada, the US, and globally. The recommendations apply to Canadian provincial and territorial governments and the federal government.

In addition to a review of the latest evidence from medical and public health research, this report draws on findings from a national survey of physicians and 32 interviews with workers in Ontario who were impacted by inadequate paid sick days or employers requiring sick notes to access paid sick days. Both the survey and interviews were conducted by members of the Decent Work and Health Network (see Appendix B for more information on the methodology). Quotes reflecting key experiences of workers interviewed are included throughout the report. A summary of findings from the interviews with workers is included in Appendix C. The physician survey findings are reflected in the sections on the adequacy of paid sick days and requiring sick notes.

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## ACKNOWLEDGEMENTS

This report was a collective effort, with many health providers and workers contributing their knowledge, skills, and insights. The report would not have been possible without the workers who participated in the interviews. Support from the Ontario Employment Education and Research Centre (OEERC) and the Atkinson Foundation was crucial in the creation of this report. We respectfully acknowledge that this report was prepared on the traditional lands of the Mississaugas of the Credit, the Anishnabeg, the Chippewa, the Haudenosaunee, the Wendat peoples, and other unrecorded nations. We are committed to active and ongoing solidarity with Indigenous struggles for self-determination. The DWHN is committed to addressing oppression and systemic discrimination within the workplace, healthcare system, and society at large as a significant contribution to improving health outcomes for all.

# EXECUTIVE SUMMARY

The COVID-19 pandemic has brought added urgency to the basic public health recommendation to stay home when sick. However, without effective paid sick leave legislation, too many workers are forced to choose between protecting public health by staying home and going to work sick to support themselves and their families. Paid sick days are an essential protection for all workers both during a pandemic and on a permanent basis to protect against other infectious illnesses like influenza.

The pandemic has exposed the urgency of addressing gaps in paid sick days as a matter of racial, gender, disability and economic justice. Low-wage racialized workers, who are more likely to be denied paid sick days, have faced higher rates of COVID-19 and greater negative economic impacts during the crisis. The most recent data available reveals that 58% of workers in Canada – and over 70% of workers making less than \$25,000 – have no access to paid sick days. Workplaces with precarious jobs have become hotspots for COVID-19, including long-term care homes, farms, meat-processing plants, nail salons, and grocery stores. The pandemic has clearly established precarious work, including the lack of paid sick days, as a public health hazard. These gaps are especially dangerous for workers with chronic health or immunocompromised conditions, and for persons with disabilities, seniors, children, and patients who rely on workers to provide care and support.

This report will examine public health research and medical evidence to better understand the efficacy of legislatively mandated paid sick days in containing infectious disease, including in curbing the spread of influenza and food-borne illnesses. Lessons are drawn from the SARS and H1N1 outbreaks about the important role of paid sick days during outbreaks in protecting public health and ensuring self-isolation directives are followed. Paid sick days also promote preventive care, create savings in the healthcare system, and reduce presenteeism (going to work while sick) with significant cost savings for businesses.

In Canada, paid sick days are only legislated in Quebec (2 days), PEI (1 day after 5 years of employment), and for federally regulated workers (3 days). Otherwise, workers rely solely on workplace policies for access to paid sick days. Rather than closing the gap in paid sick days during the pandemic, governments across Canada have responded by introducing unpaid, temporary leaves that are restricted to COVID-related reasons. Measures aimed at extending paid sick leave have only been introduced in the Yukon (a rebate accessed at the employer's discretion to provide paid sick days for COVID-related absences) and federally. Federally, a temporary program is set to provide 10 days of income support for COVID-related leave for workers without paid sick days. This program will not address the need for permanent paid sick days and raises concerns about barriers to access that would undermine its effectiveness.

*The pandemic is still here. We [still] don't have paid sick days. This intensifies the pressure to not miss a day. At my grocery store, we are almost all racialized workers and we take the TTC to work. On the bus there's no way to socially distance. Sometimes I'm literally face-to-face with people and at work I come into contact with over 200 people a day. I'm worried I'm going to get sick. If I get sick I have to stay home without pay and that means losing my financial security. I worry about things like paying rent. We need paid sick days as a security and so we're not expected to come in sick.*

– FELIX, GROCERY STORE WORKER

Canada lags behind other nations globally, in the bottom quarter of countries without guaranteed paid sick leave for workers on the first day of illness – a crucial measure that enables workers to stay home at the first sign of symptoms. Typically, other OECD countries legislate employer-provided paid sick days for short-term illness, with social insurance programs kicking in for longer term sick leave. In the US, which similarly does not guarantee employer-provided paid sick days, many jurisdictions have decided to close the gap. Since 2007, 13 US states and 23 cities or counties have instituted employer-provided paid sick days with positive outcomes for health, equity, business, and the economy.

This report also draws on interviews with workers about their experiences related to paid sick days and a physician survey about prescribing practices for common illnesses and sick notes, both conducted by Decent Work and Health Network members. Based on insights from the interviews and survey, the latest research, and best practices globally, this report advances 5 interrelated principles for effective paid sick day legislation:

- **Universal:** Available to all workers regardless of workplace size, type of work, or immigration status. Legislated, with no exemptions.
- **Paid:** Fully paid to ensure workers are not financially penalized for following public health advice.
- **Adequate:** At least 7 paid sick days provided on a permanent basis, with an additional 14 paid sick days during public health emergencies.
- **Permanent:** Available during the COVID-19 pandemic and beyond.
- **Accessible:** No barriers to access: prohibit employers from requiring sick notes; ensure no disruption of income or unnecessary applications; and provide sufficiently flexible leave that reflects the reality of workers' lives, healthcare needs, and caregiving responsibilities.

We hope these principles will act as a guide for jurisdictions across Canada to move quickly to adopt paid sick leave legislation to protect public health during the COVID-19 pandemic, through the upcoming influenza season, and beyond. The report concludes with recommendations for updating employment standards to provide employer-provided paid sick days – a proven and effective approach.

## SUMMARY OF RECOMMENDATIONS:

All provincial, territorial, and federal jurisdictions must update their employment standards to:

- Require employers to provide at least 7 days of paid emergency leave on a permanent basis.
- Require employers to automatically provide an additional 14 days of paid emergency leave during public health emergencies.

Any new paid sick leave legislation must:

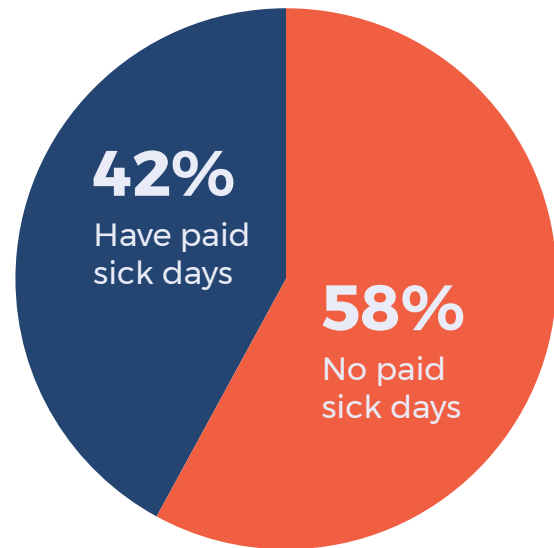
1. Ensure paid sick days are fully paid
2. Ensure paid sick days are adequate
3. Ensure paid sick days are permanent
4. Ensure paid sick days are available to all workers, regardless of employment status, immigration status, or workplace size
5. Prohibit employers from requiring sick notes
6. Prevent the introduction of any new barriers to accessing paid sick days
7. Cover personal sickness, injury, or emergency, as well as family emergencies and responsibilities

# INTRODUCTION: COVID-19 HAS EXPOSED THE GAP IN ACCESS TO PAID SICK DAYS

COVID-19 has highlighted the fundamental public health recommendation, “Stay home when sick.” Research demonstrates that staying home when sick is one of the most effective containment strategies for infectious disease.<sup>1,2</sup> The Public Health Agency of Canada (PHAC) recommends that anyone with COVID-19 or influenza symptoms stay home and avoid contact with others.<sup>3,4</sup> Provincial public health agencies in Canada advise self-isolating for up to 14 days after the onset of COVID-19 symptoms. These directives echo global public health agencies: the World Health Organization (WHO) recommends that anyone with COVID-19 symptoms stay home and self-isolate.<sup>5</sup>

Without public policy, however, behavioural recommendations are limited. Despite clear evidence and public health directives to stay home when sick, workers without paid sick days are forced to choose between sacrificing their financial security for public health or going to work sick to support themselves and their families – an untenable choice. The federal government has recently acknowledged that no one should “have to choose between protecting their health, putting food on the table, paying for their medication or caring for a family member.”<sup>6</sup> However, a lack of paid sick days persists. In Canada, only 3 jurisdictions have legislated minimal paid sick days: workers in Quebec have 2 paid sick days a year, workers in PEI have 1 paid sick day after 5 years with the same employer, and workers in federally regulated sectors have 3 paid sick days a year.<sup>1</sup> Ontario legislated 2 paid sick days a year in 2018, but the current government repealed them.<sup>7,8</sup>

## WHO HAS PAID SICK DAYS IN CANADA?<sup>ii</sup>



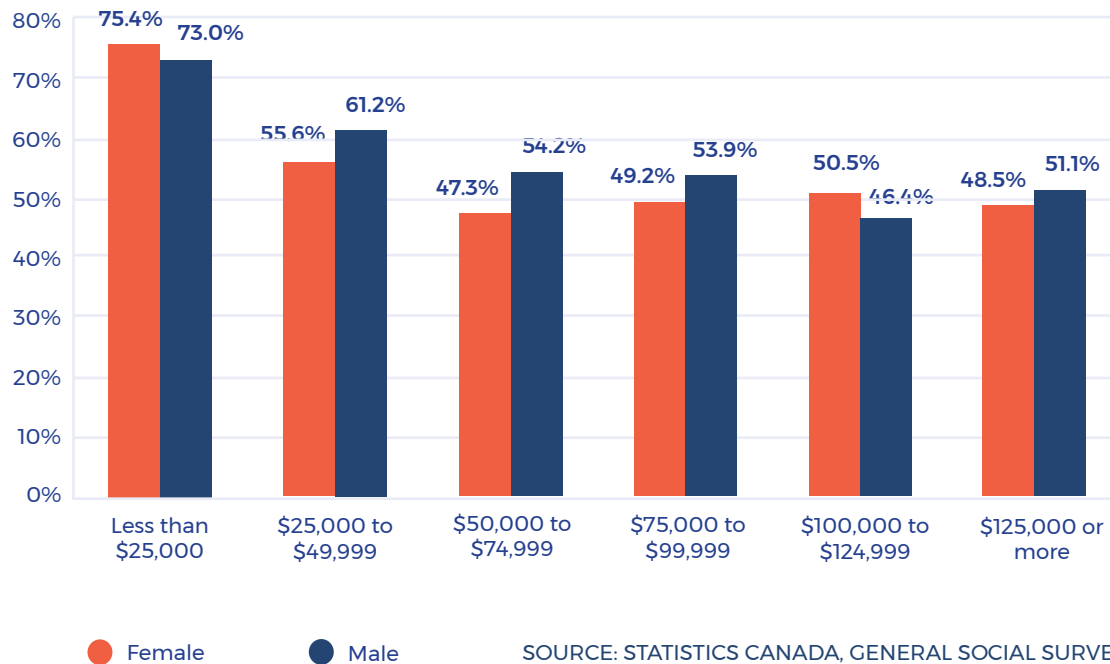
In the absence of legislation, workers rely on workplace policies for access to paid sick days. But a lack of legislative coverage denies paid sick days to over half the Canadian workforce. The most recent data available, from 2016, reveals that 58% of workers in Canada do not have a single paid sick day – ranging from 51% to 61% provincially.<sup>9</sup> Workers without paid sick days are more likely to be in low-wage jobs, which are disproportionately held by women, racialized workers and workers with disabilities. About half of workers making over \$50,000 do not have paid sick days, but that number jumps to over 70% for workers making \$25,000 or less.<sup>10</sup>

Many low-wage jobs are occupations with a high risk of exposure to COVID-19.<sup>11</sup> In effect, the absence of paid sick leave legislation denies paid sick days to those workers who need them most.<sup>12</sup> This is not only unjust but a threat to public health and the economy. Workers who have been recognized as essential during the pandemic – grocery store workers, care workers, delivery workers, and

i See Appendix A for more information about paid and unpaid sick days across Canada.

ii Yalnizyan A. After CERB: Paid sick leave provisions in Canada. [atkinsonfoundation.ca. https://atkinsonfoundation.ca/atkinson-fellows/posts/after-cerb-paid-sick-leave-provisions-in-canada/](https://atkinsonfoundation.ca/atkinson-fellows/posts/after-cerb-paid-sick-leave-provisions-in-canada/). Published June 17, 2020. Accessed August 6, 2020.

## LACK OF ACCESS TO PAID SICK DAYS BY INCOME AND GENDER<sup>iii</sup>



SOURCE: STATISTICS CANADA, GENERAL SOCIAL SURVEY, TABULATIONS BY JACOBSON CONSULTING INC.

Note: This chart is reproduced with permission from Armine Yalnizyan's brief, "After CERB: Paid sick leave provisions in Canada".

cleaners – are among those denied the essential protection of paid sick days. In the trade and transportation sector, which include grocery store and warehouse workers, 62% of workers lack paid sick days. In the service sector, including food services, the percentage is higher at 75%. Even in the health care and social services sectors, where risk of exposure to infectious disease is highest, 50% of workers do not have paid sick days.<sup>13</sup>

The COVID-19 pandemic has laid bare inequities in the labour market. Income and working conditions are the leading social determinants of health<sup>14</sup> and, predictably, low-wage workers have been hardest hit by the current crisis.<sup>15</sup> Over 80% of COVID-19 cases in Canada have been linked to long-term care,<sup>16</sup> where workers are primarily racialized women earning low wages in precarious jobs.<sup>17</sup> The biggest outbreak in a single workplace was at a Cargill meat-processing plant, where

mainly Filipino workers earn low wages and have no access to paid sick days.<sup>18</sup> Outbreaks on farms have led to over 1,000 cases and 3 deaths among migrant farm workers, primarily from the Caribbean and Latin America, who are denied paid sick days and whose temporary immigration status makes it impossible for them to assert their rights.<sup>19</sup> Outbreaks have been reported at grocery stores, nail salons, delivery companies, factories and other workplaces where precarious work is widespread.<sup>20,21,22,23</sup> Public health units have confirmed workplaces are key hotspots for the spread of the virus, especially as economies reopen.<sup>24</sup> The spread of COVID-19 has clearly established precarious work, including the denial of paid sick days, as a public health hazard.

As these outbreaks demonstrate, racialized communities have been most heavily impacted by COVID-19. While Canada does not

iii Yalnizyan A. After CERB: Paid sick leave provisions in Canada. Atkinsonfoundation.ca. <https://atkinsonfoundation.ca/atkinson-fellows/posts/after-cerb-paid-sick-leave-provisions-in-canada/>. Published June 17, 2020. Accessed August 6, 2020.

collect race-based COVID-19 data (a problem in itself), the disproportionate impact of the pandemic is clear — from the precarious work hotspots to the neighbourhoods most affected. For example, 52% of Toronto’s population is racialized, yet racialized people account for 83% of COVID-19 cases in Toronto, and the city’s northwest, home to some of the largest Black and Latin American communities, has the highest rate of COVID-19.<sup>25</sup> Racialized workers have also experienced a greater negative economic impact during the COVID-19 pandemic and are more likely to be struggling to pay for food, rent, and bills.<sup>26</sup> The link between systemic racism and health inequity is not unique to COVID-19. It has been well documented that racialized people living on low incomes are at higher risk of acute and chronic illness and death.<sup>27</sup> Increasingly, public health professionals are recognizing anti-Black and anti-Indigenous racism as a public health crisis.<sup>28,29</sup>

*“I have accepted the fact that I’m going to get COVID. I think we all have. We’re going to get it because of our working conditions, and we can’t stay home when we’re sick ... If we could take the time off when we had a cough or other symptoms, we could stop this entire process. But because we have no protection, we’re forced to come into work. Without exception, all of us are going to get COVID and all of our families are going to get COVID.”*

— WYATT, MUNICIPAL WASTE COLLECTOR

Not only a matter of income security and racial justice, access to paid sick days is also central to gender justice. Women not only disproportionately provide care, but they are more likely to report losing wages to care for others, including their children and families when they fall ill.<sup>30</sup> Full-time Canadian women workers took 12.6 days off from work in 2019, in comparison to 8.6 days by men in the same year.<sup>31</sup> Despite requiring more time off due to caregiving responsibilities, women are more likely to have low-wage jobs without access to paid sick days: 2016 data shows that 75%

of women earning less than \$25,000 have no paid sick days.<sup>32</sup> Recent analysis of paid leave revealed that of the low- to middle-income jobs most likely to be done by women in Canada — caring, clerical, catering, cashiering, and cleaning — only one (clerical work) can be done from home. The others are in-person jobs, often on the front lines of fighting COVID-19, including health care, cleaning, and food preparation.<sup>33</sup> The pandemic and the response, from suggestions to work from home to advice to stay home when sick, have highlighted the gender gap and demonstrated that women’s labour is central to the economy but that labour protections for women (especially low-income racialized women) have been marginalized.

Legislating paid sick days is also a matter of disability justice. Statistics Canada data shows that employment for people with disabilities is characterized by precarity. In general, women and men with disabilities were employed most often in retail trade, accommodation, and food services. Men with disabilities also work in construction and transportation, without access to many existing employment standards protections and without paid sick days.<sup>34</sup> Generally speaking, workers with disabilities earn less than their able bodied-counterparts. The absence of paid sick days increases the likelihood of income insecurity among those who already face additional expenses in accommodating disabilities, such as transportation, clothing, and other necessary supports. Three-quarters of people with disabilities require prescription medication, and disabled workers are over-represented in occupations with no supplemental health benefits.<sup>35</sup> A study in San Francisco found that workers with chronic health conditions, alongside single mothers, were the most likely to report needing paid sick days.<sup>36</sup> Persons with disabilities and health conditions who rely on personal attendants and personal support workers are especially vulnerable when workers have no other choice than to work when sick. When gaps in paid sick days create space for outbreaks to occur, they pose a disproportionate threat to chronically ill, disabled and immunocompromised people.

Like vaccines, paid sick days must be universal in order to protect the most vulnerable. The crisis in long-term care illustrates how precarious work and gaps in paid sick days expose the most vulnerable. When low-paid racialized women healthcare workers are denied protections like paid sick days, elderly and immunocompromised people die. It is no coincidence that a majority of healthcare workers who have died of COVID-19 were personal support workers.<sup>37</sup>

To “reduce the health gap,” the World Health Organization urges governments to make “decent work a central goal of social and economic policy-making.”<sup>38</sup> Paid sick days are a key component of decent work and a key social determinant of health necessary for addressing health inequities. COVID-19 has exposed the glaring gap in access to paid sick days across Canada, and governments at the provincial, territorial, and federal levels can no longer deny the need for all workers to stay home when sick. Since the outset of the crisis, health providers have been recommending 7 permanent paid sick days and an additional 14 paid days during public health emergencies.<sup>39</sup>

Paid sick days save lives. A pandemic amid an economic crisis heightens the urgency of legislating paid sick days, which play a particularly important role during crises. As the WHO explains, it is in times of crisis that workers most “fear dismissal and discrimination when reporting sick,” leading to “choosing between deteriorating health and risking to impoverish themselves” with severe impacts on public health and the economy.<sup>40</sup>

Unfortunately, rather than closing the gap in paid sick days during the COVID-19 pandemic, governments in Canada have responded with inadequate provisions that leave the gap wide open. Provincial and territorial governments have mandated unpaid leave as a temporary measure restricted to the COVID-19 pandemic or public health emergencies. The federal government announced a national temporary income support for 10 days of COVID-related sick leave.<sup>41</sup> This is a positive step, which will help some workers take necessary time off related to COVID-19, but provides only temporary support that will end with the pandemic. While details

about implementation are forthcoming, this temporary leave provision is not expected to be employer-provided and therefore raises concerns about barriers to access for workers. This type of program is no substitute for permanent paid sick days. To deliver effective paid sick leave legislation, health providers have long been recommending raising employment standards provincially and federally – a mechanism proven to extend access to paid sick days and close the gap.

As we prepare next steps in addressing the pandemic, including a potential second wave of COVID-19 and upcoming influenza seasons, we must learn from the gaps in our sick leave policies exposed throughout the first COVID-19 wave. This report will examine recent and current sick and emergency leave standards in Canada, to evaluate necessary steps to ensure the public health directive to stay home when sick and self-isolate can be achieved for all workers. Five interrelated key principles of effective paid sick leave legislation will be advanced: universal, paid, adequate, permanent, and accessible. We hope these principles will serve as a guide for provincial, territorial, and federal governments to legislate effective paid sick days amid the COVID-19 pandemic and beyond.

# **SECTION 1**

# **EVIDENTIAL**

# **BASIS FOR**

# **STAYING HOME**

# **WHEN SICK**



## EVIDENTIAL BASIS FOR STAYING HOME WHEN SICK

Staying home when sick is fundamental to individual health, public health, and the economy. Patients who stay home when they are sick get well quicker and access medical care more promptly, preventing more serious illness.<sup>42</sup> When parents stay home to care for sick children, children stay home and recover faster rather than spreading infections in schools.<sup>43</sup> Beyond the health benefits for individuals and families, enabling people to stay home also serves the public interest. When workers go to work sick, they put their co-workers, clients, and the public at risk of infection, increasing rates of infection and morbidity.<sup>44</sup> Moreover, going to work sick reduces productivity and increases the rate of mistakes on the job, resulting in occupational injuries and a significant economic cost to business.<sup>45</sup>

### A. CONTAINS INFECTIOUS DISEASE

Gaps in paid sick days threaten public health. The World Health Organization has recognized that “the absence of paid sick days forces ill workers to decide between caring for their health or losing jobs and income, choosing between deteriorating health and risking to impoverish themselves and often their families.”<sup>46</sup> Workers without paid sick days are 1.5 times more likely to go to work with a contagious illness.<sup>47</sup> Canadian research has shown that workers in high-risk settings — food handling, long-term care and child care — will continue to work when ill when they cannot afford to take time off.<sup>48</sup> The Public Health Agency of Canada found that 50% of food handlers reported working with gastroenteritis, and US studies found that 41% of healthcare personnel reported working with the flu.<sup>49,50</sup>

Paid sick days policies have been proven to reduce the spread of disease by increasing the rate at which workers stay home when sick.<sup>51</sup> In the United States, cities with paid sick days saw a 40% reduction in influenza rates during flu waves compared to cities without.<sup>52</sup> By enabling food service workers to stay home when they have gastroenteritis (stomach flu) or other infectious diseases, paid sick days are associated with a 22% decline in

rates of food-borne illness.<sup>53</sup> A study of nursing homes in New York found that paid sick leave policies reduced the risk of respiratory and gastrointestinal disease outbreaks.<sup>54</sup> Parents with paid sick days have also been found to be 20% less likely to send sick children to school, thus reducing the risk of children spreading infectious disease at school.<sup>55</sup> This has been recognized by Ontario physicians in a report by the Hospital for Sick Children (SickKids), which recommends paid sick days be part of the province’s plan for reopening schools.<sup>56</sup> This is especially important for children who are at higher risk due to chronic medical conditions, immunocompromised states, or developmental disabilities. As noted earlier, people with disabilities very often rely on the health and well-being of personal attendants and personal support workers, many of whom have no paid sick days. Paid sick days are also associated with higher influenza vaccination rates, resulting in increased vaccination coverage, which helps contain the spread of the flu.<sup>57</sup>

*“As a community worker at a respite shelter downtown, I am often in contact with those who are sick or have weak immune systems. This means I am constantly getting sick and run the risk of infecting others at my workplace. One of the guests actually passed away from a lung infection. I’m not blaming anyone, but it’s fair to say that from a public health perspective, our sick leave policies definitely didn’t make his chances better.”*

— JENNIFER, COMMUNITY WORKER

Overwhelming evidence indicates paid sick days significantly reduce the spread of infectious disease. The Public Health Agency of Canada recognizes that ensuring ill people do not enter the workplace is a key strategy for mitigating the risk of infectious disease spread. Well-designed paid sick leave policy is critical to ensure workers stay home when they are sick, including during the COVID-19 pandemic.

## B. ESSENTIAL DURING OUTBREAKS

During the COVID-19 pandemic, the Public Health Agency of Canada has encouraged employers to consider “adjusting personal/sick leave policies to enable employees to stay home when ill.”<sup>58</sup> While COVID-19 has heightened the importance of paid sick days policies enabling sick people to stay home, previous outbreaks of infectious disease also demonstrated the key role paid sick leave can play in containment. The current outbreak highlights gaps that have been left open for far too long.

After the 2003 SARS outbreak in Toronto, a study based on interviews and focus groups with affected people revealed fear of income loss was the top impediment to observing quarantine.<sup>59</sup> The World Health Organization has recognized that laws should ensure compensation for those financially impacted by public health orders, which is particularly important for those with lower incomes.<sup>60</sup> In Ontario, an independent commission established to examine how SARS was handled found that paid leave during quarantine was a crucial element of the province’s response to the virus. After initially suggesting financial compensation was not feasible, the provincial government ultimately developed a compensation system for workers who lost wages due to quarantine or caring for someone else in quarantine. Despite criticisms concerning delayed implementation (the system came into effect about 3 months after the first cases of SARS in Ontario were identified), experts have deemed compensation to be critical to the success of quarantine measures that contained the spread of SARS. As a result, the commission recommended legislating compensation for workers who lose wages due to quarantine *in advance* of the next public health emergency.<sup>61</sup>

After the H1N1 pandemic in 2009, a US survey found that adults without paid sick days were more likely to go to work sick. A quarter stated they would not get paid if they stayed home, and 1 in 6 would lose their jobs.<sup>62</sup> These gaps in paid sick days created major breaches of public health that exacerbated the pandemic: up to 8 million workers took no

time off work despite being infected, which is estimated to have caused 7 million additional infections among co-workers.<sup>63</sup> Another study of the H1N1 pandemic found that gaps in workplace policies contributed to more than 20,000 hospitalizations and more than 1,300 deaths, and that racialized workers were disproportionately affected because they had a greater inability to engage in social distancing at work. The study concluded, “Federal mandates for sick leave could have significant health impacts by reducing morbidity from influenza-like illness, especially in Hispanics.”<sup>64</sup>

*“I got viral pneumonia in January. I could not call in sick because I get financially penalized. I couldn’t go to the doctor because I was working until 10:00 PM. I couldn’t get treated. I ended up giving viral pneumonia to 35 other employees in the workplace, and they gave it to their families – that’s just from my case alone. I essentially gave viral pneumonia to about 250 other people. If I don’t have access to paid sick days and my co-workers don’t have access to paid sick days, and we’re collecting the city’s entire municipal waste, COVID-19 is going to hit us all and hit us hard. My concern with sick days has always been that if we can’t protect ourselves as waste collection or essential workers and we fall, we bring a whole community down with us.*

– WYATT, MUNICIPAL WASTE COLLECTOR

The COVID-19 pandemic has therefore not only exposed the gaps in paid sick days, which disproportionately affect low-income women, racialized, and workers with disabilities, but also the failure of governments to learn from past pandemics in order to keep people safe. The overwhelming message from public health agencies during this pandemic has been that people should stay home when sick and engage in physical distancing. People with COVID-19 symptoms need to self-isolate until they get their results (which can take days) and until their symptoms resolve, and those who test positive need at least 14 days

of self-isolation. But this crucial public health advice has limited effect when all workers do not have access to the paid sick days required to follow these directives without losing income. Research on self-isolation during the COVID-19 pandemic has suggested that when compensation is assured, compliance is almost 40% higher.<sup>65</sup> Paid sick days are essential to protecting public health during outbreaks, during the COVID-19 pandemic and beyond.

### C. HEALTH AND HEALTHCARE BENEFITS

Gaps in paid sick days also contribute to healthcare costs. In the US, workers without paid sick days have been found to be twice as likely to use hospital emergency rooms for personal illness and more than twice as likely to take a family member to an emergency room because they could not take time off work.<sup>66</sup> So, in addition to containing the spread of infectious disease, providing paid sick days increases workers' access to primary care and reduces the likelihood of emergency room visits. A national sample of working adults with health insurance in the US found that paid sick days were significantly associated with increased use of outpatient care and reduced use of the emergency department. It concluded that "paid sick days may serve as a protective factor" from emergency room visits, which improves continuity of care and reduces healthcare expenditures.<sup>67</sup>

Paid sick days also enhance preventive care. Workers without paid sick days are 3 times more likely to delay or forgo medical care,<sup>68</sup> and female employees without paid sick days have lower rates of clinical breast exams and mammograms.<sup>69</sup> Conversely, workers with paid sick days have higher rates of cancer screening – including screening for breast, colon, and cervical cancer – and annual checkups.<sup>70</sup> A study of universal paid sick days in the US used modelling to predict vaccinations would increase by 1.6 million and result in 18,200 fewer healthcare visits annually.<sup>71</sup> By increasing access to preventive and primary care, paid sick days improve population health and reduce the burden of unnecessary visits and costs on the healthcare system.

*"I am really worried that if I take time off from work for my diabetes appointments, my employers will fire me. What that means is that I've been pushing back my appointments. I've been missing the appointments. My blood sugar levels ended up getting really high and my diabetes took a turn for the worse. So, my doctor placed me on stronger insulin therapy. Since my diabetes was getting worse, I started having other complications with my feet and my blood pressure. I had a podiatrist appointment too and I missed it, so I ended up developing an infection in one of my toes. I almost lost my toe.*

– ALEXANDRA, EARLY CHILDHOOD EDUCATOR

*"I worked as a part-time nurse in a hospital and because I was part-time, I didn't get any benefits. This meant that even though I was picking up shifts and working full-time hours, I didn't have paid sick days. I ended up hurting my back but felt like I couldn't take the time off. So, I kept working and ended up injuring my back even more.*

– KATIE, REGISTERED NURSE

*"In February, I got really sick with a cold, and I didn't take the sick days because it was so early in the year and I was worried about taking them for myself. What if my daughters are sick or there is an emergency with the school? My cold was bad. I couldn't shake it. Usually when I'm sick, I'm sick for about a week, but I went to work anyway, and I was sick for 2 weeks. I just took medicine, but I knew that I still had the sickness. [With time off] I think my recovery time could have been shortened by half. Even if I could have taken one or two days off, I would have felt better. But that would've been a luxury for me. One I felt I couldn't take.*

– NANCY, HUMAN RESOURCES AND FINANCE ADMINISTRATOR

## D. REDUCING PRESENTEEISM IS GOOD FOR BUSINESS

Much of the hypothetical concern about expanding access to paid sick days centres on the economic impact of workers staying home when sick. These concerns not only exaggerate absenteeism related to paid sick days, but ignore the greater threat of presenteeism, that is “the phenomenon of people, despite complaints and ill health that should prompt rest and absence from work, still turning up at their jobs.”<sup>72</sup> In fact, studies show that workers carefully use paid sick days as intended and, as a consequence, are able to return to work faster and healthier with lower rates of chronic illness.<sup>73,74</sup>

Workers who are denied paid sick days do not avoid illness. On the contrary, they bring their infections to work and transmit them to their co-workers, take longer to recover from illness, are less productive, and have less satisfaction at work. Workers without paid sick leave also report higher levels of psychological distress, and are almost 1.5 times more likely to report that symptoms of distress “interfere a lot with their life or activities.”<sup>75</sup> Benefits Canada reports that mental health is among the top short- and long-term disability trends, noting that failure to address early symptoms with short-term mental health days results in longer term, more costly absences.<sup>76</sup>

Paid sick days have a protective effect on mental and physical well-being, allowing workers to perform better on the job, increasing productivity, and preventing burnout. Going to work sick results in more mistakes and a higher risk of injury, and workers with paid sick days have been found 28% less likely to get injured at work.<sup>77,78</sup> Paid sick days have been shown to reduce the chance of workers leaving a job by 25%, resulting in substantial savings for business due to reduced turnover.<sup>79</sup> Evidence consistently demonstrates that the cost of presenteeism in lost productivity is higher than absenteeism – with US research suggesting it could be as much as 10 times higher.<sup>80,81</sup>

*“Having 2 paid sick days was a source of protection from the heavy workload and mental stress of being a professor. I knew I could take a day off to prevent extreme burnout when my anxiety and depression were becoming really intense. Knowing that I had paid sick days made me feel more secure and more able to complete my job duties*

– CLARA, COLLEGE PROFESSOR

*“When you are sick, you cannot take care of other people. You should be able to stay home until you recover, so that you can give patients the care they deserve.*

– ELENA, PERSONAL SUPPORT WORKER\*

\* Elena went to work throughout her own chemotherapy treatment for breast cancer.

# **SECTION 2**

# **BEST PRACTICES**

# **FOR PAID SICK**

# **DAYS LAWS**

# **Globally**

## BEST PRACTICES FOR PAID SICK DAYS LAWS GLOBALLY

### A. CANADA LAGS BEHIND OTHER COUNTRIES

The case for paid sick days is widely accepted around the world. A recent study showed that 181 countries have some form of national paid leave for sickness.<sup>82</sup> Most OECD countries provide long-term paid sick leave through a social security system and provide paid sick days for short-term illness or the initial portion of longer paid sick leave through employers.<sup>83</sup> This two-stage model of social insurance and employer-provided paid sick leave has benefits, including facilitating the administration of short-term leave and higher average income replacement rates.<sup>84</sup>

Canada lags behind other countries in guaranteeing workers access to adequate paid sick days for short-term illness. Canada is in the bottom quarter of countries worldwide that do not guarantee paid sick leave on the first day of illness – a crucial measure that enables workers to stay home at the first sign of symptoms.<sup>85</sup> In 19 of 34 OECD countries, employers are required to pay at least the first week of sick leave.<sup>86</sup> Analysis of paid sick leave in 22 countries ranked highly for economic and human development revealed that, for a 10-day illness, workers are entitled to at least 7 days of paid leave in Australia, Austria, Belgium, Finland, Germany, Greece, Iceland, Luxembourg, Netherlands, Norway, Sweden, and Switzerland. Canada is one of only 5 of these 22 countries where employers are not required to pay for paid sick days for short-term illness (except for minimal paid sick days in Quebec, PEI, and for federally regulated workers).<sup>87</sup>

For longer term illness, Canada's Employment Insurance (EI) system provides up to 15 weeks of sick benefits, equivalent to 55% of earnings (up to a maximum \$573 per week), to workers who qualify. In Canada, only about 40% of unemployed workers currently receive regular EI benefits, dropping to less than 30% in urban centres.<sup>88</sup> EI sickness benefits provide crucial leave for workers facing longer term illness and

efforts must be made to improve this benefit and expand access. EI sickness benefits, however, are not designed to ensure workers can stay home at the first sign of symptoms or for short-term illness, which is why effective paid sick leave legislation is crucial.

Responsibility for mandating paid sick days in Canada lies with provincial, territorial, and federal governments, through employment standards. Most Canadian jurisdictions only provide unpaid, job-protected leave for sickness. Prior to 2018, only PEI provided paid sick leave in the form of only 1 day after 5 consecutive years of work. In 2018, Ontario began to provide 10 flexible job-protected personal emergency leave (PEL) days to all workers, with the first 2 days paid, and removed the ability for employers to demand a medical note. Unfortunately, in 2019, the new provincial government revoked these 2 paid days, restricted how the remaining 8 days are used, and brought back the bureaucratic barrier of allowing employers to require a sick note. In January 2019, Quebec instituted 2 paid days of sick or family leave after 3 consecutive months of employment. In September 2019, the Canadian government amended the *Canada Labour Code* to provide federally regulated workers with 5 personal leave days, the first 3 days paid.<sup>iv</sup> Workers in the rest of the country are left to rely on workplace policies and collective agreements to gain access to paid sick days, which leaves the gap in paid sick days wide open.

Shockingly, in response to the worst global pandemic in a century, no Canadian jurisdiction has raised employment standards to expand access to paid sick days. All provincial governments have provided some form of job-protected emergency leave, and most have prohibited employers from requiring medical notes. These leaves, however, are temporary, unpaid, and restricted to COVID-related absences. The only province to expand permanent leave entitlements is British Columbia, which legislated 3 unpaid days of sick leave, bringing them more in line with unpaid leave protections offered in other provinces.

<sup>iv</sup> See Appendix A for more information about paid and unpaid sick days across Canada.

*I was so happy when the 2 paid sick days came in 2018. I work part-time as a receptionist in a non-union position, so for the first time ever I had paid time off. I got the flu in 2018 and 2019. I took 2 days off both times, but my experience was very different. When I got the flu [in 2019], I felt I couldn't relax because I didn't have paid sick days. My financial situation is very tight, so I would have gone to work even though I was sick if I hadn't lost my voice. But since I work as a receptionist, I need to be able to speak. I felt very stressed. I was still recovering weeks later. In 2018, when I had the paid sick days, I didn't feel stressed about missing the day's wages. When I was at home, I didn't worry about work, I just focused on getting better. It took me about a week to feel better.*

— BEATRICE, RECEPTIONIST

More than 6 months after the onset of the pandemic, measures to extend paid sick leave have been introduced only in the Yukon and federally. The Yukon introduced a rebate for employers providing paid sick days, but the measure is temporary, limited to COVID-related absences and accessed at the employer's discretion.<sup>89</sup> The federal government introduced a temporary national sick leave program that aims to provide income support for 10 days of leave related to COVID-19 for workers currently without paid sick days.<sup>90</sup> This temporary measure will help some workers who need income support to take sick leave related to COVID-19, but unfortunately does not address the need for permanent paid sick days during and after the pandemic. Moreover, while implementation details have yet to be released, an approach to sick leave that does not mandate employer-provided paid sick days raises concerns about ease of access. In order to enable workers to take time off at the first sign of symptoms, it is essential that they face no disruption of

income or barriers to access, such as sick notes or application forms. The federal government could provide leadership on this issue by guaranteeing adequate paid sick days in the *Canada Labour Code* and encouraging provinces to follow suit.

## B. LEARNING FROM PAID SICK DAYS LAWS IN THE US

Like Canada, the United States has no national paid sick days policy. However, over the last decade, several jurisdictions have introduced their own paid sick days mandates to close the gap, and Canada could learn from this experience. In 2007, San Francisco became the first jurisdiction in the US to mandate paid sick days<sup>91</sup> and, in 2014, New York City became the largest jurisdiction, extending paid sick days to 1.4 million workers.<sup>92</sup> Overall, 13 states and 23 cities or counties across the US have instituted paid sick days.<sup>93,94</sup> Typically, these laws mandate up to 40 hours (5 days) of sick leave accrued at an hour of sick time for every 30 to 40 hours worked per year.<sup>95</sup>

Jurisdictions that recognized the benefits of employer-provided paid sick days before the pandemic are also expanding them during the pandemic. On March 17, 2020, New York state enacted legislation that requires large employers to provide 14 additional paid sick days for COVID-related leave during the pandemic,<sup>96</sup> and several weeks later passed legislation to extend permanent paid sick days statewide by 2021.<sup>97</sup> In July, Colorado introduced one of the most comprehensive paid sick days laws in the US to date, including up to 48 hours (6 days) of permanent paid sick time and to up to 80 hours (10 days) of paid sick time during public health emergencies, available to all workers.<sup>98</sup> At the federal level, in March, US Congress passed a bill that provides up to 80 hours of paid leave for COVID-related reasons, which could have greatly closed the gap in paid sick days at the most urgent time. Unfortunately, after a more robust version was introduced, the bill was altered to exclude as many as 106 million workers, dramatically

reducing its efficacy.<sup>99,v</sup> However, Colorado took an encouraging step and mandated coverage at the state level for those explicitly excluded from the federal bill.<sup>100</sup>

The expansiveness of paid sick leave varies across US jurisdictions, with the additional weakness that some paid sick leave mandates create gaps based on workplace size or worker classification, without basis in public health. But policy-makers have taken some steps to close these gaps. In New Jersey, a more expansive employee definition ensured that workers exempt from minimum wage laws (often domestic and agricultural workers) were not also excluded from paid sick days. Almost no US paid sick leave requires a minimum number of hours worked, and include part-time, full-time, seasonal, and temporary workers. Unfortunately, independent contractors in the US are not covered by paid sick time, many of whom are misclassified when they are in fact employees.<sup>101</sup> This is a key gap that Canadian policy-makers should take seriously and aim to address.

Experience in US jurisdictions demonstrates that legislating paid sick days is not only necessary but feasible. In fact, employer-provided paid sick days are a proven approach to closing gaps in access, resulting in positive outcomes for health, equity, business, and the economy. Another key US lesson is that paid sick days do not lead to abuse by workers but must be accompanied by a commitment to enforcement to ensure employers are compliant. Lessons from the US experience of legislating paid sick days are outlined below.

**a. Paid sick days promote health and equity**

The public health benefits of paid sick days in terms of containing infectious disease are widely recognized, which is especially important for people with chronic health or immunocompromised conditions. Workers with disabilities face added expenses generally, are over-represented in precarious occupations, and suffer more harm from the

dearth of paid sick days.<sup>102</sup> Just as importantly, providing paid sick days to attendants, support workers, and other care workers is essential for protecting workers' health and the health of the people they serve.<sup>103</sup> In San Francisco, research shows that mandating paid sick days allowed workers to better care for their own health needs, attend medical appointments, and care for children and the elderly. One in four workers report being better able to care for their own and their family's health needs after paid sick days came into effect.<sup>104</sup>

*“ I remember one time my son was really sick, so I took him to the hospital. I had to stay at the hospital until 3:00 AM. The next day, I couldn't stay home with him, so I had to take my son to my work. I had no other choice. One of my co-workers even said to me, “It's not good for him to stay here, he's sick, he needs to rest. And, I can see you are also struggling.” So, she actually ended up covering for me and did a long shift so that I could go home.*

— RUMI, FINANCE ADMINISTRATOR

*“ I have to do whatever it takes to try and save my sick days. When you have 2 small children you never know what's going to happen. One time, my young daughter got hand, foot and mouth disease and she had to stay out of daycare for 5 days. After that, my daughter's immune system was weak, and she got sick very often. I remember feeling stressed because whenever she was sick, I had to stay home and do mental calculations to think about how many sick days I had left, and whether this would affect my future employment.*

— NANCY, HUMAN RESOURCES AND FINANCE ADMINISTRATOR

v Exclusions from the paid leave provided under the Families First Coronavirus Response Act (FFCRA) include businesses that employ over 500 workers, businesses with fewer than 50 employees, certain healthcare providers and emergency responders, and some federal government workers. As a result, the majority of private sector workers are excluded, including many of the low-wage workers who need paid days most. For example, more than 2 million grocery store workers are excluded, despite being essential workers at risk of contracting COVID-19 at work.



The benefits of closing the gaps in paid sick days have been particularly felt among racialized, low-wage women workers. Across the US, being younger, female, racialized, less educated, or a farm/blue collar worker is consistently associated with reduced likelihood of having paid sick days.<sup>105</sup> In San Francisco, Black, Latinx, and low-wage workers were most likely to benefit from mandated paid sick days; Black and Latinx workers, older workers, and mothers were more likely to report better management of their health.<sup>106</sup> Mandating paid sick days improves the ability of women and workers in households with children to stay home when sick,<sup>107</sup> and access to paid sick days reduces the economic burden of staying home for women and racialized workers.<sup>108</sup>

**b. Closing the compliance gap is key to effective paid sick days**

It is a popular misconception that expanding access to paid sick days will invite widespread abuse, creating a gap between use of paid sick days and legitimate need. Studies of jurisdictions that have mandated paid sick days disprove such claims, while highlighting the need for enforcing paid sick days legislation to close the compliance gap.

*“In 2018, when I had paid sick days, I actually didn’t take them because I wasn’t sick. I was saving them for when I needed them. In 2019, they got taken away and unfortunately that year I got the flu and had to take unpaid sick leave.*

— ASTRID, RECEPTIONIST

When San Francisco mandated up to 9 paid sick days, workers used an average of 3 and a quarter used none,<sup>109</sup> illustrating how workers treat paid sick days as insurance and use them carefully, in cases of personal or family emergencies and for necessary medical appointments. While there was no evidence that workers abuse paid sick days, some employers did: one-sixth did not provide paid sick days as mandated by law, and racialized

workers were more likely to be penalized for using their paid sick days.<sup>110</sup>

*“When I started this position in 2018, I had 2 paid sick days but did not get sick, so I did not take them. I currently do not have access to any paid sick days. Not having any paid sick days is a big financial stressor, a burden on my own health, and a risk to the health of those around me.*

— JENNIFER, COMMUNITY WORKER

When New York City mandated paid sick days, a survey of employers found that “fully 98 percent of respondents reported no known cases of abuse and only 0.3 percent reported more than 3 cases.”<sup>111</sup> Whereas workers used paid sick days appropriately, many employers did not provide them as required by law. A year and a half after the law came into effect, only 58% provided them to all employees as required by the law, while 42% only provided them to some categories of employees. When paid sick days were only made available to some workers, part-time, temporary, or on-call workers tended to be denied access, with over two-fifths of their employers denying paid sick days to workers with less than full-time hours.<sup>112</sup> Therefore, closing gaps in paid sick days through legislation does not lead to workers abusing them, but does require enforcement to ensure employers comply.

**c. Paid sick days benefit small businesses and the economy**

Another popular misconception is that mandating paid sick days will harm the economy, especially small businesses. Studies not only disprove this claim but have found that the majority of businesses support paid sick leave legislation. In San Francisco, two-thirds of employers supported the new law, and six out of seven did not report any negative effect on profitability.<sup>113</sup> In New York City, a survey of employers (the majority of whom had less than 50 employees) found that they “were able to adjust quite easily to the new law, and for most the cost impact was

minimal to nonexistent.” A year and a half after the paid sick days law in New York City took effect, 86% of employers supported the law, 91% did not reduce hiring, 97% did not reduce hours, and 94% did not raise prices. In fact, job growth continued in New York City after the paid sick days law was implemented.<sup>114</sup>

Despite this reality, misconceptions about paid sick days being bad for small businesses have continued to be perpetuated, particularly in the US. These concerns have led to exclusions for employers who employ less than a certain number of workers in several American jurisdictions, contrary to public health and against global trends. In fact, no other country makes paid sick leave dependent on the size of a workplace.<sup>115</sup> Moreover, excluding small workplaces disproportionately impacts workers in precarious employment. For example, domestic workers have been vocal about how policy gaps in small workplaces exclude them from paid sick days laws and

have won a shift away from this approach in some jurisdictions.<sup>116</sup>

The COVID-19 pandemic has created hardship for small businesses, which have been calling for supports like rent relief and wage subsidies. It is crucial that policy-makers take seriously their responsibility to support small businesses at this time. But perpetuating gaps in paid sick days does not benefit anyone and poses a severe threat to public health. The COVID-19 pandemic has made clear that small workplaces, such as nail salons, are not immune to workplace spread. The American experience has demonstrated that exclusions based on workplace size are economically unnecessary, and that inclusive paid sick day laws are most effective.<sup>117</sup> Moreover, current Canadian guidance for workplace risk mitigation is not differential based on business size, but rather emphasizes key public health measures, including sick leave policy for workplaces of all sizes.<sup>118</sup>



In a small business, you know your employees, and it's very rare that someone will abuse a paid sick day. In fact, in my experience, you have to tell someone to go home because they're feeling sick, rather than wondering where they are.

If an employee is a manual labourer, the thought of them making a mistake is terrible, whether it's around machinery or making a mistake where they slip because they're not feeling so great or they're dizzy or have the flu – and the worker's compensation cost to me is almost their entire year's salary.

For the knowledge worker in IT, marketing or sales, which is most of the workers our company is involved with – the cost of their mistake is way more than paying for a day of that employee not being there. But more importantly, when employees feel that when they're at work they can engage in what they're doing and they can just enjoy it, it makes a big difference to me.

We worry too much about the abuse [of paid sick days], and not enough about the benefits from a societal, individual, and corporate basis. We're hung up on this little bit of abuse, which most people don't do.

– PAUL HAYMAN, SMALL BUSINESS OWNER IN ONTARIO

**SECTION 3**  
**GUIDING**  
**PRINCIPLES**  
**FOR EFFECTIVE**  
**PAID SICK**  
**DAYS POLICY IN**  
**CANADA**

## GUIDING PRINCIPLES FOR EFFECTIVE PAID SICK DAYS POLICY IN CANADA

Much work remains to be done to close the gap in access to paid sick days in Canada. We have identified 5 principles for effective paid sick days policy. These principles may act as a guide for jurisdictions across Canada as they aim to adopt paid sick leave to protect public health during the COVID-19 pandemic and beyond. These interrelated principles describe who needs sick days, what kind of sick days are required, when they are required, and how workers should access them. They are followed by recommendations for the ways in which effective paid sick days should be implemented in Canada.

### A. UNIVERSAL

For paid sick days to be effective, they must be available to all workers. COVID-19 has demonstrated that infections anywhere are a threat to public health everywhere. Outbreaks in long-term care call for closing the gap in paid sick days for precariously employed personal support workers. Outbreaks on farms call for closing the gap in paid sick days for migrant workers. Outbreaks in nail salons call for closing the gap in paid sick days in small workplaces and among workers misclassified as independent contractors. Sick leave policy will not protect public health if it is not available to everyone. There must be no gaps excluding workers from paid sick days based on workplace size, type of work, or immigration or employment status.

Legislated paid sick days under provincial, territorial, and federal employment standards must be universal – available to all workers, no exceptions. Unfortunately, many exemptions to other provisions in employment standards do currently exist. For example, in Ontario, workers in agriculture, information technology, and construction do not have the same protections for hours of work and overtime afforded to other workers.<sup>119</sup> These types of exemptions erode the ability of employment standards to protect workers, especially those in low-wage and precarious work. No exemptions of this kind should be replicated or introduced with respect to paid sick days.

Achieving universal paid sick days is also threatened by practices such as misclassification, contracting out, and hiring through temporary agencies. A review of Ontario labour laws in 2016 confirmed that employers misclassify workers to “avoid the direct financial cost of compliance with the ESA and other legislation.”<sup>120</sup> The federal government recognized the changing nature of workplaces and expanded the Canada Emergency Response Benefit (CERB) to include those who are misclassified as independent contractors or self-employed, and others who do not qualify for EI.<sup>121</sup> Jurisdictions across Canada should broaden the definition of employee under employment law – including with respect to paid sick leave entitlements – to include all workers who are paid to perform work or supply service for mandatory compensation.<sup>122</sup> This will help ensure paid sick days introduced in employment standards leave no gap in universality.

Paid sick leave legislation must also be accompanied by active enforcement to ensure it has the intended impact. In Canada, federal government and Statistics Canada research have shown that violations of the *Canada Labour Code* are widespread at the federal level, with half of employers found to be in partial violation.<sup>123</sup> Similarly, in Ontario, surveys of workers in low-wage and precarious jobs revealed that over one-third were owed unpaid wages, did not receive overtime pay, and lost their jobs without termination pay or notice.<sup>124</sup> Experience in US jurisdictions also demonstrates the importance of paid sick days laws being accompanied by strong enforcement: while New York City’s law mandated paid sick days be available to all workers (including part-time, temporary, and undocumented workers), many employers denied paid sick days to these same workers in violation of the law. Consequently, it is essential that paid sick leave legislation be accompanied by an expanded, proactive deterrence model of enforcement, which worker advocates have been calling for.<sup>125</sup>

All workers must have access to paid sick days – irrespective of workplace size, employment terms, or immigration status. Paid sick days must therefore be universal, a standard part

of every worker's benefits. This is a health and a social imperative. Paid sick days as a public health intervention will only be maximally effective when made available to everyone.

*“There was an excess of work without any breaks. There was no such thing as time off in any capacity. This led to back and hand injuries for almost every person I worked with, including myself. On one occasion, we went to our boss and told him our hands were going numb and our backs were aching. He said this was a normal part of our work and to just take an Advil. But we had been taking Advil and the pain was getting worse and my hands were almost always completely numb. The repetitive motion wore our tendons and wrists down. When some of us tried to assert our rights we got ridiculed and bullied by our employer and supervisors. Through a friend, I was able to go to the clinic to see a doctor. The doctor told me that I had a serious injury to my wrists and that if I kept working it was going to ruin them completely. I told my employer and the others. He did not report it, split us up into different work groups, and the bullying got worse.*

— JOSE, MIGRANT FARM WORKER

## B. FULLY PAID

For sick days to be effective they must be fully paid. When a worker gets sick, their having the financial means to stay away from the workplace to recover and reduce infection transmission is a public health imperative. Unpaid, job-protected leave provides no assurance of income and is a disincentive to workers staying home. A similar barrier arises when the replacement rate for paid sick leave is less than a worker's baseline income. Creating an income gap perpetuates the paid sick leave gap, contributing to presenteeism. One study reports that, in Germany, when the rate of paid sick leave income replacement was lowered from 100% to 80%, the reduction in sick pay led to an increase in contagious presenteeism or people going to work sick.<sup>126</sup>

Ensuring sick days are fully paid is critical, or our communities will pay for it with sick workers, sick co-workers, sick clients, and worse public health.

Lower replacement rates are particularly unfeasible for low-wage workers who are disproportionately women, migrant and racialized workers, and workers with disabilities. For a minimum wage worker, anything less than a full income replacement rate puts them at risk of falling below (or further below) the poverty line. For those workers who need it most, unpaid or low-paid sick leave is not affordable.<sup>127</sup> Closing the gap in fully paid sick days is not only a matter of public health, but also of equity. To ensure symptomatic and unwell patients stay home, paid sick days must be fully paid at a rate equivalent to a worker's wage.

*“I barely make enough to get by as it is. If I miss 1 or 2 shifts, it's tight financially. So, I try to make up the hours the following week because I don't want to lose the cash. Then I'm trying to catch up again to zero, which is not a fun game to play because I'm still not feeling well and working extra.*

— JENNIFER, COMMUNITY WORKER

## C. ADEQUATE

For paid sick days to be effective, they must also be adequate. This concept has been partially recognized through provincial pandemic responses, which provide at least 14 days of unpaid leave for people with COVID-19 who need that many days of self-isolation. However, these are temporary measures for unpaid leave, which fall short of the interconnected principles of sick days being paid and permanent.

For years prior to the COVID-19 pandemic, health providers have been calling for paid sick days adequate for non-pandemic times. Since 2015, health providers across Ontario have petitioned the provincial government to provide 7 paid sick days to all workers.<sup>128</sup> Seven days is reasonable and necessary to account

for physician prescribing practices for common illnesses. A 2019 survey of 182 physicians found they recommend patients with influenza-like illnesses stay home for a median of 4 days. For an upper respiratory tract infection (including the common cold) and gastroenteritis (stomach flu), physicians advise patients to remain home from work for a median of 2 days. For all conditions, a substantive portion of physicians advise patients to remain at home until the fever has resolved.<sup>129</sup> Adequate paid sick days must reflect the fact that every worker needs time off when they or their children are sick.

*I was having serious issues with my mental health, but I was going to work anyway because I can't fall behind financially. It got to the point that I was forcibly hospitalized. If that hadn't happened, I would've kept going in that state, and that is not okay. I was so terrified and I knew I couldn't skip out on my bills.*

— AMELIA, RETAIL WORKER

The number of paid sick days should reflect workers' lives. Statistics Canada provides measures of time lost from work because of personal reasons — specifically illness or disability, and personal or family responsibilities. In Canada, the average number of days lost per worker per year, for illness and disability, was 7.4 in 2015 and 8.4 in 2019. For women, the average number of days lost per year in the same category was 10.4 in 2019, compared to just 7 for men. The average number of days lost per worker per year for personal or family responsibilities was 2.2 for women and 1.6 for men in 2019.<sup>130</sup>

Like any medical intervention, the dose matters: a US study found that “a moderate number of paid sick days (6 to 9) indicated a significantly higher profile of having accessed preventive services compared with those with 0 to 2 days ... and paid sick days of 10 or more days indicated an even higher profile.”<sup>131</sup> Faced with the current pandemic, the government should expand paid sick days to include at least 7 permanent paid sick days, which health providers have been calling for,<sup>132</sup> plus 14

additional paid days during the pandemic.<sup>133</sup> If workers need 14 days of self-isolation with COVID-19, as recommended by local and international public health organizations, then they need 14 paid sick days for public health emergencies, as legislated by other jurisdictions.

*The pressure has built up so much with my conditions at work that I have developed issues with my mental health. I've been depressed and started getting panic attacks. The panic attacks can be really severe and debilitating, but I know I have to go to work. So, I try my best and go to work anyway, but that means my mental health is bad for much longer. When I do take half days off, I have to use my vacation time because I don't have paid sick days. What this means for me is that I basically spend my vacation in bed.*

— RUMI, FINANCE ADMINISTRATOR

## D. PERMANENT

The need to protect public health doesn't end after a pandemic. On the contrary, pandemics serve to highlight longstanding deficiencies in public health, and should encourage policy-makers to close the gaps so that societies can be healthier between pandemics and more resilient during them. In response to COVID-19, the federal, provincial, and territorial governments have expanded job-protected leave, but these leaves are temporary and restricted to reasons related to COVID-19. Paid sick days must be permanent, available during and after the pandemic, and not restricted to COVID-19.

The difference between COVID-19 and other illnesses is not always obvious. Symptoms of COVID-19 are non-specific and similar to many other viral illnesses, including influenza. Unfortunately, COVID-19 tests also have a high false negative rate.<sup>134</sup> Hence, public health authorities continue to recommend self-isolation for people with symptoms, even after they have received negative test results.<sup>135</sup> Access to paid sick days also improves

preventive care for diabetes, hypertension, and heart disease,<sup>136</sup> which are risk factors for severe COVID-19 and other acute illnesses. In addition, access to paid sick days is associated with higher vaccination rates, which are crucial for protecting against annual influenza.<sup>137</sup> Vaccination strategies are also expected to mitigate COVID-19 risks in the future. Universal paid sick days must continue beyond the current COVID-19 crisis to ensure that workers have access to vaccination strategies and preventive care, mitigating the risk of contracting COVID-19 and other illnesses.

*I was managing a chronic medical condition in my hands. I used up all of my unpaid leave to go to my appointments and I ended up running out of days. Then, I had to use my vacation time or I went to work sick.*

— XIMENA, FACTORY WORKER

In heeding the clear lessons of the 2009 H1N1 pandemic, the annual flu season, and the first wave of COVID-19, governments should provide permanent paid sick days for all workers, thereby reducing the impact of the ongoing pandemic and improving public health afterward. Pandemics demand additional temporary public health measures, but also serve as an opportunity to close the permanent gap in paid sick days — like in the states of New York and Colorado, which have legislated permanent paid sick days, with additional days during pandemics.

The pandemic might be a temporary emergency, but public health is a permanent necessity. Any response to COVID-19 should be designed to improve population health beyond the pandemic. For example, access to public health services in Ontario (covered through OHIP) was expanded for undocumented workers during COVID-19, and a national coalition is now demanding health for all, regardless of status, beyond the pandemic.<sup>138</sup> Similarly, paid sick days need to be universal and permanent, so workers and public health is protected during COVID-19 and afterward.

## E. ACCESSIBLE

If sick days are universal, paid, adequate, and permanent, they will still fail to protect public health if barriers to their accessibility exist. Sick note requirements, disruption to income, and restrictions on how sick days are used all create serious gaps between the need for paid sick days and their use. Effective paid sick days must be seamlessly accessible.

### a. No required sick notes

Staying home when sick is fundamental to public health but allowing employers to require sick notes creates an unnecessary barrier to accessing paid sick days and staying home when sick. When required to get a sick note, sick workers either visit a health provider to get a note or they go to work sick — both options threaten patient recovery and public health.

To get a sick note, workers need to leave their home while sick, travel through their community, expose a clinic or hospital waiting room to their infection, and sometimes pay for the note. The Ontario Medical Association (OMA) acknowledges that “requiring patients with isolated illnesses to visit their healthcare provider may in fact delay their recovery by impeding their rest, and potentially expose them to additional contagious viruses.”<sup>139</sup> In addition, the OMA warns that requiring sick notes puts health providers at risk of exposure, which can lead to time away from work and exposure to patients and colleagues.<sup>140</sup> The Centre for Disease Control advises people with mild, flu-like illness against going to the emergency room, which is the unintended consequence of sick note requirements.<sup>141</sup> The Canadian Medical Association (CMA) warns that “writing a sick note is added administrative work — time that should be spent providing direct care to patients.”<sup>142</sup> Allowing employers to require sick notes is unnecessary, delays recovery for sick workers, worsens emergency department overcrowding, and wastes healthcare resources.

When sick workers avoid spending the time and costs of getting a sick note and instead go to work sick, their recovery is also undermined

and their co-workers, clients, customers, and the public are put at risk of infection. According to a national poll, 82% of Canadians would rather go to work sick than get a sick note.<sup>143</sup> If the majority of Canadians would rather go to work sick than get a sick note, the main outcome of sick note requirements is sending sick workers to work. This is especially dangerous for workplaces we rely on for our health, like food service and health care, including personal attendants, personal support workers, and home care workers who travel through the communities they serve. The financial cost of sick notes (which can vary greatly), compounded by transportation costs and lost wages (especially substantial

for workers with disabilities), also increases pressure on workers in precarious and low-wage jobs to go to work sick. To ensure workers can stay home when they are sick, paid sick days with no required sick notes are crucial.

*“I’m paying \$40 just to have a 3- or 5-minute conversation with a doctor. They don’t do any tests. That’s how much I make in almost 3 hours. A lot of times, I would just force myself to go to my shift even though it will be painful.”*

– KHALEESI, RETAIL WORKER

### PHYSICIAN SURVEY: SICK NOTES ARE UNNECESSARY AND UNDERMINE THE HEALTHCARE SYSTEM<sup>144</sup>

A 2019 survey of 182 Canadian emergency physicians found that 76% write at least 1 sick note a day, with 4% reporting they write 5 or more notes per day. Thirteen percent of emergency providers charge patients for a sick note at an average cost of \$22.50 (fees charged range from \$10 to \$80). The vast majority (83%) believe that patients can determine when to return to work most of the time, confirming that visits to the doctor for sick notes are unnecessary. Moreover, 90% believe that patients do not require additional medical care at half or less of these visits. In sum, the majority of emergency physicians are writing sick notes on a daily basis but believe that most patients can safely decide on their own when to return to work, and most do not require additional care.

**76%** of physicians surveyed write at least one sick note a day

**83%** of physicians surveyed agree patients can determine when to return to work

Survey responses expressed the impact of sick notes on physician workload and wait times. One physician working in a rural emergency department, where staff provide 2 to 5 notes per day, expressed that “employers requiring a physician note for time off work is an inappropriate and unnecessary burden on our public health system and a major contributor to wait times and [emergency department] loading in my center.” Other responses include, “Sick notes are a waste of the patient’s time. They should be home resting.” Sick notes are a needless additional burden, especially in a healthcare system already under many pressures.

Health providers recognize how sick notes can undermine their relationships with their patients. One emergency department physician said, “Sick notes cause relationship problems. Who am I the agent of? If the employer requires a sick or a return-to-work note, then they should pay for it.” Another physician working in a rural clinic said, “The worst aspect of it is the breakdown of [doctor-patient] relationships due to the referee-type involvement in this issue.” Health providers charging for a sick note can be frustrating for workers, as well as seed mistrust. Requiring sick notes is an unnecessary source of tension between patients and their health providers.



While providing sick notes has become a typical part of a physician or nurse practitioner’s practice, evidence shows this provision is an unnecessary burden on the healthcare system, and is a source of frustration for both patients and health providers. The vast majority of patients who visit a health provider for a sick note do not require medical attention, and do not need to seek advice to know when to return to work.<sup>145</sup> Furthermore, in jurisdictions mandating paid sick days, no evidence that workers widely abuse paid sick days exists.<sup>146,147</sup> Sick notes are therefore an unnecessary burden on health providers and patients.

Due to widely recognized problems with requiring sick notes, the Canadian medical establishment has opposed obliging sick notes for minor illnesses for years. In 2007, Doctors Nova Scotia provided a template letter for physicians to send to employers, asking them to stop requiring sick notes and invoicing companies for the cost of the note.<sup>148</sup> During the 2009 H1N1 pandemic, and for years since, the OMA has spoken out against sick notes.<sup>149</sup> The president of the Canadian Medical Association has called sick notes a “public health risk,”<sup>150</sup> and the CMA launched a national “Say No to Sick Notes” campaign. Most recently, the Canadian Association of Emergency Physicians has also committed to advocating for “a ban on sick note requirements by employers via federal or provincial legislation.”<sup>151</sup>

*“I live in a rural community where access to a family doctor is limited. When I finally get in to see the doctor they are like, ‘Seriously, you’re here for this?’ It’s such a waste of their time. And I’m not feeling well because I didn’t get the rest I needed. I have waited in the ER for hours when I could have been at home in bed on the mend. When we didn’t have to get sick notes, it was good for us. We finally felt like we could access sick days.”*

— BRENDA, EARLY CHILDHOOD EDUCATOR

Public support for prohibiting employers from requiring sick notes is also strong. In 2017 nearly a thousand health providers across Ontario signed a petition calling for 7 paid sick days for all workers and the elimination of sick notes.<sup>152</sup> In 2018, the Ontario government prohibited employers from asking for sick notes. When the ability for employers to require a sick note was reinstated the following year, there was widespread opposition. A national poll found 76% of those surveyed thought people should stay home to recover rather than wasting their energy at a hospital or clinic, 74% felt that requiring a note is not a good use of healthcare resources, and 70% felt we should make it easier for sick people to avoid transmitting their infections to others.<sup>153</sup>

During the COVID-19 pandemic, health providers’ anecdotal reports indicate that some employers have required not only “sick notes,” but also “well notes” indicating it is safe for workers to return to work. These requirements send healthy workers into hospitals during a pandemic, exposing them to infection and wasting critical healthcare resources. In response to the pandemic, provincial governments have prohibited employers from requiring sick notes for unpaid leave for “reasons related to COVID-19.” There is no public health reason to differentiate between medical reasons or for this measure to be only temporary. Sick notes are unnecessary, undermine patient recovery, waste healthcare resources, and threaten public health — especially during pandemics. There is strong opposition from the general public and the medical establishment, and it’s time this consensus be put into practice across the country by ending the employer practice of requiring sick notes for minor illnesses, during COVID-19 and after.

#### **b. No disruption to income or administrative barriers**

Any income disruption is a disincentive for workers to stay home when sick. Consequently, any requirement of an application process or waiting period for payment threatens the ability of workers to use sick days, particularly at the first sign of symptoms.

Before COVID-19, nearly half of Canadians were living paycheque to paycheque.<sup>154</sup> Sickness, particularly something like COVID-19, but also the flu, heart attacks, or mental health crises, comes unexpectedly. Workers need to know how to remain financially stable as soon as illness strikes. It is essential that workers know they will be paid because for many lost income means the difference between paying rent and getting food. Sound public health policy cannot rely on individuals performing risk assessments of how likely they are to infect others and how likely they may be to receive pay in the midst of a health crisis. Any gap in income during an emergency financially punishes workers for taking time to address their or their family's crisis or pushes workers back into the workplace with a potentially transmissible infection.

There should be no bureaucratic barriers to protecting public health. Across Canada, experience of employers requiring sick notes has clearly demonstrated that creating barriers to sick days undermines their use and threatens public health. Therefore, effective paid sick leave legislation cannot require workers to fulfill any additional administrative tasks to access income replacement. Requiring workers to apply for income support when illness or a family emergency strikes creates uncertainty about adequate income replacement and an undue administrative burden. Application processes in place for longer term income supports, such as EI or CERB, are not appropriate and would undermine the effectiveness of workers taking sick days for short-term illness at the first sign of symptoms. These barriers would also disincentivize taking time off for illness, thereby creating a risk of infection transmission.

To encourage workers to use sick days as required by public health directives, they must be seamlessly accessible. The proven and effective mechanism for ensuring workers face no income disruption or unnecessary administrative barriers when they take a sick day is legislating employer-provided paid sick days. This is the approach that has been taken in legislating the minimal existing paid sick days in Canada. It ensures employers provide payment for lost wages when workers take a

sick day, benefiting workers and public health. Consequently, expanding paid sick days must be legislated in employment standards to ensure workers receive full pay for sick days with their next paycheque.

### ***c. Patient-centred to reflect the reality of workers' lives***

Patient-centred paid sick leave should be flexible enough to be used for the type of care a worker needs, whether for personal injury or illness, a family emergency, or to fulfill caretaking responsibilities. This practice has been adopted in Canada and its provincial and territorial jurisdictions for COVID-19 emergency leaves. For example, Ontario's Infectious Disease Emergency Leave (IDEL) requires employers to provide employees with job-protected leave for the duration of the emergency, for an employee's own individual illness (quarantine or other measures required for COVID-19) and for employees providing care or support for their families related to COVID-19, including caring for children impacted by school and child care closures. The definition of family members, types of care and support, and length of job-protected leave are quite expansive, reflecting the realities of healthcare needs during the pandemic.<sup>155</sup>

*“When my mother was diagnosed with cancer and going through her treatment, having the flexible days [Personal Emergency Leave] meant that I had the opportunity to take her to appointments, take care of her, and provide my dad with relief from being a caregiver. It provided me with a huge sense of relief.”*

— CLARA, COLLEGE PROFESSOR

Even outside of the pandemic, most jurisdictions in Canada provide unpaid, job-protected leave for both personal sickness and family responsibility, although how it is provided varies, with some jurisdictions providing flexible leave and other jurisdictions prescribing a set number of days for each purpose. For example, the BC government provides 3 unpaid days for sick leave and 5 unpaid days for family leave. In contrast, the Saskatchewan government provides

12 unpaid days for sick leave or the care of family members. In Ontario, for 15 years, workers had access to 10 days of job-protected personal emergency leave (PEL) that could be used for a wide range of emergencies and health reasons.<sup>vi</sup> In 2019, these 10 PEL days were replaced with 3 specific unpaid leaves: 3 days for sickness, 3 days for family emergencies, and 2 days for bereavement. This change contradicted recommendations from the *Changing Workplaces Review*,<sup>vii</sup> a comprehensive review of labour law concluded in 2017:

When the policy of the law is to permit these leaves, it should not matter to the employer whether the employee is away for reasons of illness or family emergency, but it may matter deeply to the employee if the law artificially and arbitrarily restricts her/ his ability to respond effectively to family emergencies or to personal illness. In this case, the employee's needs far outweigh the employer concerns ... It is the very need of the modern employee to respond to family emergencies as well as to personal illness that led to the creation of the Personal Emergency Leave entitlements in the first place.<sup>156</sup>

Overall, 6 jurisdictions in Canada provide flexible unpaid leave that can be used for either sickness or family responsibility. Everywhere else, unpaid leave is either delineated according to purpose or only available for sickness.<sup>viii</sup> These restricted leaves, contrary to good public policy, fail to consider the dynamics of care that exist for many households and place a substantial burden on marginalized workers and their families.

An expansive leave for illness and family emergency makes medical sense. Canadian emergency physicians recommend an average of 4 days at home in the case of seasonal influenza, but restricting leave for personal illness risks workers being left without adequate time off to recover from even one bout of influenza. Restricting leave also disproportionately affects certain workers. Studies on paid sick days have found that workers with chronic health conditions require more days.<sup>157</sup> Injured workers' organizations have long advocated for legislated paid sick days as an essential workplace accommodation.<sup>158</sup> Limiting the number of days that can be used for personal health reasons negatively affects people with disabilities and chronic health conditions. Similarly, because women are more likely to provide child care, studies on paid sick leave have found that women are more likely to spend their sick days caring for children.<sup>159</sup> Restricting PEL days undermines the ability of workers to balance care for themselves and their families, disproportionately impacting women.

*Medical appointment times are usually during business hours, which makes it very hard to book an appointment outside of my regular work schedule. I have to go to all sorts of appointments: physical checkups, visits to eye and foot specialists, and have my blood sugar checked. Plus, the nature of my job means that I'm constantly getting sick because I work with small kids who are always sick themselves.*

— ALEXANDRA, EARLY CHILDHOOD EDUCATOR

vi Until 2019, Ontario's Personal Emergency Leave included an appropriately expansive definition of when a worker could access this leave: "An employee who is entitled to personal emergency leave can take up to 10 days of leave each calendar year due to: personal illness, injury or medical emergency or death, illness, injury, medical emergency or urgent matter relating to the following family members: spouse (includes both married and unmarried couples, of the same or opposite genders); parent, step-parent, foster parent, child, step-child, foster child, grandparent, step-grandparent, grandchild or step-grandchild of the employee or the employee's spouse; spouse of the employee's child; brother or sister of the employee; and relative of the employee who is dependent on the employee for care or assistance." It should be noted that 1.7 million workers in Ontario in workplaces with less than 50 employees did not have access to PEL until 2018, when it was extended to these workplaces and the first 2 days became paid.

vii The Changing Workplaces Review was a comprehensive review of labour law conducted by appointed Special Advisors C. Michael Mitchell and John C. Murray between 2015 and 2017. The review's first phase of public consultation involved 12 sessions held across Ontario that heard over 200 presentations and received over 300 written submissions, which was followed with publication of an Interim Report and Final Report.

viii See Appendix A for more information about paid and unpaid sick days across Canada.

# **SECTION 4**

# **RECOMMENDATIONS**

# **TO CLOSE THE PAID**

# **SICK DAYS GAP**

## RECOMMENDATIONS TO CLOSE THE PAID SICK DAYS GAP

In sum, gaps in access to paid sick days have multiple negative impacts on individual workers and their families, public health, and the economy. Failing to close the gap by legislating employer-provided paid sick days will continue to deny paid sick days to over half of the workforce. Moreover, those being denied paid sick days need them most — workers in low-wage, precarious jobs who are disproportionately women, migrants, racialized workers, and workers with disabilities. Paid sick days legislation is a public health imperative and a matter of racial, gender, disability, and economic justice. The COVID-19 pandemic has exposed glaring workplace inequities that pose grave public health risks. It is now clearer than ever that precarious work and lack of paid sick days is a chronic health hazard and an acute public health crisis.

This report outlines key principles that must be considered by governments and policy-makers when implementing paid sick days. These principles draw on lessons from previous epidemics, public health and medical evidence, best practices from other jurisdictions, health provider expertise, and workers' experience. Paid sick leave legislation that is guided by these principles will ensure workers have the financial means to stay home when they or a family member is sick, imperative for our collective well-being.

The best way to close the gaps in access to paid sick days across Canadian jurisdictions is to expand the proven mechanism that already works for employers, workers, and public health: mandating employer-provided paid sick days. The following are recommendations for provincial, territorial, and federal governments across Canada to enact effective paid sick leave legislation.

### All provincial, territorial, and federal jurisdictions must update their employment standards to:

- **Require employers to provide at least 7 days of paid emergency leave on a permanent basis.**
- **Require employers to automatically provide an additional 14 days of paid emergency leave during public health emergencies.**

### Any new paid sick leave legislation must:

#### 1. Ensure paid sick days are fully paid

For the public health recommendation “Stay home when sick” to be effective, sick days need to be **fully paid**. Unpaid sick days or paid sick days with less than full income replacement rates are ineffective. Workers should not be financially penalized for protecting public health or responding to a personal health crisis. We need to close the gap between public health recommendations and necessary financial security, with paid sick days.

#### 2. Ensure paid sick days are adequate

As with any treatment, the dose matters. Paid sick days must be **adequate** to cover the duration of common illnesses and acknowledge the reality of workers' lives, including family and caregiving responsibilities. Health providers have been calling for 7 paid sick days for many years and COVID-19 requires 14 days of self-isolation. We need to close the gap between medical evidence and paid sick days policy — all workers need at least 7 paid sick days at all times and an additional 14 during public health emergencies.

#### 3. Ensure paid sick days are permanent

The need to protect public health doesn't end after pandemics, and it is contrary to public health to restrict sick days to temporary measures related to COVID-19. The COVID-19 pandemic has highlighted the longstanding need for permanent paid sick days. To close the gap in paid sick days, they need to be **permanent**, available during COVID-19 and beyond.

**4. Ensure paid sick days are available to all workers, regardless of employment status, immigration status, or workplace size**

Pandemics reveal that infections anywhere are a threat to public health everywhere. Viruses don't discriminate, and neither should sick days. Paid sick days need to be **universal** – available to all workers regardless of workplace size, type of work (including temporary, part-time, and independent contracts), or immigration status of the worker. Closing the gap in access to paid sick days ensures those most in need are no longer denied this basic protection – women, racialized workers, migrant workers, and workers with disabilities in low-wage and precarious employment. Universal access to paid sick days will also require effective enforcement.

**5. Prohibit employers from requiring sick notes**

Prohibiting employers from requiring sick notes **removes an unnecessary barrier to staying home**, one which results in workers going to work sick. Physicians agree that patients can safely decide when to return to work without visiting their doctor for a sick note. Consequently, sick notes are an unnecessary burden on a healthcare system already under pressure.

**6. Prevent the introduction of any new barriers to accessing paid sick days**

Requiring workers to apply for income support or complete additional administrative tasks to access paid sick days will undermine their effectiveness. Such requirements create uncertainty about adequate income replacement and undue administrative burden. Application processes in place for longer term income supports are not appropriate and would undermine the effectiveness of workers taking sick days for short-term illness at the first sign of symptoms. Paid sick days should be employer-provided and workers should be paid with their next paycheque to ensure **no disruption to income**.

**7. Cover personal sickness, injury, or emergency, as well as family emergencies and responsibilities**

Workers need paid sick days that reflect the reality of their lives, healthcare needs, and caregiving responsibilities. That means **patient-centred, sufficiently flexible** leave that can be accessed for personal illness, injury, or emergencies, as well as family emergencies or responsibilities.

# APPENDIX A: PAID AND UNPAID SICK DAYS ACROSS CANADA

COVID-19 SPECIFIC			
<b>Federal</b>	<p>Personal leave: <b>5 days of leave</b> for sick leave or leave related to the health or care of family members</p> <p><i>Employer can request a medical note. Employee shall provide if reasonable and practicable.</i></p> <p>Medical leave: up to 17 weeks unpaid</p> <p><i>If 3 days or longer, medical note can be required by employer.</i></p>	<p>Personal leave: <b>3 paid days</b> (first 3 days of the 5 days are paid)</p> <p><i>Employer can request a medical note. Employee shall provide if reasonable and practicable.</i></p>	<p>Unpaid, job-protected leave for up to 16 weeks for reasons related to COVID-19. Ends on October 1, 2020 when it will be replaced by a permanent provision that allows for leave of absence for quarantine.</p> <p><i>Sick note not required.</i></p> <p>A temporary program to provide 10 days of income support for COVID-related leave for workers without paid sick days has been announced, but details and implementation are still forthcoming.</p>
<b>Newfoundland</b>	<p><b>7 unpaid days</b> for sick leave or family responsibility leave</p> <p><i>If absent for 3 or more consecutive days, must provide a medical note for sick leave or written statement outlining nature of leave for family responsibility leave.</i></p>	None	<p>Unpaid job-protected leave for reasons related to COVID-19.</p> <p><i>Sick note not required.</i></p>
<b>PEI</b>	<p>Sick leave: <b>3 unpaid days</b></p> <p><i>Employer can request a sick note if employee requests 3 consecutive days of leave.</i></p> <p>Family leave: <b>3 unpaid days</b></p> <p><i>Sick note rules not specified.</i></p>	<p>Sick leave: <b>1 paid day</b> after five continuous years of employment</p> <p><i>Employer can request a sick note if employee requests 3 consecutive days of leave.</i></p>	<p>Unpaid emergency leave in relation to COVID-19 for as long as an employee cannot perform their work-duties because of an emergency.</p> <p><i>Sick note not required.</i></p>

<p><b>Nova Scotia</b></p>	<p>Sick leave: <b>3 unpaid days</b></p> <p><i>Sick note rules not specified in legislation. Employers are prohibited from requiring sick notes during COVID-19 crisis.</i></p> <p>Emergency leave: Unpaid leave for government declared emergencies or public health directives or emergencies that prevent employee from performing work duties or if they need to care for someone due to emergency</p> <p><i>Guidelines suggest that sick notes may not be reasonable during a pandemic.</i></p>	<p>None</p>	<p>Unpaid emergency leave was already in place.</p> <p><i>In response to COVID-19, employers can longer require a sick note if an employee must be off work.</i></p>
<p><b>New Brunswick</b></p>	<p>Sick leave: <b>5 unpaid days</b>, after 90 days of work</p> <p><i>If employee requests 4 consecutive days or more, employer can require a sick note.</i></p> <p>Family responsibility leave: <b>3 unpaid days</b></p> <p><i>Sick note rules not specified.</i></p>	<p>None</p>	<p>Unpaid leave for reasons related to COVID-19 until regulation is repealed.</p> <p><i>Employer not permitted to ask for sick note.</i></p>
<p><b>Quebec</b></p>	<p>Sickness or accident: Total absences must not exceed <b>26 weeks</b></p> <p><i>Employer can request a sick note.</i></p> <p>Family responsibilities: <b>10 days</b> to care for child or someone else for whom they are caregiver</p> <p><i>Employer can request a sick note.</i></p>	<p>The first <b>2 days paid</b> of either sickness or accident or family responsibilities leave</p> <p><i>Employer can request a sick note.</i></p>	<p>The Temporary Aid for Workers Program provided \$573 per week for workers who needed to stay home for COVID-19 related reasons from March 16 to April 10. It closed to avoid duplication with CERB.</p> <p>Existing unpaid leaves remain in place and apply for COVID-19 related reasons.</p>



<p><b>Ontario</b></p>	<p>Sick leave: <b>3 unpaid days</b> for personal illness, injury or medical emergency</p> <p><i>Employer can require a sick note.</i></p> <p>Family responsibility leave: <b>3 unpaid days</b> for family members' illness, injury, medical emergency or urgent matter</p> <p><i>Employer cannot require a sick note for a family member's illness, injury or medical emergency, but may require evidence or proof.</i></p>	<p>None</p>	<p>Infectious disease emergency leave (IDEL) provides job-protected unpaid leave for reasons related to COVID-19.</p> <p><i>Employer cannot require a sick note.</i></p>
<p><b>Manitoba</b></p>	<p><b>3 unpaid days</b> of leave for sick leave or family care responsibilities</p> <p><i>Employers can require a medical note.</i></p>	<p>None</p>	<p>Public health emergency unpaid leave of unspecified length for reasons related to COVID-19.</p> <p><i>Employer not permitted to ask for sick note.</i></p>
<p><b>Saskatchewan</b></p>	<p><b>12 unpaid days</b> for sick leave or for the care of family members</p> <p><i>Employers can request a medical note, unless absence is a result of a public health emergency.</i></p>	<p>None</p>	<p>An unspecified number of unpaid days of leave for reasons related to COVID-19.</p> <p><i>No requirement for a sick note.</i></p>
<p><b>Alberta</b></p>	<p><b>5 unpaid days</b> for sick leave or for family care responsibilities</p> <p><i>Sick note rules not specified.</i></p>	<p>None</p>	<p>14 unpaid days of leave for reasons related to COVID-19.</p> <p><i>No requirement for a sick note.</i></p>
<p><b>British Columbia</b></p>	<p>Sick leave: <b>3 unpaid days</b> for personal illness or injury</p> <p>Family responsibility leave: <b>5 unpaid days</b> for the care and health of a child or immediate family, or the education of a child in the worker's care</p> <p><i>Employers can request a sick note.</i></p>	<p>None</p>	<p>Unpaid job-protected leave for reasons related to COVID-19 for an unlimited number of days</p> <p><i>Employer not permitted to ask for sick note.</i></p>
<p><b>Nunavut</b></p>	<p>None</p>	<p>None</p>	<p>None</p> <p><i>The government recommended that organizations in Nunavut waive the requirement for sick notes during the COVID-19 pandemic.</i></p>

<p><b>Northwest Territories</b></p>	<p><b>5 unpaid days</b> for sick leave or family responsibility leave</p> <p><i>Employer can request a sick note if leave exceeds or is expected to exceed 3 consecutive days.</i></p>	<p>None</p>	<p>None</p>
<p><b>Yukon</b></p>	<p>Sick leave: 1 unpaid day of sick leave for every month the employee has been employed by that employer, less the number of days on which the employee has previously been absent due to illness or injury, <b>up to a maximum of 12 unpaid days</b></p> <p><i>Employers can request a medical note.</i></p>	<p>None</p>	<p>Unpaid leave for a period of up to 14 days for reasons related to COVID-19. The leave must be taken all at once.</p> <p><i>A sick note is not required to access this leave.</i></p> <p>Program that reimburses employers who pay employees to take sick days or self-isolate for up to 10 days of COVID-19 related leave. Regular paid sick leave available to workers must be used first. It is also available for the self-employed.</p> <p><i>A sick note will not be required.</i></p>

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# APPENDIX B: METHODOLOGY FOR INTERVIEWS AND SURVEY

Two research approaches were used to anchor this report in worker and health provider perspectives. Worker experiences were captured in interviews, while health provider perspectives were captured in a survey.

## WORKER INTERVIEWS

The worker interviews involved one-on-one, in-depth, semi-structured interviews. Thirty workers from various sectors across Ontario were interviewed between October and December 2019 by one primary interviewer. The purpose of the interviews was to explore how paid sick days, sick notes, and personal emergency leave impacted their health and the health of their families and communities. Two additional workers were interviewed in June and July 2020, during the COVID-19 pandemic, to gain an understanding of their experience without paid sick days during a public health emergency. Interviewed workers were financially compensated for their participation.

The approach to worker interviews was determined in consultation with community leaders who have undertaken collaborative research with low-income workers in the past. Questions were developed with input from community partners, including Parkdale Community Legal Services, Workers' Action Centre, and the Ontario Employment Education and Research Centre. This community-based participatory research (CBPR) method used phenomenology to analyze the interviews. Interviews were recorded with the consent of participants and were transcribed using Descript. All participants were recruited through purposive sampling. The primary interviewer also coded and analyzed the interview transcripts with the community partners' assistance. Check-ins with community partners took place at regular intervals during the entire CBPR process.

## PHYSICIAN SURVEY

The Decent Work and Health Network research team surveyed Canadian Association of Emergency Physicians (CAEP) members to determine the impacts of sick notes on patients and the healthcare system, the duration of time off work recommended to patients by physicians, and training and policies in place for health providers regarding sick leave policies and prescribing practices for common illnesses.

This study received approval from the University of Toronto Health Sciences research ethics board. Following a literature review, the survey was designed through 4 authors' consensus and revised following review by an additional physician and labour policy expert. The survey was distributed in English only via SurveyMonkey. CAEP administered the survey, distributing the survey 3 times in 2-week intervals between December 2019 and January 2020. The link was distributed by email to all CAEP physician members. Of the 1524 CAEP physician members reached, 182 participated. Ontario was reported as the practice location by 51.1% of respondents and 79% practiced emergency medicine exclusively, with the remainder practicing emergency medicine and family medicine, sports medicine, or other specialties. Survey participation was voluntary and all responses anonymous. No financial incentive was provided for participating.

The survey included multiple-choice demographic questions, as well multiple-choice

questions and open-ended, numeric responses to quantify variables, such as the duration of time physicians advise patients to stay home from work, the cost of a sick note, and the frequency with which patients require additional medical care. Participants were allowed to skip questions, and data from incomplete surveys was included. Data was analyzed in the R statistical programming language.<sup>160</sup>

# APPENDIX C: SUMMARY OF FINDINGS FROM WORKER INTERVIEWS

In total, 32 workers were interviewed between October 2019 and July 2020. Of those, 22 identified as women and 6 women had school-aged children, while 10 identified as men. Twelve women and 4 men were racialized workers. All resided in Ontario, with 6 residing in non-urban locations. Most workers interviewed were in low-wage and precarious jobs.

Several key themes emerged from the interviews:

- **Many workplaces have a culture of workers being expected to go into work sick.** This was present despite the reality that completing job duties while sick posed a risk to customers, clients and workers' own health. Fear of reprisals increased pressure to work while sick.
- **Many workers fear reprisals when they access sick days.** In fact, 60% of workers interviewed reported fears that they will be penalized or, in some cases, fired for using their unpaid sick or paid sick days.
- **Workers save paid sick days for when they really need them.** All workers interviewed talked about using paid sick days carefully to ensure they were available when they need them most. Workers use paid and unpaid sick days as a form of insurance, which gives them a sense of security that they will be able to cope in case of an emergency or personal or family illness.
- **Lack of access to adequate paid sick days had a disproportionate impact on women, who were more likely to be primary caregivers.** Five women interviewed chose not to use their sick days for personal illness, instead saving them for when they had caregiving duties (most commonly for when their children got sick). Four workers who were primary caregivers had been in situations where they had no option but to send sick children to school because they lacked paid sick days.
- **Access to paid sick days had a positive and protective impact on health and mental health, as well as giving workers a sense of dignity.** For 9 workers interviewed, paid sick days allowed workers to stay home for illness resulting in improved recovery time. Twenty-seven workers described that paid sick days provide a sense of protection or security with a positive impact on mental health (by reducing stress and anxiety, for example). This was related to many factors, including knowing you have time off available for sickness, medical appointments, caregiving, and emergencies. For half of workers interviewed, having paid sick days contributed to feelings of respect, dignity and value in the workplace.
- **Two paid sick days was not enough.** Many workers interviewed gained access to 2 paid sick days when they became legislated in employment standards in Ontario in 2018. Workers unanimously agreed that access to 2 paid sick days made a positive difference for them, but 2 days did not adequately reflect the realities of time off required to protect their health and deal with family responsibilities. This was particularly the case for workers who were women or who had chronic medical conditions.
- **Allowing employers to require sick notes results in workers going to work sick.** Five workers had chosen to go to work sick rather than get a sick note. Workers had paid up to \$50 for a sick note. Access to same day care from a family physician to obtain a sick note

was rare, which meant workers went to walk-in clinics and emergency rooms to obtain sick notes. Workers in rural areas of Ontario were more likely to go to the emergency room to get a sick note.

- **Required sick notes cause tension between patients and health providers.** Four workers interviewed cited having to obtain sick notes as a cause of tension with their health provider.
- **Patient-centred personal emergency leave with sufficient flexibility was important to workers.** Workers talked about how restrictions to emergency leave introduced in Ontario in 2019 compromised their or their families' health and wellbeing. For 10 workers that we spoke with, losing flexible personal emergency leave limited their ability to manage their health, provide care to their family, or grieve the loss of loved ones. Flexibility was particularly important for workers managing chronic conditions who relied more on personal emergency leave days to attend medical appointments and access preventive care.

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[DECENTWORKANDHEALTH.ORG](http://DECENTWORKANDHEALTH.ORG)

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Email: [Christine.Elliott@ontario.ca](mailto:Christine.Elliott@ontario.ca)

[Insert date]

Dear Minister Elliott,

The [insert board name] is deeply concerned about the absence of paid sick leave standards for workers in the province. As a matter of public health, we urge your government to update employment standards to implement paid sick days for all workers.

The COVID-19 pandemic has revealed the urgency of paid sick days for curbing the transmission of infectious disease and protecting public health. As of December 4, 2020, 30 percent of active outbreaks in Ontario were workplace outbreaks. [Option to insert local workplace outbreak data.] Workplaces with precarious jobs where workers lack access to paid sick leave have become hotspots for COVID-19 infection transmission, including outbreaks in long-term care homes, farms, meat-processing plants, grocery stores, and warehouses.

The most recent Statistics Canada General Social Survey shows that 58% of workers in Canada have no access to paid sick days. For workers earning less than \$25,000, over 70% have no paid sick days. In the trade and transportation sector, which include grocery store and warehouse workers, 62% of workers lack paid sick days. In the service sector, including food services, the percentage is higher at 75%. Even in the health care and social services sectors, where risk of exposure to infectious disease is highest, 50% of workers do not have paid sick days.

The COVID-19 pandemic has exposed the urgency of addressing gaps in paid sick days as a matter of health equity. Low-wage workers, who are disproportionately Black and racialized, are more likely to be denied paid sick days and have faced higher rates of COVID-19, including in [insert region]. These gaps are especially dangerous for workers with chronic health or immunocompromised conditions, and for persons with disabilities, seniors, children, and patients who rely on workers to provide care and support.



Staying home when sick is one of the most effective containment strategies for infectious disease. A 2006 Public Health Agency of Canada report studying gastrointestinal illness shows that workers in high-risk settings — food handling, long-term care and child care — will continue to work when ill when they cannot afford to take time off. A 2018 study from Swiss Economic Institute's Stefan Pichler and Cornell University's Nicolas Ziebarthin found that cities in the United States with paid sick days saw a 40% reduction in influenza rates during flu waves compared to cities without.

Workers without paid sick days are forced to choose between sacrificing their financial security for public health or going to work sick to support themselves and their families. Without public policy to support people to make the decision to stay home when they are ill, behavioural recommendations are limited in their effectiveness.

Chief Public Health Officer of Canada Theresa Tam recognizes why paid sick leave is essential to protect worker and community health in her October 2020 report *From Risk to Resilience: An Equity Approach to COVID-19*:

“Without paid sick leave, employees may lose income if they become ill and are unable to work. Without employment security, they may lose their jobs if they stay home when sick. In either case, or particularly if they are economically insecure, workers may feel unable to comply with public health guidance to stay home when sick.”

In addition, paid sick days support effective immunization uptake. Evidence shows paid sick days increase vaccination rates. Both workers with paid sick days and their children have higher vaccination rates against the flu, and better access to other preventive health services.

We urge your government to consider the following recommendations to contain the spread of infectious disease and protect public health:

- Update employment standards to require employers to provide at least 7 days of paid emergency leave on a permanent basis.
- Update employment standards to require employers to provide an additional 14 days of paid emergency leave during public health emergencies.

Not only are these measures crucial for protecting against COVID-19, but they will also protect public health from infectious pathogens like influenza and future outbreaks, as we have seen with SARS and H1N1.

Thank you for reviewing this information and we look forward to hearing from you.

Sincerely,

[Insert signature  
Insert title]

cc: Hon. Doug Ford, Premier of Ontario (premier@ontario.ca)

Hon. Monte McNaughton, Minister of Labour, Training and Skills Development  
(monte.mcnaughton@pc.ola.org)

Dr. David Williams, Provincial Chief Medical Officer of Health  
(dr.david.williams@ontario.ca)

[Option to include local MPP]

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## MEMORANDUM

**Subject:** COVID-19 Response and Business Continuity in Public Health & Emergency Services (February 2021 Update)

**Date:** February 16, 2021

**To:** Public Health & Social Services Committee

**From:** M. Mustafa Hirji, Medical Officer of Health & Commissioner (Acting)

---

### Current Status as of February 4, 2021

- The latest updates including statistics can be found at the [Niagara Region website](#).
- Globally, the Western world is seeing the resurgence of COVID-19 level off as lockdowns are taking effect. In Europe lockdowns are being lifted.
- In Canada, likewise, there has been a reduction of cases with lockdown measures. Provinces are now contemplating plans for reopening, with [Alberta having announced its plan](#).
- Complicating plans to reopen are variants of concern. In the United Kingdom, these lead to an immediate surge of cases after they exited their November lockdown. Concern is that reopening too early will lead to a similar surge here.
- Thus far, variants are overwhelmingly concentrated in York Region and neighbouring areas—Simcoe-Muskoka, Toronto, Durham Region, and Peel Region accounting for 92% (140 of 152 cases) of variants diagnosed in Ontario.
- Variants spread more easily and so more measures will be needed to control COVID-19 going forward. As Ontario struggled to contain cases in the fall, likely those same measures would be even less effective now. This likely means there won't be a full reopening until vaccine is more widely available.
- Schools have opened as the first stage of reopening the economy. This recognizes the importance of schooling to children's well-being, as well as the equity implications for women.
- [Outbreaks in long term care homes and retirement homes](#) are now falling in number with far smaller outbreaks, though the total number of outbreaks remains high. Tragically, the past several weeks of large outbreaks in long-term care homes and retirement homes has resulted in many persons passing away.

- With cases starting to come down, Public Health's capacity for follow-up is improving. Public Health's capacity continues to be stretched however, given the ongoing large number of cases, outbreaks, as well as the ramping-up of vaccination work.
- The province has limited vaccination at this time to only long-term care home residents and specified high risk retirement home residents. Vaccination of this group with their first doses has been completed, and their second doses are being administered now 21 days after their first dose.
- Work continues in planning mass vaccination efforts in case the provincial government seeks Public Health leadership of that effort. Plans are near complete with efforts underway to recruit volunteers and additional capacity. The major barriers to planning are the lack of information on when doses will arrive and in what volumes.
- In Emergency Services, call volumes for EMS have largely returned to normal levels as business and life has resumed.
- EMS is closely monitoring patient flow within local emergency departments and working with Niagara Health to ensure capacity and surge planning for anticipated COVID-19 related hospitalizations. The recent closure of GNGH to admissions is impacting patient flow.
- Emergency Management continues to support both Regional and Local Area Municipal EOC's for coordinated response and business continuity planning.

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## **Previous (January 12) Summary on Business Continuity**

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/Pandemic Response Division***

#### **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. Currently 131 staff work in COVID-19 emergency response (35% of staff complement in Public Health), as well as an additional 42 staff on contract to support the response with 31 additional staff being recruited.

Emergency Operations are currently in the process of being transitioned to the new temporary Pandemic Response Division to consolidate most pandemic response activities, and streamline reporting lines and management processes. This was explained in more detail in [CWCD 299-2020](#).

## Significant Initiatives or Actions Taken

There are five 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 over 100 staff. 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. With Council’s approval received on August 13, 2020, there is now the ability to enter into assistance agreements with other local public health agencies to further expand capacity if needed. However, with most parts of the province experiencing surges of cases, it is unlikely Niagara will be able to leverage the support of others. The case/contact/outbreak management operation now works 7 days a week, 08:00 to 20:30.

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 contract 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.

A dedicated health care provider phone line supports health care providers in providing advice and latest recommendations around COVID-19.

Approximately 5 FTE currently support the health care and social services sector within the Emergency Operations Centre, all redeployed from normal public health work.

- 3. Supporting Schools & Child Care.** A new call line has been created to support schools, teachers, staff, and child care operators with keeping children safe in their reopening's. Supporting these sectors is a priority in terms of protecting vulnerable children as well as older staff who may work in these settings and are at risk of severe illness. However, it is also a priority given the potential for children to spread infections through families and through the large populations in schools which could trigger a second wave. As well, successful reopening of schools and child care is critical for our economic recovery to enable parents to return to work. This is a particular equity issue for women given the disproportionate role women play in child care. Approximately 40 staff, including the 20 new provincially-funded hires are supporting schools and child care.

Since the reopening of schools, the school health team has

- Managed over 1000 clients who are cases or contacts of COVID-19 and associated with a school
  - Provided 350 consultations to schools
  - Provided, on average, 5 engagements with each school
  - Conducted, on average, 4 in-person visits a week to schools in Niagara to do proactive infection prevention work
  - Supported 145 school staff with virtual professional development around preventing COVID-19
  - Provided resources that have been accessed over 10,000 times (on-line or in hard copy) by school staff or school boards.
- 4. 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.

Due to recent increase in cases for COVID-19, Public Health reduced staff available for the informational phone line and online chat, to increase more staff in case and contact management. There will also be a reduction of the hours of the call centre, so that it closes at 19:15. With these changes, wait times for callers are unfortunately increasing. Public Health is looking at options to outsource this work.

Approximately 10 staff have been redeployed from usual public health operations to support the Emergency Operations Centre with public messaging.

5. **Vaccination.** Since the start of the pandemic, work has been underway to update and adapt off-the-shelf mass vaccination plans to the current situation. Plans are near complete, and dependent on information on vaccine distribution to finalize and allow execution to begin.

Early parts of the plan, in terms of mobile teams, have already been mobilized to vaccinate in long-term care homes, retirement homes, and congregate care setting with the limited volume of vaccine available.

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

- As the Shutdown and vaccination reduces cases, Public Health hopes to return to case and contact management operations more similar to the rest of the fall.
- ~~Case & Contact Management capacity surged to deal with additional workload. Simultaneously, there is a reduction of service being provided to the public.~~



3 months

- ~~As the Shutdown and vaccination reduces cases, Public Health hopes to return to case and contact management operations more similar to the rest of the fall.~~

3 months to 6 months

- Projections on operations in the future will depend on Provincial government policy decisions around COVID-19 response and the speed at which vaccines become available. 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. Many staff (60 FTE of 84 total) have been reallocated to the Emergency Operations Centre for COVID-19 response. Current operations are focused on

- 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
- 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

With the current state of COVID-19 cases and the ramping up of COVID-19 vaccinations, it is very unlikely any school vaccinations will take place this year.

## **Operational Outlook**

1 month & 3 months

- ~~Return of staff to vaccination and sexual health programs to scale up operations in these areas.~~
- ~~Attempt to resume school-based vaccinations.~~
- Plan for enforcement of the *Immunization of School Pupil's Act*.

## ***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. With the resurgence of COVID-19, some staff have again been redeployed to the COVID-19 response, affecting waiting times for Mental Health services. Two staff returned to Mental Health have once again been reassigned to pandemic response.

### **Services/Operational Changes**

- Shift of some in-person clinics to remote delivery
- Reduction in some volume of work to shift 6 FTE to provide mental health case management in shelters.

## **Operational Outlook**

- With the resurgence of COVID-19, staff have been redeployed to COVID-19 response, and likely will remain redeployed for several more weeks.
- Mental Health services are expected to continue to have long waiting times given loss of staff to COVID-19 response.

## ***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). No staff remain completely deployed to support Emergency Operations. However, almost all staff are supporting emergency operations in their home program by inspecting COVID-19 prevention measures as part of their normal inspection work, or taking on roles around non-COVID-19 infection prevention normally done by staff redeployed to Emergency Operations. For early October, 1 staff person has been formally redeployed to emergency operations. Currently staff focus upon

- 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 borne 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**

- Increase of infection control investigations of long term care facilities and retirement homes

- Simulations of outbreaks with long term care facilities and retirement homes to increase their preparedness for outbreaks have now been discontinued
- Refocusing infection control investigations of day cares to focus on very frequent inspection of those that remain operational
- Inspections conducted as part of COVID-19 case and outbreak investigations in workplaces and public settings

## **Operational Outlook**

1 month

- No changes

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 heavily 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. In order to support COVID-19 vaccinations, some staff have been redeployed to support data management around vaccinations. Of 35 staff, 24 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

- No changes

#### 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 continues to be redeployment of 79 of 144 staff in Family Health to support Emergency Operations. As well, 20 school health staff while not formally redeployed, work overwhelmingly in COVID-19 response. In addition, most staff working in normal assignments are managing the exacerbated harms from the pandemic on other health issues.

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.

Efforts are now underway to plan with schools on how school health programming may be delivered this fall. The Healthy Babies Healthy Children program has begun transitioning back to in-person visits with physical distance to better support families, as well as in-person screening in the hospitals. The Nurse Family Partnership has also been able to transition to mostly in-person visits using physical distance having maintained visiting at pre-COVID levels for the prior 3 months with more virtual visits.

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
- Shifting all prenatal/postnatal support to virtual options from in-person service
- Shifting home visits to remote connections

For the period of March 16, 2020 to November 14, 2020:

- 672 registrants for online prenatal education
- 3180 HBHC postpartum screens and assessments completed by PHN
- 2079 HBHC home visits
- 981 Nurse Family Partnership visits
- 589 Infant Child Development service visits
- 840 Breastfeeding outreach visits
- 2283 interactions with Niagara Parents (phone, live chat, and email)
- 200 moms received support and skill building through our cognitive behavioural therapy post-partum depression group
- 151 visits to families receiving support and skill building through our Triple P Individualized Parent Coaching

## **Operational Outlook**

1 month

- Resumption of breastfeeding clinics has been halted due to redeployment of staff to support COVID-19 again.

3 month & 6 month

- Future operations will depend on Provincial policy decisions around COVID-19 response. Loosening of social restrictions will enable delivery of programming with more direct engagement.
- Breastfeeding clinics may resume in the winter.
- Resumption of dental clinics and fluoride varnish administration is also being planned for the winter.
- Positive Parenting Program being planned for resumption in the fall. There has been high uptake to virtual class options.

## ***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 34 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 have returned to expected values and operational response is normal. EMS has moved from the Monitoring stage of their Pandemic Protocol back to the Awareness stage following the recent increase in COVID-19 cases and the impact on resources. EMS is experiencing many staff in all areas of EMS operations needing to self-isolate due to family testing requiring business continuity procedures to be enacted. EMS continues to face pressures around personal protective equipment procurement as global shortages continue.



## **Services/Operational Changes**

- Providing enhanced community support through COVID-19 specific programs (refer to PHD 05-2020 for additional details)
- Additional requests by the Province for EMS to supplement community support through enhanced Mobile Integrated Health services – 100% funding for any new initiatives approved by the LHIN

## **Operational Outlook**

1 month

The Pandemic Plan for response prioritization remains in place. 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 calls to 911 as well as increase risk for 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 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.
- A mid-response review is being conducted by staff to assess the functionality and effectiveness of emergency management coordination internally and with external stakeholders, primarily LAM EOC's to identify what is/has worked well and opportunities to improve emergency management coordination as the emergency continues

### **Operational Outlook**

Ongoing support of current Emergency Operations Centres and recovery planning efforts. There are some elements of recovery planning that are begin implemented.

### **Recommended by:**

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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

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## MEMORANDUM

COM-C 3-2021

**Subject: COVID-19 Response and Business Continuity in Community Services**

**Date: February 16, 2021**

**To: Public Health & Social Services Committee**

**From: Adrienne Jugley, Commissioner, Community Services**

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This memo provides continued updates on the measures Community Services has taken to ensure the ongoing 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**

#### **Long-Term Care COVID-19 Outbreak Updates**

The increased community spread of COVID-19 continues to pose a heightened risk for long-term care (LTC) homes and congregate settings during this second wave of the pandemic.

In the last report, Seniors Services reported ongoing outbreaks at Meadows of Dorchester, Woodlands of Sunset, Linhaven as well as Deer Park Suites (assisted living). The outbreaks did not include any resident cases. The outbreaks were cleared on the following dates:

- Woodlands of Sunset was cleared on January 11, 2021
- Meadows of Dorchester was cleared on January 23, 2021
- Linhaven was cleared on January 26, 2021
- Deer Park Suites (assisted living) was cleared on January 9, 2021

At the time of writing this report there are four active outbreaks in Regionally operated LTC homes.

- Northland Pointe – a declared outbreak was triggered on January 2, 2021 when a resident and an asymptomatic employee (through weekly staff surveillance testing)

tested positive for COVID-19. All required outbreak measures were promptly implemented.

- Meadows of Dorchester – an outbreak was declared on January 31, 2021 related to a single employee positive COVID-19 test result (through weekly staff surveillance testing). All required outbreak measures were promptly implemented.
- Gilmore Lodge – an outbreak was declared on February 3, 2021 related to a single employee positive COVID-19 test result. All required outbreak measures have been implemented.
- Rapelje Lodge – a suspect outbreak was declared on December 25, 2020 and the outbreak status was shifted to an active outbreak on January 8, 2021 with the identification of positive cases linked to symptomatic staff and residents. To date, the outbreak has had a significant impact to residents and staff across the home. The home continues to work very closely with Public Health to ensure effective contact tracing and that required infection prevention and control practices are in place to mitigate the impact of the virus in the home.

### **Vaccine Distribution Planning and Implementation**

The first dose of COVID-19 vaccinations, for residents, staff, and essential caregivers of LTC homes in Niagara, began on January 14, 2021. Public Health took the lead on the resident vaccination program and residents were vaccinated on-site with the Pfizer-BioNTech COVID-19 vaccine. The vaccine was administered through a collaborative effort of Public Health nurses and LTC home staff. All eligible residents across the eight homes operated by the Region were provided the opportunity to have their first dose of the vaccine. Public Health completed first dose vaccinations of all 32 LTC homes in Niagara in nine days. After completing the LTC resident vaccinations, Public Health moved on to start vaccinations of seniors in assisted living facilities that are co-located with LTC homes and high risk retirement homes, as identified by the Ministry of Long-Term Care (MLTC). At the Region's Deer Park Suites (assisted living) all eligible residents were vaccinated through an on-site clinic.

Public Health is currently working with LTC homes, assisted living facilities, and high risk retirement homes to initiate clinics to administer the second dose of the vaccine. All LTC homes are anticipated to have received second dose vaccinations for residents by February 13, 2021. Public Health will then complete second dose vaccinations for outstanding assisted living facilities and high risk retirement homes.

Niagara Health took the lead on the vaccination of staff and essential caregivers for long-term care. Niagara Health ran a vaccination clinic at the St. Catharines site and

used the Pfizer-BioNTech COVID-19 vaccine. The vaccination clinic was suspended on January 21, 2021, when the provincial government advised Niagara of a change in vaccine allocation and delivery. All further first dose vaccination appointments were cancelled at that time. During the week of February 1, 2021, Niagara Health was working towards re-scheduling second dose appointments for staff and essential caregivers already vaccinated with the first dose. The re-scheduling will not resume until further communication is provided on vaccine deliveries to Niagara. Across the eight homes operated by the Region, about 50% of staff have received their first dose of the vaccination and many remain in line for when vaccination clinics resume. The uptake from Regional staff has been excellent to date.

### **Rapid Antigen Testing**

The MLTC is mandating that all LTC homes in Ontario implement point-of-care rapid antigen COVID-19 screening tests for staff, students and essential caregivers. LTC homes across Niagara are required to start the transition from weekly polymerase chain reaction (PCR) testing to rapid antigen testing by February 16, 2021, with the program required to be fully operational by February 22, 2021.

During the transition phase, LTC homes will be required to complete both weekly PCR testing as well as rapid antigen testing. The MLTC has outlined the following details for the required frequency of rapid antigen testing:

- Staff and students who enter LTC homes **two or more days** during a 7-day period must undergo antigen testing on non-consecutive days, up to three times in the period prior to entry into the LTC home.
- Staff and students who enter LTC homes **only once** in a 7-day period must undergo an antigen test on the “day of” prior to entry into the LTC home.
- Essential caregivers must undergo an antigen test on the “day of” regardless of how many times they attend to a LTC home in a 7-day period.

All staff, students and essential caregivers must continue to be screened, as per the requirements outlined above, prior to being permitted into a LTC home, and homes must ensure completion of weekly data submission to the MLTC on several screening metrics.

### **Homelessness Services & Community Engagement**

Homelessness Services continues to operate the full emergency shelter system, overflow hotel rooms, the self-isolation facility and an enhanced street outreach service.

As of January, 31, 2021, 415 individuals have been referred to the isolation facility with testing administered in shelter.

Niagara Region was advised on December 15, 2020 that the Region will receive \$4,068,100 in Social Service Relief (SSRF) - Hold Back Funding. The funding guidelines are similar to that of the SSRF Phase 2 funding allocation, meaning that funding can be used for operating costs associated with the needs of the homelessness system only until March 31, 2021, and/or can also be used for capital costs to support projects with completion (and occupancy) committed by the end of December 2021. The Region is awaiting a response from the Ministry of Municipal Affairs and Housing, regarding a request to extend the requirement to have entered into a contribution agreement with a proponent for a capital commitment, in order to use this funding to support an additional capital asset for permanent supportive housing in the region. In the meantime, based on an initial feasibility review, the Region is preparing an expression of interest to allow for potential property owners and realtors to submit potential projects to leverage this funding, according to the funding parameters.

Niagara Health, EMS and Homelessness Services have partnered on a small number of short term LHIN funded pilot projects (until March 31, 2021) aimed to improve mental health and medical support services for individuals experiencing homelessness. The pilot projects incorporate a multifaceted approach focused on increasing urgent access to outpatient supports for patients leaving psychiatric emergency services; enhancing mobile paramedic medical services for individuals experiencing homelessness and connected with the Niagara Assertive Street Outreach team; improving access to supports for individuals accessing the shelter system and experiencing mental health and addiction issues; and, expanding capacity of the Regional Essential Access to Connected Healthcare (REACH) Niagara team to offer short-term recuperation supports for individuals experiencing homelessness and recently discharged from hospital. Through the pilot projects, the REACH Niagara team will also be able to connect individuals within the shelter system to local family practices, community health, and healthcare specialists (e.g. for foot, wound, and dental care), hopefully with longer term benefits.

Homelessness Services is also collaborating with REACH Niagara and Family Health Teams, and coordinating with agencies across the homeless serving system, to inform local planning for the administration of the COVID-19 vaccination for staff and clients within the homeless serving system. Planning is also underway to ensure staff and clients have the necessary information to be able to make an evidence-informed decision about the COVID-19 vaccine, once it is available for this population.

## **Children's Services**

### **Emergency Child Care**

A targeted emergency child care program continued across the province, since January 4, 2021, as a result of the province-wide lockdown (declared on December 26, 2020) and the subsequent stay-at-home order implemented by the province on January 14, 2021. Schools in several public health regions across Ontario, including Niagara region, remained closed with students participating in online learning, which also meant that all before and after school child care programs remained closed as well. As a result, Niagara Region Children's Services continued to provide emergency child care for school aged children of essential workers at Regionally operated child care centres (St. Catharines and Port Colborne). Emergency child care was also provided at a number of licensed child care centres and home child care programs, across Niagara. On February 3, 2021, the province indicated that schools in Niagara will be reopening for in-person learning on February 8, 2021. Emergency child care in Niagara will end on February 5, 2021 and all child care providers will be able to reopen their before and after school programming.

- Across Niagara, 17 licensed child care centres and 29 home child care locations operated emergency child care for school aged children.
- As of February 4, 2021, 301 school aged children in total were placed in emergency child care.
- On average, 232 school aged children attended emergency child care each week. This number increased steadily during each week that emergency child care was available.
- On average, between January 4, 2021, and February 4, 2021 there were approximately 100 school aged children on the waitlist to access emergency child care.

Child care continued for families of infants, toddlers and preschool aged children throughout the initial province-wide lockdown period.

### **Child Care Updates**

Licensed child care centres and home child care programs have documented 1,196 child absent days in December 2020 that were directly related to COVID-19. These absent days were either for testing, due to children exhibiting COVID-19 like symptoms, or due to isolation by a child or family member. This number has shown a consistent

reduction from what was reported in October and November of 2020, mostly due to the change in the COVID-19 operational guidelines related to screening and symptoms. This does not include any absent days incurred by children for regular occurrences such as non-COVID illness, injury, vacation, etc. Children's Services continues to support licensed child care service providers with COVID-19 related costs through one-time support from COVID-19 relief funding. Children's Services expects this to rise as COVID-19 cases continue to increase and more testing is conducted, and isolation is directed.

Children's Services is continuing to monitor the reopening of child care centres and also continues to provide funding to child care service providers to support their ability to remain open.

### **Social Assistance & Employment Opportunities (Ontario Works)**

Throughout the province, the OW caseload has seen a decrease as individuals and families have continued to access the temporary federal COVID-19 benefits, and the Employment Insurance program. As of December 2020, Niagara's OW caseload was 8,615. Overall, Niagara's OW caseload has decreased by 3.3% in 2020 when compared to 2019. The province has seen an overall decrease of 5.1% in the OW caseload.

As federal benefits expire throughout 2021, the Ministry of Children, Community and Social Services (MCCSS) is anticipating a 22% increase in the number of individuals requiring social assistance. In response, MCCSS is centralizing the intake function to create capacity at the local level to respond to the anticipated increase in caseload. The new centralized and automated intake process will be launched in Niagara on February 16, 2021. SAEO has developed a comprehensive transition plan outlining required actions in the areas of engagement, communication, technology, training and development, site readiness and business process review to support a successful launch of the automated intake process.

SAEO continues to offer a blended service delivery model that incorporates in-person, telephone and virtual services to respond to the needs of high-risk clients. Since July 2020, 2,628 clients have received in-person service across the five SAEO sites.

### **Niagara Regional Housing (NRH)**

NRH's development team submitted an application to the Canadian Mortgage and Housing Corporation (CMHC) for the Rapid Housing Initiative (RHI). The funding through the RHI would support the full capital request for 32 new modular units on the



POA lands in Welland, purchased by NRH. While waiting for approval, work continues to get the land ready to be able to quickly develop the new modular units and meet the deadline of March 31, 2022 for occupancy, as outlined in the RHI guidelines.

After the province-wide lockdown and the following stay-at-home order, NRH has moved to only responding to urgent/emergency maintenance requests. Community Programs Coordinators (CPCs) continue to offer telephone support and attend NRH housing communities, if necessary, particularly to support the needs of vulnerable tenants. One hundred and thirty-six refurbished computers were delivered to tenants along with information about the CyberSeniors partnership that offers workshops and programs on-line. NRH continues to advocate for affordable internet so that tenants are able to access information, supports and programs.

As a result of a significant mask donation to Niagara Region, NRH began delivering packages of 50 disposable masks to every NRH household. The security student, who is providing support to NRH through a partnership with Niagara College, has been delivering the masks while also doing walks around NRH communities to offer friendly reminders to tenants about COVID-19 guidelines and answering any questions that tenants may have.

Housing providers have been asked to contact NRH should they experience financial stress as a result of COVID-19, such as increased cleaning costs. However, to date, there have not been any requests from housing providers for this type of financial support. NRH will continue to watch for opportunities to support housing providers throughout the pandemic.

Respectfully submitted and signed by

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Adrienne Jugley, MSW, RSW, CHE  
Commissioner

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**MEMORANDUM**

**COM-C 4-2021**

**Subject: Request for Declaration of State of Emergency for Mental Health, Homelessness and Addiction – Additional Correspondence**

**Date: February 16, 2021**

**To: Public Health and Social Services Committee**

**From: Ann-Marie Norio, Regional Clerk**

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The Clerk's Office is in receipt of additional correspondence in response to the motion from the City of Niagara Falls respecting Niagara Region declaring a state of emergency on mental health, homelessness and addiction. Correspondence received from the Towns of Lincoln and Pelham and the Cities of Port Colborne, St. Catharines and Welland, is attached to this memorandum.

**Other Pertinent Reports:**

- COM-C 2-2021 Request for Declaration of State of Emergency for Mental Health, Homelessness and Addiction

Respectfully submitted and signed by

---

Ann-Marie Norio  
Regional Clerk

4800 SOUTH SERVICE RD  
BEAMSVILLE, ON L0R 1B1  
905-563-8205

January 19, 2021

Sent via email:  
Local Area Municipalities

**Re: Town of Lincoln Council Resolution re: Niagara Region Recognize and Acknowledge Mental Health as a Regional Crisis and Support Solutions to End Homelessness and Addiction**

Please be advised that Council for the Corporation of the Town of Lincoln at its Special Council Meeting held on January 18, 2021 passed the following motion:

Moved by: Councillor Greg Reimer; Seconded by: Councillor Paul MacPherson

That the correspondence received from the City of Niagara Falls, dated November 17, 2020 and presentation provided by Mr. Soos to Special Council for the Town of Lincoln on December 7, 2020 be received; and

That Council for the Corporation of the Town of Lincoln request that Niagara Region recognize and acknowledge Mental Health as a Regional crisis and support solutions to end homelessness and addiction; and

That Lincoln staff present back to Council a report on potential local solutions and supports, in collaboration with regional staff.

**CARRIED**

Regards,

Julie Kirkelos  
Town Clerk  
[jkirkelos@lincoln.ca](mailto:jkirkelos@lincoln.ca)

cc: Local Area Municipalities



# The City of Niagara Falls, Ontario

## Resolution

No. 10

November 17, 2020

Moved by: Councillor Wayne Campbell

Seconded by: Councillor Victor Pietrangelo

**WHEREAS** According to the Province of Ontario Emergency Response Plan (2008), Canadian municipalities are free to declare states of emergencies in response to “any situation or impending situation caused by the forces of nature, an accident, an intentional act or otherwise that constitutes a danger of major proportions to life or property.”

**WHEREAS** Approximately 625 residents- including 144 children in Niagara, were counted as homeless (March 2018), with shelter occupancy operating at 109.4 percent capacity

**WHEREAS** Niagara EMS reported 335 suspected opiate overdoses (Jan-June 2019).

**WHEREAS** Some Niagara-area municipalities have had services such as mental health removed from their Hospitals, and whereas Niagara is severely lacking in mental health and addiction services

**THEREFORE BE IT RESOLVED** that the City of Niagara Falls request the Niagara Region to declare a state of emergency on mental health, homelessness, and addiction.

**FURTHERMORE**, the Niagara Regional Council, Niagara Region Public Health and Social Services, Premier of Ontario, the provincial Minister of Health, Minister of the Attorney General, Minister of Children, Community, and Social Services, the Minister of Municipal Affairs and Housing, and the Leader of the Official Opposition, as well as the Prime Minister of Canada, all regional municipalities and all local area municipalities within the Niagara Region be copied on this resolution.”

**AND** The Seal of the Corporation be hereto affixed.

**CARRIED**

**WILLIAM G. MATSON**  
CITY CLERK

**JAMES M. DIODATI**  
MAYOR

January 14, 2021

Ann-Marie Norio, Regional Clerk  
Niagara Region  
1815 Sir Isaac Brock Way  
Thorold ON L2V 4T7  
[ann-marie.norio@niagararegion.ca](mailto:ann-marie.norio@niagararegion.ca)

Attention: Ms. Norio,

**Re: Request to Declare State of Emergency on Mental Health, Homelessness and Addiction**

At their regular meeting of January 11, 2021, the following resolution was adopted with respect to the above noted matter:

**WHEREAS According to the Province of Ontario Emergency Response Plan (2008), Canadian municipalities are free to declare states of emergencies in response to "any situation or impending situation caused by the forces of nature, an accident, an intentional act or other Wise that constitutes a danger of major proportions to life or property."**

**WHEREAS Approximately 625 residents - including 144 children in Niagara, were counted as homeless (March 2018), with shelter occupancy operating at 109.4 percent capacity**

**WHEREAS Niagara EMS reported 335 suspected opiate overdoses (Jan-June 2019).**

**WHEREAS Some Niagara-area municipalities have had services such as mental health removed from their Hospitals, and whereas Niagara is severely lacking in mental health and addiction services**

**THEREFORE BE IT RESOLVED that the Town of Pelham request the Niagara Region to declare a state of emergency on mental health, homelessness, and addiction.**

**FURTHERMORE, the Niagara Regional Council, Niagara Region Public Health and Social Services, Premier of Ontario, the provincial Minister of Health, Minister of the Attorney General, Minister of Children, Community, and Social Services, the Minister**

**of Municipal Affairs and Housing, and the Leader of the Official Opposition, as well as the Prime Minister of Canada, all regional municipalities and all local area municipalities within the Niagara Region be copied on this resolution."**

If you have any questions or concerns regarding the above, do not hesitate to contact the undersigned.

Yours very truly,



(Mrs.) Nancy J. Bozzato, Dipl.M.M., AMCT  
Town Clerk

cc. Justin Trudeau, Prime Minister of Canada, [Justin.trudeau@parl.gc.ca](mailto:Justin.trudeau@parl.gc.ca)  
Niagara Region Public Health and Social Services  
Doug Ford, Premier of Ontario, [doug.fordco@pc.ola.org](mailto:doug.fordco@pc.ola.org)  
Christine Elliott, Provincial Minister of Health, [christine.elliott@pc.ola.org](mailto:christine.elliott@pc.ola.org)  
Doug Downey, Minister of Attorney General, [doug.downey@pc.ola.org](mailto:doug.downey@pc.ola.org)  
Todd Smith, Minister of Children, Community and Social Services, [todd.smithco@pc.ola.org](mailto:todd.smithco@pc.ola.org)  
Steve Clark, Minister of Municipal Affairs and Housing, [steve.clark@pc.ola.org](mailto:steve.clark@pc.ola.org)  
Andrea Horwath, Leader of the Official Opposition, [ahorwath-gp@ndp.on.ca](mailto:ahorwath-gp@ndp.on.ca)  
Local Niagara Municipalities  
Sam Oosterhoff, Niagara West MPP, [sam.oosterhoff@pc.ola.org](mailto:sam.oosterhoff@pc.ola.org)  
Dean Allison, Niagara West MPP, [dean.allison@parl.gc.ca](mailto:dean.allison@parl.gc.ca)

/sl



## PORT COLBORNE

Corporate Services Department  
Clerk's Division

Municipal Offices: 66 Charlotte Street  
Port Colborne, Ontario L3K 3C8 • [www.portcolborne.ca](http://www.portcolborne.ca)

T 905.835.2900 ext 106 F 905.834.5746  
E [amber.lapointe@portcolborne.ca](mailto:amber.lapointe@portcolborne.ca)

January 25, 2021

The Right Honourable Justin Trudeau  
Prime Minister  
House of Commons  
Ottawa, ON K1A 0A6

Sent via E-mail: [Justin.trudeau@parl.gc.ca](mailto:Justin.trudeau@parl.gc.ca)

Honourable and Dear Sir:

**Re: Resolution – Mental Health, Homelessness and Addiction**

Please be advised that, at its meeting of January 11, 2021, the Council of The Corporation of the City of Port Colborne resolved as follows:

That the resolution received from the City of Niagara Falls - Mental Health, Homelessness and Addiction, be supported.

A copy of the above noted resolution is enclosed for your reference. Your favourable consideration of this request is respectfully requested.

Sincerely,

Amber LaPointe  
City Clerk

Encl.

ec: The Honourable Doug Ford, Premier of Ontario  
Honourable Christine Elliott, Minister of Health  
Honourable Doug Downey, Attorney General  
Honourable Todd Smith, Minister of Children, Community, and Social Services  
Honourable Steve Clark, Minister of Municipal Affairs and Housing  
Andrea Horwath, Leader of Official Opposition  
Niagara Region  
Niagara Region Public Health  
Niagara Area Municipalities



# The City of Niagara Falls, Ontario

## Resolution

No. 10

November 17, 2020

Moved by: Councillor Wayne Campbell

Seconded by: Councillor Victor Pietrangelo

**WHEREAS** According to the Province of Ontario Emergency Response Plan (2008), Canadian municipalities are free to declare states of emergencies in response to “any situation or impending situation caused by the forces of nature, an accident, an intentional act or otherwise that constitutes a danger of major proportions to life or property.”

**WHEREAS** Approximately 625 residents- including 144 children in Niagara, were counted as homeless (March 2018), with shelter occupancy operating at 109.4 percent capacity

**WHEREAS** Niagara EMS reported 335 suspected opiate overdoses (Jan-June 2019).

**WHEREAS** Some Niagara-area municipalities have had services such as mental health removed from their Hospitals, and whereas Niagara is severely lacking in mental health and addiction services

**THEREFORE BE IT RESOLVED** that the City of Niagara Falls request the Niagara Region to declare a state of emergency on mental health, homelessness, and addiction.

**FURTHERMORE**, the Niagara Regional Council, Niagara Region Public Health and Social Services, Premier of Ontario, the provincial Minister of Health, Minister of the Attorney General, Minister of Children, Community, and Social Services, the Minister of Municipal Affairs and Housing, and the Leader of the Official Opposition, as well as the Prime Minister of Canada, all regional municipalities and all local area municipalities within the Niagara Region be copied on this resolution.”

**AND** The Seal of the Corporation be hereto affixed.

**CARRIED**

A handwritten signature in black ink, appearing to read "William G. Matson".

**WILLIAM G. MATSON**  
CITY CLERK

A handwritten signature in black ink, appearing to read "James M. Diodati".

**JAMES M. DIODATI**  
MAYOR





January 12, 2021

City of Niagara Falls  
City Clerk's Office  
Attn: William Matson  
4310 Queen St., Niagara Falls, ON L2E 6X5

Sent via email: [hruzylo@niagarafalls.ca](mailto:hruzylo@niagarafalls.ca)

**Re: Request for Support - Motion – Request to the Niagara Region to Declare a State of Emergency on Mental Health, Homelessness and Addiction  
Our File 35.23.2**

Dear Mayor and Council,

At its meeting held on December 14, 2020, St. Catharines City Council approved the following motion:

“That Council endorse the resolution from the City of Niagara Falls regarding the request to the Niagara Region to Declare a State of Emergency on Mental Health, Homelessness and Addiction.”

If you have any questions, please contact the Office of the City Clerk at extension 1501.

A handwritten signature in blue ink, appearing to read "Bonnie Nistico-Dunk".

Bonnie Nistico-Dunk, City Clerk  
Legal and Clerks Services, Office of the City Clerk  
:ra

Cc: Niagara Regional Council via Regional Clerk's Office  
Scott Rosts, Office of St. Catharines Mayor  
Shelley Chemnitz, Chief Administrative Officer



**City of Welland**  
**Corporate Services**  
Office of the City Clerk  
60 East Main Street, Welland, ON L3B 3X4  
**Phone:** 905-735-1700 Ext. 2159 | **Fax:** 905-732-1919  
**Email:** clerk@welland.ca | www.welland.ca

April 22, 2020

File No. 21-30

SENT VIA EMAIL

Office of the Regional Clerk  
Niagara Regional Council  
1815 Sir Isaac Brock Way  
P.O. Box 1042  
Thorold, ON L2V 4T7

Attention: Ann-Marie Norio, Regional Clerk

Dear Ms. Norio:

**Re: January 19, 2021 – WELLAND CITY COUNCIL**

At its meeting of January 19, 2021, Welland City Council passed the following motion:

**“THAT THE COUNCIL OF THE CITY OF WELLAND requests the Niagara Region to declare a state of emergency on mental health, homelessness and addiction; and further**

**The Niagara Regional Council, Niagara Region Public Health and Social Services, Premier of Ontario, Minister of Health, Minister of the Attorney General, Minister of Children, Community and Social Services, Minister of Municipal Affairs and the Niagara Center MPP be copied on this resolution.”**

Yours truly,

Tara Stephens  
City Clerk

TS:cap

c.c.: Niagara Region Public Health, sent via email  
Premier of Ontario, Doug Ford, sent via email  
Minister of the Attorney General, sent via email  
Minister of Children, Community and Social Services, sent via email  
Minister of Municipal Affairs and Housing, sent via email  
Niagara MPPs, sent via email  
Local Municipalities, sent via email  
Adam Eckhart, Fire Chief, sent via email

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**MEMORANDUM**

**COM-C 6-2021**

**Subject: Improving the Long-Term Care Outbreak Response in Ontario – Association of Municipalities of Ontario’s (AMO) Final Submission to the Long-Term Care COVID-19 Commission**

**Date: February 16, 2021**

**To: Public Health & Social Services Committee**

**From: Adrienne Jugley, Commissioner, Community Services**

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In September 2020, the provincial government launched the “Long-Term Care Commission” to investigate how and why COVID-19 spread in long-term care homes (LTC), what was done to prevent the spread and the impact of key elements of the existing system on that spread. Since the Commission was launched, AMO has provided the Commission with perspectives from the municipally operated LTC homes, with an interim report with recommendations submitted at the end of October 2020, and meeting with the Commission on October 26, 2020. The attached document (Appendix 1) represents AMO’s financial set of recommendations to the Commission for their consideration.

This report contains a list of 49 recommendations to the Commission on behalf of the municipal governments that operate 100 (16%) of the 626 long-term care homes in Ontario.

Respectfully submitted and signed by

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Adrienne Jugley, MSW, RSW, CHE  
Commissioner

# Improving the Long-Term Care Outbreak Response in Ontario

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AMO's Final Submission to the Long-Term Care COVID-19  
Commission

January 2021

## Improving the Long-Term Care Outbreak Response in Ontario: AMO's Final Submission to the Long-Term Care COVID-19 Commission

### Executive Summary - List of Recommendations

The Association of Municipalities of Ontario (AMO) submits the following recommendations to the Commission on behalf of the municipal governments that operate 100 (16%) of the 626 long-term care (LTC) homes in Ontario.

Topic	Recommendations
<b>Vision for Long-Term Care (LTC) &amp; Leadership Culture</b>	<ol style="list-style-type: none"> <li>1. The Ministry of Health, Ministry of Long-Term Care, and the Ministry for Seniors and Accessibility, should co-develop a vision with the long-term care (LTC) sector that recognizes while LTC is part of the health care continuum, LTC homes should not be treated or operationalized as health care institutions.</li> <li>2. The Ministry of Long-Term Care should work with the LTC sector to foster a common culture that is distinct from acute care and build capacity for strong and empowered leadership in LTC.</li> <li>3. The Ministry of Long-Term Care should facilitate the development of a specialized Centre of Excellence for municipal and non-profit homes to promote strong leadership in the sector.</li> <li>4. The Ministry of Health and Ministry of Long-Term Care should require that there be Infection, Prevention and Control (IPAC) accountability at the highest level of management, and that there be a clear reporting structure on IPAC matters.</li> <li>5. The Ministry of Long-Term Care and the Ministry of Colleges and Universities should work with post-secondary institutions to ensure that curriculums of professional health programs include an understanding of the culture of LTC and appropriate applicability of IPAC measures in the setting.</li> <li>6. The Ministry of Labour, Skills Training and Development and the Ministry of Long-Term Care should work with the LTC sector to examine the overall labour relations environment in LTC and explore potential ways to improve that environment.</li> </ol>
<b>Public Health and Safety</b>	<ol style="list-style-type: none"> <li>7. The Ministry of Health should continue to prioritize COVID-19 vaccinations of LTC home residents, staff, and essential caregivers, as rapidly as possible, and where feasible, facilitate vaccinations for staff on site.</li> <li>8. The Ministry of Health should continue to prioritize COVID-19 testing of LTC home staff, residents, volunteers, and visitors, and that test results be shared with LTC home management as quickly as possible.</li> <li>9. The Ministry of Health should conduct an awareness campaign to address vaccine hesitancy among health care workers.</li> </ol>

Topic	Recommendations
	<ol style="list-style-type: none"> <li>10. The Ministry of Health and the Ministry of Long-Term Care should review the adequacy of IPAC programs under the <i>Long-Term Care Homes Act, 2007</i> in preventing and managing infectious disease outbreaks.</li> <li>11. The Ministry of Long-Term Care should continue to increase operational funding to implement effective IPAC measures in homes (i.e. place an IPAC specialist in each home and increase IPAC training and guidance to all LTC staff).</li> <li>12. The Ministry of Long-Term Care should continue to enhance funding for the minor capital funding program to support operators to improve structural compliance and enable more effective IPAC in homes.</li> <li>13. The Ministry of Health should continue to support homes in addressing inventory management challenges of personal protective equipment (PPE) and ensure that LTC homes are prioritized for appropriate PPE.</li> <li>14. The Ministry of Health, in partnership with the Ministry of Long-Term Care, should invest in local public health workforces to address the needs of the increasing complexity of the pandemic response in LTC homes and maintain critical core public health services at the same time.</li> <li>15. The Ministry of Health should increase local public health and provincial (i.e. Public Health Ontario) resources for IPAC and outbreak management in LTC homes.</li> <li>16. The Province should ensure immediate access to resources is provided, including staff and professional teams, to assist homes in outbreak.</li> <li>17. The Ministry of Health and Ministry of Long-Term Care should review the IPAC hub and spoke model and establish a Framework of Values to ensure that the hospital institutional based approach is mindful, appropriate, and adaptable for LTC home settings.</li> </ol>
<p><b>Funding</b></p>	<ol style="list-style-type: none"> <li>18. The Ministry of Long-Term Care should provide municipal governments with adequate, sustainable funding that reflects the true costs of operating a LTC home, including special consideration for smaller LTC homes.</li> <li>19. The Ministry of Long-Term Care should enhance provincial funding to effectively redevelop existing municipal and not-for profit homes, particularly those with 3-4 bed wards.</li> <li>20. The Ministry of Long-Term Care should increase core operational funding by at least at the rate of inflation (reflective of sectoral costs), across all funding envelopes every year.</li> <li>21. The Ministry of Long-Term Care should extend and maintain the High Wage Transition Fund for at least the duration of the COVID-</li> </ol>

Topic	Recommendations
	<p>19 pandemic and consult with AMO and other LTC sector associations about future replacements for the Fund.</p>
<p><b>Planning and Communications</b></p>	<p>22. The Province must have representation from municipal LTC homes in regional, systems planning, and implementation tables from the beginning when managing any similar scale outbreak responses in the future.</p> <p>23. The Province should focus on LTC homes at the same time as hospitals in future outbreaks.</p> <p>24. The Province should ensure that the Province, Local Health Integration Networks (LHINs), local public health units, and in the future Ontario Health Teams, work collaboratively to ensure consistent messaging and a structured and respectful response from local health partners to support LTC homes.</p>
<p><b>Staffing Measures</b></p>	<p>25. The Province should begin immediately actioning the December 2020 LTC Staffing Plan.</p> <p>26. The Ministry of Health should develop a health human resources strategy to address staffing issues, especially in northern and rural areas that face human resources challenges.</p> <p>27. The Province should invest resources in better training for PSWs and explore ways to regulate the PSW profession that does not have a negative impact on current and future PSW staffing in LTC homes throughout the province.</p> <p>28. The Ministry of Long-Term Care should continue funding as a priority for new caregiver roles outside of the traditional PSW and nursing workloads.</p> <p>29. The Province must continue to extend the Emergency Orders to allow redeployment of staff into the LTC sector until the pandemic ends or when staffing issues are fully addressed, whichever happens first.</p> <p>30. The Province should expand the issuance of pandemic pay to a broader range of staff in LTC homes, including nurses, other staff who do front-line work, as well as their supervisors.</p> <p>31. The Ministry of Long-Term Care should ensure that AMO and other LTC sector associations are represented in the Province's technical working group that will discuss how to improve working conditions (including increased full-time work and compensation).</p>
<p><b>Care for Residents</b></p>	<p>32. The Ministry of Long-Term Care should commit to full 100% provincial funding for the average of four hours of care per resident per day and accelerate the implementation.</p> <p>33. The Ministry of Health must immediately reverse the changes and reductions to pharmacy funding on a permanent basis to support LTC pharmacy services over the long-term.</p>

Topic	Recommendations
	<p>34. The Ministry of Long-Term Care should enhance specialized support programs, including Behavioural Supports Ontario, Physician Assistants, and specialized Nurse Practitioners to complement staffing levels in LTC homes as well as review the base funding model for residents with responsive behaviours.</p> <p>35. The Ministry of Long-Term Care should provide dedicated funding for consistent training to build staff competencies related to emotionally focused and person-centred care to manage dementia and other responsive behaviours.</p> <p>36. The Ministry of Long-Term Care should review the adequacy of the existing design standards to ensure that current and future LTC homes supports all residents, including those with dementia.</p> <p>37. The Province (including the Ministry of Long-Term Care, Ministry of Health, and the Ministry of Seniors and Accessibility) should incentivize campuses of care when considering new bed development decisions.</p> <p>38. The Ministry of Long-Term Care and the Ministry of Health should work to foster a more collaborative approach to admissions to LTC during a pandemic situation, especially when transferring residents from acute care.</p> <p>39. The Ministry of Long-Term Care and the Ministry of Health should provide residents and families with standardized education and training across the sector related to personal protective equipment, infection prevention and control, diversity, and inclusion, and provide the resources needed to assist with this including training sessions and webinars for residents, essential care providers, and families.</p> <p>40. The Ministry of Long-Term Care should develop a strategy, in consultation with Indigenous People and ethno-cultural groups, and provide resources to support the long-term care sector to develop culturally safe and responsive programming through training, development of resource toolkits and staffing measures.</p>
<p><b>Inspections – Enforcement and Compliance</b></p>	<p>41. The Ministry of Long-Term Care should take a risk-management approach to inspections that achieves a better balance between enforcement for underperforming LTC homes and facilitate coaching for compliance for high-performing LTC homes.</p> <p>42. The Ministry of Long-Term Care should facilitate the collection and dissemination of best practices around inspections and provide training opportunities through a Centre for Excellence for the not-for-profit and municipal LTC sector.</p> <p>43. The Province should strengthen the role of IPAC inspections during outbreak situations, and better coordinate inspections by the Ministry of Long-Term Care, Public Health and the Ministry of Labour related to IPAC.</p> <p>44. The Ministry of Health and the Ministry of Long-Term Care should provide further guidance and direction on how IPAC Hubs,</p>



Topic	Recommendations
	<p>Ministry of Labour inspectors, and public health inspectors should work together for greater effectiveness.</p>
<p><b>Mental Health and Well-Being</b></p>	<p>45. The Ministry of Health, the Ministry of Long-Term Care, and the Ministry for Seniors and Accessibility should ensure that the LTC sector has access to mental health specialists and a plan to address the broad mental health needs of LTC home residents, staff, and their caregivers that will remain long after COVID-19.</p> <p>46. The Ministry of Health and the Ministry of Long-Term Care should continue to work with LTC sector associations to review visitors' policies, including for essential caregivers, to strike an appropriate balance between health and emotional well-being considerations.</p> <p>47. The Ministry of Long-Term Care should invest in virtual technology and better broadband access and other means of connection to address the social isolation felt by LTC residents.</p>
<p><b>Palliative Care Delivery</b></p>	<p>48. The Ministry of Long-Term Care should train and support homes around the adoption of a palliative care approach.</p> <p>49. The Ministry of Long-Term Care should ensure that LTC staff members are equipped with training on palliative care delivery.</p>

## Introduction

The Association of Municipalities of Ontario (AMO) is a non-partisan, non-profit association representing municipal governments across the province. Municipal governments work through AMO to achieve shared goals and meet common challenges. As the frontline order of government closest to people, municipal governments are active players in Ontario's health system that understand the health needs of local communities.

Although health is a provincial responsibility under Canadian federalism, municipal governments, and District Social Service Administration Boards (DSSABs) co-fund and deliver several health services. These services assist with health-related needs in the community that improve local population health outcomes. Long-term care (LTC) is one of those health services – although not all municipal governments are required to operate a LTC home.

Municipal governments operate 100 (16%) of the 626 LTC homes in Ontario that are mandated under the *Long-Term Care Homes Act, 2007*. Municipal homes pride themselves on providing high quality services and safe environments for their residents. In support of that work, AMO [continues to advocate](#) for improvements for seniors and the LTC sector.

## Participation in the Commission

AMO appreciates the concerted efforts of the Long-Term Care COVID-19 Commission (Commission) to investigate how and why coronavirus (COVID-19) spread in LTC homes, what was done to prevent the spread, and the impact of key elements of the existing system on the spread.

Since the Commission was launched by the Ontario Ministry of Long-Term Care in July 2020, AMO has provided the Commission with perspectives from municipally operated LTC homes who have been impacted by COVID-19. Interim recommendations were submitted to the Commission in October 21, 2020 (Appendix A), and we [met with the Commission](#) on October 26, 2020.

This submission provides a set of final recommendations for the Commission to consider in its report to the provincial government. In our view, implementing these changes will help the Province address successive waves of the COVID-19 pandemic and mitigate against a similar occurrence of an infectious disease outbreak in LTC homes in the future.

## Context

Given that not all municipal governments operate LTC homes, AMO makes recommendations that affect policy, planning, and supports (financial and non-financial), rather than detailed technical operational advice. The Commission is encouraged to consider the operational advice provided by individual municipal LTC home operators, and AdvantAge Ontario – the association that represents municipal and non-profit LTC service providers.

AMO's recommendations were created through the collective effort of a dedicated sub-working group of AMO's Health Task Force. The group is comprised of elected officials and municipal staff who work in LTC, public health, and other municipal services (see Appendix B for a list of members).

This group brought unique and diverse perspectives from across all areas of the province and AMO appreciates their efforts, particularly given their other priorities.

The AMO Health Taskforce and Board of Directors have also endorsed this submission.

## Recommendations

The COVID-19 pandemic disproportionately impacted residents in LTC homes and exposed the structural weaknesses in the LTC system. As of January 29, 2021, there have been 14,346 resident cases and 5,858 staff cases in Ontario. Tragically 3,491 residents and 11 staff have lost their lives to this disease.<sup>1</sup>

Although municipal LTC homes have been affected by COVID-19, those operators have fared better in both the number of COVID-19 cases and deaths compared to those seen in not-for-profit and for-profit LTC homes.<sup>2</sup>

Based on the collective expertise and experience in managing COVID-19 in the LTC sector thus far, AMO submits 48 recommendations for action across nine (9) themes:

- Vision for LTC & Leadership Culture
- Public Health and Safety
- Planning and Communications
- Staffing Measures
- Care for Residents
- Funding
- Inspections - Enforcement and Compliance
- Mental Health and Well-Being

The recommendations outlined in this paper are built on the premise that all the players involved with long-term care, in their respective roles and responsibilities, need to be adequately resourced. Ultimately, long-term care needs to be guided by a systems approach based on who can do what is best for the homes and residents. To ensure that residents receive the quality care they deserve in healthy and safe environments, all players across the health care continuum must work in a collaborative and coordinated manner. This is likely to include a longer-term exploration of options and possibilities, which municipal governments would welcome.

<sup>1</sup> Government of Ontario. COVID-19 in Long-Term Care Homes. <https://covid-19.ontario.ca/data/long-term-care-homes> (accessed January 29, 2021).

<sup>2</sup> Nathan M. Stall et al. CMAJ. August 17, 2020. "For-profit long-term care homes and the risk of COVID-19 outbreaks and resident deaths." <https://www.cmaj.ca/content/192/33/E946> (accessed January 8, 2021).

## I. Vision for Long-Term Care & Leadership Culture

At its core, LTC is part of the continuum of health care, and should be integrated, but not subsumed into the health care sector. That is because LTC homes are distinct in their vision and purpose. Different from a retirement home or supportive housing, LTC homes are places where adults receive emotionally focused and person-centred care and receive help with most or all daily activities and have access to 24-hour nursing and personal care.<sup>3</sup>

Under the *Long-Term Care Homes Act, 2007*, a LTC home is primarily the home for its residents. It is to be operated as a place in which its residents may live with dignity and in security, safety and comfort and have their physical, psychological, social, spiritual, and cultural needs adequately met.<sup>4</sup> This reality is fundamentally different from a hospital's institutional or acute-health care mindset.

With the needs between the residential and institutional care so vastly different, so is the culture and leadership required. Experience with the COVID-19 pandemic has shown that LTC needs a vision and culture that reflects the true nature of LTC homes. The sector must welcome leaders into the sector and promote leadership from within all levels of the organization. A strong and empowered leadership is critical to attract and retain the highest quality staff that can deliver emotionally focused and person-centered care to residents, and build an environment that staff want to work in, and residents want to live

Once a strong vision and leadership culture for LTC is in place, the sector can begin sharing this information with professional health programs and work on systemic improvements across the labour relations environment.

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<sup>3</sup> Government of Ontario. About Long-Term Care. <https://www.ontario.ca/page/about-long-term-care> (accessed January 8, 2021).

<sup>4</sup> Government of Ontario. LTCHA Guide, Phase 1. [http://health.gov.on.ca/en/public/programs/ltc/docs/ltcha\\_guide\\_phase1.pdf](http://health.gov.on.ca/en/public/programs/ltc/docs/ltcha_guide_phase1.pdf) (accessed January 8, 2021).

**Vision for LTC & Leadership Culture: Recommendations**

1. The Ministry of Health, Ministry of Long-Term Care, and the Ministry for Seniors and Accessibility, should co-develop a vision with the long-term care (LTC) sector that recognizes while LTC is part of the health care continuum, LTC homes should not be treated or operationalized as health care institutions.
2. The Ministry of Long-Term Care should work with the LTC sector to foster a common culture that is distinct from acute care and build capacity for strong and empowered leadership in LTC.
3. The Ministry of Long-Term Care should facilitate the development of a specialized Centre of Excellence for municipal and non-profit homes to promote strong leadership in the sector.
4. The Ministry of Health and Ministry of Long-Term Care should require that there be Infection, Prevention and Control (IPAC) accountability at the highest level of management, and that there be a clear reporting structure on IPAC matters.
5. The Ministry of Long-Term Care and the Ministry of Colleges and Universities should work with post-secondary institutions to ensure that curriculums of professional health programs include an understanding of the culture of LTC and appropriate applicability of IPAC measures in the setting.
6. The Ministry of Labour, Skills Training and Development and the Ministry of Long-Term Care should work with the LTC sector to examine the overall labour relations environment in LTC and explore potential ways to improve that environment.

## II. Public Health and Safety

Excellence in LTC requires effective leadership and access to specialized expertise, including in Infection Prevention and Control (IPAC). The COVID-19 pandemic demonstrated the critical role that enhanced IPAC measures played in curbing the spread of the virus. Other lessons that have been learned include:

- While hospitals play an important role in supporting LTC homes that are in outbreak, consideration must be given to the difference in LTC culture (e.g. homes, not institutions). A mutually agreed upon framework of care would be useful, as would an exploration of where public health can be a bridge between the LTC homes and hospitals.
- Testing of LTC home residents, staff, and essential caregivers is critical and results should have been prioritized. Adequate staff and dedicated funding was sorely needed.
- LTC staff should be vaccinated in the LTC home where feasible to avoid requiring LTC staff to travel to a congregate setting (e.g. hospital).
- IPAC measures were most effective when an IPAC specialist was provided to every home. It allowed for higher standards, greater training and guidance to other LTC staff.
- PPE inventory management and prioritizing PPE for LTC homes were measures needed at the earliest stages of the pandemic and ideally before it began.
- More public health resources for IPAC and outbreak management in LTC was sorely needed, and current resources on the ground are stretched to capacity.

AMO is encouraged to see PPE inventory management was provided for new and existing staff during 2020 and continues in 2021, and the Ministry of Long-Term Care's new IPAC guidance (January 2021) has been helpful. To implement this and make effective IPAC a long-term reality beyond the pandemic, dedicated IPAC staffing, equipment and supplies, and most of all ongoing funding will be needed.

Assistance when warranted is crucial from all orders of government including the Red Cross Teams and the Canadian Armed Forces. Other resources can also be brought to bear including municipal Community Paramedicine programs. It is important though that additional provincial funding should support this and cover 100 percent of the cost. The provincial pilots to serve people waiting for admission to LTC homes can also be leveraged if there is a need to control new admission during outbreaks.

### **Public Health and Safety: Recommendations**

7. The Ministry of Health should continue to prioritize COVID-19 vaccinations of LTC home residents, staff, and essential caregivers, as rapidly as possible, and where feasible, facilitate vaccinations for staff on site.
8. The Ministry of Health should continue to prioritize COVID-19 testing of LTC home staff, residents, volunteers, and visitors, and that test results be shared with LTC home management as quickly as possible.
9. The Ministry of Health should conduct an awareness campaign to address vaccine hesitancy among health care workers.
10. The Ministry of Health and the Ministry of Long-Term Care should review the adequacy of IPAC programs under the *Long-Term Care Homes Act, 2007* in preventing and managing infectious disease outbreaks.
11. The Ministry of Long-Term Care should continue to increase operational funding to implement effective IPAC measures in homes (i.e. place an IPAC specialist in each home and increase IPAC training and guidance to all LTC staff).
12. The Ministry of Long-Term Care should continue to enhance funding for the minor capital funding program to support operators to improve structural compliance and enable more effective IPAC in homes.
13. The Ministry of Health should continue to support homes in addressing inventory management challenges of personal protective equipment (PPE) and ensure that LTC homes are prioritized for appropriate PPE.
14. The Ministry of Health, in partnership with the Ministry of Long-Term Care, should invest in local public health workforces to address the needs of the increasing complexity of the pandemic response in LTC homes and maintain critical core public health services at the same time.
15. The Ministry of Health should increase local public health and provincial (i.e. Public Health Ontario) resources for IPAC and outbreak management in LTC homes.
16. The Province should ensure immediate access to resources is provided, including staff and professional teams, to assist homes in outbreak.
17. The Ministry of Health and Ministry of Long-Term Care should review the IPAC hub and spoke model and establish a Framework of Values to ensure that the hospital institutional based approach is mindful, appropriate, and adaptable for LTC home settings.

### III. Funding for Sustainability and Viability

Adequate funding is required to sustain and improve the quality and safe care that LTC residents deserve. Current funding levels and funding allocation models are not keeping pace with the increasing acuity of residents. Provincial funding, including emergency funding, should be adequate, sustainable and reflect the true costs of operating a LTC home. Funding is key to implementing many of the recommendations outlined in this submission.

Decades of underfunding have stretched the capacity of municipal LTC homes to manage with the additional costs associated with the COVID-19 pandemic, let alone to meet the basic needs of residents in normal operating circumstances. In 2021 and beyond, municipal governments will have to manage rising pandemic costs and declining revenue across several program areas. They cannot afford to continue to fill in the gap where core operating, and capital funding is lack from the Province.

Regarding redevelopment, the Ministry of Long-Term Care needs to fund and prioritize the redevelopment of existing municipal LTC homes that still have 3- and 4-bed wards to build a sustainable and viable LTC sector.

In the meantime, the Province's must find an alternative to the High Wage Transition Fund that they have committed to sunset in March 2021. Not replacing the Fund will result in less funding for LTC services and may lead to service reductions. The Fund must continue past March 2021, as it provides thousands of dollars of funding each month which has likely been integrated into 2021 budgets already. Municipal homes have incorporated this into base funding over the years and has used it to support higher wages in the sector which is essential to aid employee recruitment and retention.

Municipal governments support the creation of a provincial technical working group to review components of the LTC funding model (e.g. Case Management Index and High Intensity Needs Fund). AMO can bring a unique perspective to that working group on behalf of municipal LTC homes.

#### **Funding: Recommendations**

18. The Ministry of Long-Term Care should provide municipal governments with adequate, sustainable funding that reflects the true costs of operating a LTC home, including special consideration for smaller LTC homes.
19. The Ministry of Long-Term Care should enhance provincial funding to effectively redevelop existing municipal and not-for profit homes, particularly those with 3-4 bed wards.
20. The Ministry of Long-Term Care should increase core operational funding by at least at the rate of inflation (reflective of sectoral costs), across all funding envelopes every year.
21. The Ministry of Long-Term Care should extend and maintain the High Wage Transition Fund for at least the duration of the COVID-19 pandemic and consult with AMO and other LTC sector associations about future replacements for the Fund.



#### IV. Planning and Communications

Effective planning and communications were vitally important to evidence-based decision-making in the sector during the COVID-19 pandemic. Input from the LTC sector was critical in developing regional systems planning, and implementation strategies, and needed earlier at the pandemic's onset.

Many municipal LTC homes found that communication and coordination at the provincial level was unsatisfactory initially around the pandemic. The Ministry of Long-Term Care, the Ministry of Health, the Office of the Chief Medical Officer of Health, and local public health units did not always issue clear guidance and direction, and at times there was a lack of consistency between what was provided by these groups.

Moreover, when conditions changed, direction was not always adapted and communicated out quickly to LTC homes. Sometimes the Province's directives were communicated late on Friday that required implementation on a Saturday or by Monday. That did not allow for enough lead time to implement the required changes correctly and communicate out to residents, staff, volunteers, and their families.

In both scenarios, LTC homes were left to navigate through and make decisions in good faith and with best intentions. Fortunately, this has improved over the course of the pandemic.

Going forward, the Province needs to work collaboratively with Local Health Integration Networks (LHINs), local public health units, and in the future Ontario Health Teams, to ensure there is consistent messaging and a structured and respectful response from local health partners to support LTC homes.

The Province should rely on expertise of the LTC sector, and earlier, when managing any similar scale outbreak responses in the future. This cooperation will help the Province prepare responses for LTC homes at the same time as hospitals.

#### **Planning and Communications: Recommendations**

22. The Province must have representation from municipal LTC homes in regional, systems planning, and implementation tables from the beginning when managing any similar scale outbreak responses in the future.
23. The Province should focus on LTC homes at the same time as hospitals in future outbreaks.
24. The Province should ensure that the Province, Local Health Integration Networks (LHINs), local public health units, and in the future Ontario Health Teams, work collaboratively to ensure consistent messaging and a structured and respectful response from local health partners to support LTC homes.

## V. Staffing Measures

The longstanding staffing challenges in LTC were exacerbated by the COVID-19 pandemic. It showed how challenging it is to successfully recruit and retain critical staff in a time of crisis. Many municipal homes needed to 'staff up' and are now facing the second wave with less staff than in the first one.

AMO supports the Province's use of Emergency Orders to ensure that staff can redeployed into the LTC sector at least until the pandemic ends. This allows municipal LTC homes to leverage existing staff to fill gaps left due to illness or other accommodations needed for existing LTC staff.

By contrast, the issuance of "pandemic pay" to only a select group of PSW workers was problematic during the pandemic. The Province should address the wage compression and morale issues that have inadvertently been created by issuing pandemic pay to only a subset of staff in LTC homes.

The Ministry made considerable improvements to staffing through both their [July 2020 Staffing Study](#) and their [December 2020 Long-Term Care Staffing Plan](#). The actions outlined in the Staffing Plan (and reiterated from the Staffing Study) must be implemented immediately. Adequate and dedicated funding is also needed to ensure these changes can be successfully implemented to manage the COVID-19 pandemic, and beyond.

It is important that the Ministry of Health and the Ministry of Long-Term Care work together to develop an overall health human resource plan, or else the Staffing Plan will be implemented in isolation that may have unintended consequences. There are shortages of health professionals from physicians to nurses to personal support workers (PSWs), which is why AMO was encouraged to see both the demand and supply issues around PSWs and registered nursing staff identified in the Staffing Plan.

Municipal LTC homes and AMO should be involved with the Province's technical working group to identify opportunities, best practices, and potential barriers to enhance scheduling methods and increase full-time positions.

Any efforts to improve working conditions for LTC workers and promote more full-time employment should consider impacts on other sectors that support seniors to age in place and defer admission into a LTC home. One such sector is home and community care. PSWs in both LTC and home and community care should receive similar treatment or else there will be migration to the employers that pay the best. This retention issue is already seen where LTC homes lose staff to hospital employers.

In the meantime, the Ministry of Long-Term Care should continue funding new caregiver roles outside of the traditional PSW and nursing workloads. These additions have been invaluable resources for residents and LTC staff.

**Staffing Measures: Recommendations**

25. The Province should begin immediately actioning the December 2020 LTC Staffing Plan.
26. The Ministry of Health should develop a health human resources strategy to address staffing issues, especially in northern and rural areas that face human resources challenges.
27. The Province should invest resources in better training for PSWs and explore ways to regulate the PSW profession that does not have a negative impact on current and future PSW staffing in LTC homes throughout the province.
28. The Ministry of Long-Term Care should continue funding as a priority for new caregiver roles outside of the traditional PSW and nursing workloads.
29. The Province must continue to extend the Emergency Orders to allow redeployment of staff into the LTC sector until the pandemic ends or when staffing issues are fully addressed, whichever happens first.
30. The Province should expand the issuance of pandemic pay to a broader range of staff in LTC homes, including nurses, other staff who do front-line work, as well as their supervisors.
31. The Ministry of Long-Term Care should ensure that AMO and other LTC sector associations are represented in the Province's technical working group that will discuss how to improve working conditions (including increased full-time work and compensation).

**VI. Care for Residents During COVID-19, and Beyond**

AMO was pleased to see the Province commit to increase direct care for LTC residents to an average of [four hours per resident per day](#) by 2024-25. The response was well received by the many stakeholders who called for the increase the levels of direct care, and to sustain existing services to help protect residents. Municipal governments look forward to more details on about the initiative, including how the Ministry of Long-Term Care will provide funding, and define what hours are captured in that standard.

Municipal governments appreciate the pause on changes to the pharmacy funding during the pandemic and would recommend that the Ministry of Health reverse permanently the previous decision. Other areas that could increase resident care include enhancing resources to support residents with responsive behaviors to manage during COVID-19 and in future outbreaks.

Caring for residents during outbreaks of COVID-19 presented challenges for those with responsive behaviors as it was more difficult to ensure that LTC residents with higher acuity did not pose a higher transmission risk to other residents, staff, and essential caregivers.

COVID-19 also highlighted the need to:

- Foster a more collaborative approach to admissions to LTC during a pandemic situation, especially when releasing residents from acute care back to LTC;
- Review the base funding model for residents with responsive behaviours;
- Dedicate funding for consistent training to build staff competencies related to emotionally focused and person-centred care to manage dementia and other responsive behaviours; and
- Enhance specialized support programs, including Behavioural Supports Ontario, Physician Assistants, and specialized Nurse Practitioners to complement staffing levels in LTC homes.

The Ministry of Long-Term Care should review the adequacy of the existing design standards to ensure that current and future LTC homes supports all residents, including those with responsive behaviours such as dementia. One opportunity is to make changes during redevelopment, either through supporting smaller living spaces, or redesigning spaces within them. When considering new bed decisions, the Province should take into consideration the campus of care model, and a holistic view of the needs for seniors and LTC residents.

The Ministry of Long-Term Care should develop standardized education and training across the sector related to PPE, IPAC, and diversity and inclusion. The Ministry should provide the resources needed to assist with this including training sessions and webinars for residents, essential care providers and families.

Attention is also needed to ensure that culturally safe and responsive programming is provided even through outbreak situations. Provincial support could assist the LTC sector to help create the conditions to achieve this. Appropriate consultation with Indigenous People and ethno-cultural groups is necessary as part of this effort.

**Care for Residents: Recommendations**

32. The Ministry of Long-Term Care should commit to full 100% provincial funding for the average of four hours of care per resident per day and accelerate the implementation.
33. The Ministry of Health must immediately reverse the changes and reductions to pharmacy funding on a permanent basis to support LTC pharmacy services over the long-term.
34. The Ministry of Long-Term Care should enhance specialized support programs, including Behavioural Supports Ontario, Physician Assistants, and specialized Nurse Practitioners to complement staffing levels in LTC homes as well as review the base funding model for residents with responsive behaviours.
35. The Ministry of Long-Term Care should provide dedicated funding for consistent training to build staff competencies related to emotionally focused and person-centred care to manage dementia and other responsive behaviours.
36. The Ministry of Long-Term Care should review the adequacy of the existing design standards to ensure that current and future LTC homes supports all residents, including those with dementia.
37. The Province (including the Ministry of Long-Term Care, Ministry of Health, and the Ministry of Seniors and Accessibility) should incentivize campuses of care when considering new bed development decisions.
38. The Ministry of Long-Term Care and the Ministry of Health should work to foster a more collaborative approach to admissions to LTC during a pandemic situation, especially when transferring residents from acute care.
39. The Ministry of Long-Term Care and the Ministry of Health should provide residents and families with standardized education and training across the sector related to PPE, IPAC, diversity, and inclusion, and provide the resources needed to assist with this including training sessions and webinars for residents, essential care providers, and families.
40. The Ministry of Long-Term Care should develop a strategy, in consultation with Indigenous People and ethno-cultural groups, and provide resources to support the LTC sector to develop culturally safe and responsive through training, development of resource toolkits and staffing measures.

**VII. Inspections – Enforcement and Compliance**

LTC home inspections are an important way to ensure that LTC residents are receiving high-quality services and living in healthy and safe environments.

Municipal LTC homes support the need for regular, ongoing inspections, and that there should be consequences for negligent inaction by home operators.

However, the Ministry of Long-Term Care's approach to inspections is currently considered punitive and not collaborative as it was practiced in the past. Some municipal LTC homes describe the current approach as judgmental or a process of 'blaming and shaming.' This contributed negatively to an already stressful situation, and the found that these inspections did not yield the results that were intended.

To that end, the Ministry of Long-Term Care should take a risk management approach to inspections and review the culture and manner of inspections is. Rather than a punitive approach, a risk management approach would encourage that inspections be done in a more collaborative and assistive way to help homes especially in times of crisis.

It would also allow high-performing homes who fared well in the COVID-19 pandemic to benefit from coaching for compliance, while providing the necessary enforcement measures for underperforming homes that need it most. There should also be a greater emphasis on collecting, sharing, and promoting best practices so that LTC homes of all types can learn from each other.

**Inspections, Enforcement and Compliance: Recommendations**

41. The Ministry of Long-Term Care should take a risk-management approach to inspections that achieves a better balance between enforcement for underperforming LTC homes and facilitate coaching for compliance for high-performing LTC homes.
42. The Ministry of Long-Term Care should facilitate the collection and dissemination of best practices around inspections and provide training opportunities through a Centre for Excellence for the not-for-profit and municipal LTC sector.
43. The Province should strengthen the role of IPAC inspections during outbreak situations, and better coordinate inspections by the Ministry of Long-Term Care, Public Health, and the Ministry of Labour related to IPAC.
44. The Ministry of Health and the Ministry of Long-Term Care should provide further guidance and direction on how IPAC Hubs, Ministry of Labour inspectors, and public health inspectors should work together for greater effectiveness.

**VIII. Mental Health Supports for Residents and Staff**

The emotional health and well-being of LTC residents, staff, caregivers, and their families are something that needs to be addressed well after the COVID-19 pandemic ends. Almost 40% of LTC homes are in outbreak as of January 29, 2021,<sup>5</sup> which has put great strain on already overworked staff who have had to implement strict lockdown measures and all the while, keep residents safe and calm in the face of increasing deaths.

It is critical the Ministry of Long-Term Care support LTC homes in address the broad mental health needs of LTC home residents, staff and their caregivers that will remain long after COVID-19. That

<sup>5</sup> Government of Ontario. COVID-19 in Long-Term Care Homes. <https://covid-19.ontario.ca/data/long-term-care-homes> (accessed January 29, 2021).

could include providing LTC residents and staff access to mental health specialists and implementing strategies in the Staffing Plan to alleviate the current staffing shortages. Doing so will help staff do their jobs effectively, reduce residents' challenging responsive behaviours, and assist caregivers and families in the process.

The input and support of family and friends is critical, especially during an emergency situation. Social isolation of residents can occur during lockdowns and restricted contact by family, friends, and volunteers. Virtual technologies, with proper broadband access, may be employed to address this and mitigate social isolation.

**Mental Health and Well-Being: Recommendations**

- 45. The Ministry of Health, the Ministry of Long-Term Care, and the Ministry for Seniors and Accessibility should ensure that the LTC sector has access to mental health specialists and a plan to address the broad mental health needs of LTC home residents, staff, and their caregivers that will remain long after COVID-19.
- 46. The Ministry of Health and the Ministry of Long-Term Care should continue to work with LTC sector associations to review visitors' policies, including for essential caregivers, to strike an appropriate balance between health and emotional well-being considerations.
- 47. The Ministry of Long-Term Care should invest in virtual technology and better broadband access and other means of connection to address the social isolation felt by LTC residents.

**IX. Palliative Care Delivery**

In the face of increasing deaths, the COVID-19 pandemic has shone a light on the need for more consideration about the end of life for LTC residents. Palliative care is a philosophy of care and a unique set of actions that aim to improve the quality of life for all residents with life limiting illness. It aims to improve the quality of life for both patients and their families when restorative care is no longer an option for the resident.

There is some effort underway to formalize and integrate palliative care approaches in LTC homes, but more could be done. The Province can play a supportive role to help LTC homes to help develop formative palliative care in LTC homes. Under the *Long-Term Care Homes Act*, LTC homes are required to provide palliative care education to their staff. This could be enhanced with more support from the Province through resources for training.

**Palliative Care Delivery: Recommendations**

- 48. The Ministry of Long-Term Care should train and support homes around the adoption of a palliative care approach.
- 49. The Ministry of Long-Term Care should ensure that LTC staff members are equipped with training on palliative care delivery.

## Conclusion

Our seniors and LTC residents deserve high-quality care and utmost safety, both during the COVID-19 pandemic and in the years ahead. As municipal governments who provide care for seniors and in some instances, LTC residents, AMO appreciates the opportunity to provide these recommendations to the Commission.

## Appendices

**Appendix A:** Initial Response to the Long-Term Care COVID-19 Commission – Interim Recommendations on an Ongoing Provincial Pandemic Response

**Appendix B:** AMO Sub-Working Group on Long-Term Care Members

**Appendix C:** AMO Health Taskforce Members



**Appendix A: Initial Response to the Long-Term Care COVID-19 Commission**



# AMO's Initial Response to the Long-Term Care COVID-19 Commission

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Interim Recommendations for an Ongoing Provincial Pandemic  
Response

October 2020

## AMO's Initial Response to the Long-Term Care COVID-19 Commission: Interim Recommendations for an Ongoing Provincial Pandemic Response

### Introduction

The COVID-19 pandemic has had a disproportionate impact on residents in long-term care (LTC), as the vast majority of the deaths due to COVID-19 in Canada have been in LTC homes. This has affected families and communities across the province and country in profound and tragic ways. The pandemic has also exposed the structural weaknesses in the LTC system, especially chronic underfunding which limited the ability to respond effectively in the first wave.

The Association of Municipalities of Ontario (AMO) welcomes the opportunity to provide initial input to the Long-Term Care COVID-19 Commission (commission). AMO is a non-partisan, non-profit association representing municipal governments. Ontario's municipal governments work together to achieve shared goals and meet common challenges through AMO. One such cause is promoting healthy age-friendly communities which includes municipal LTC homes, operated in an efficient and effective manner.

While the provincial government is responsible for LTC legislation, regulation and program requirements, municipal governments are mandated under the *Long-Term Care Act, 2007* (LTCHA) to operate 16% (100+) of the 626 LTC homes in the Province. Municipal homes pride themselves on providing high quality services and safe environments for their residents. More about our association and advocacy for seniors and LTC is found on the [AMO website](#).

AMO acknowledges the provincial response to date and the support that has been provided. However, more action is needed in both the short-term to mitigate against future waves of COVID-19, and over the long-term to address persistent structural issues.

To that end, this document outlines our association's short-term recommendations to inform the commission's interim report about the ongoing provincial pandemic response with a targeted focus on what is needed for winter 2020/2021. Appendix A of this submission is a backgrounder that was sent to the Commission to provide an overview of the municipal role in governance and funding for LTC. AMO will provide a more comprehensive submission to the Commission with mid and long-term recommendations before the end of the year.

### Context

AMO appreciates the opportunity to provide our perspective on how municipally funded and operated LTC homes have been impacted by COVID-19 thus far. The recommendations have been formulated by a sub-working group of AMO's Health Task Force and reflect the AMO Board's general positions on LTC. The sub-working group is comprised of a mix of elected officials and municipal staff working in LTC, public health, and other municipal services. Our working group members bring their unique and diverse perspective from across all areas of the province and municipal service sectors. See Appendix B for a list of the working group members.

We also work closely with AdvantAge Ontario, the association that represents municipal and non-profit LTC service providers. AMO's aim is to provide high level recommendations about policy, planning, funding, and the provisions of non-financial supports to the sector rather than detailed technical operational advice.

AMO encourages the commission to consider our recommended actions that, if implemented, would help provide a more effective pandemic response during winter 2020/2021. Initiatives need to be put into motion now to make sure this pandemic response can sustain itself for as long as is necessary. This involves examining how staffing models, the physical structure of LTC homes, governance models, regulations and inspections, and access to IPAC measures affected the COVID-19 response. Our seniors and LTC residents deserve high-quality care and utmost safety, both during the COVID-19 pandemic and beyond.

## Recommendations

### I. Planning and Communications for Successful Outcomes

Effective planning and communications are vitally important to evidence-based decision-making as a sector. In developing these plans and implementation strategies, it is critical that the input of the LTC sector including municipal homes be included and that their expertise be leveraged.

1. The Province, including the Ministry of Long-Term Care (MLTC) and the Office of the Chief Medical Officer of Health, should continue ongoing second wave planning and develop a clear strategy for issuing clear direction at appropriate times as conditions change.
2. The Province must have representation from the municipal LTC sector in regional and systems planning and implementation tables.

### II. Staffing Measures to Attract and Retain Highly Trained and Qualified Staff

The longstanding staffing challenges in LTC have been exacerbated by the COVID-19 pandemic. It continues to be a challenge to successfully recruit and retain critical staff during this time. Many municipal homes need to 'staff up' and are facing the second wave with less staff than in the first one. Initiatives that can be implemented quickly or started now to address staffing issues into the future are needed.

3. The Province should work with the LTC sector to develop a province-wide health human resources strategy to address staffing issues, including overcoming the challenges of insufficient human resources, such as nurses and personal support workers, in certain regions, especially in northern and rural areas.
4. The Province should expand the issuance of pandemic pay to a broader range of staff in LTC homes, including nurses and other staff doing front-line work as well as their supervisors.
5. The Ministry of Long-Term Care (MLTC) should extend and maintain the High Wage Transition Fund for the duration of the COVID-19 pandemic past March 2021 and consult with AMO and other LTC sector associations about the future of the Fund.
6. The Province must continue to extend the Emergency Orders to allow redeployment of staff into the LTC sector as needed until the pandemic ends or when staffing issues are fully addressed whichever happens first.

### III. Care for Residents During COVID-19

Sick residents require more attentive and responsive care. There have been calls from many stakeholders to increase the levels of direct care, as well as to sustain existing services to help protect residents. Now is the time to act on this. Enhancing resources to support residents with responsive behaviors to manage during COVID-19 is also needed.

7. The MLTC should provide adequate provincial funding to care for an aging population with complex medical conditions and challenging behaviours such as dementia and commit to full 100% provincial funding for an average of four hours of care per resident per day.
8. The MLTC must immediately reverse the changes and reductions to pharmacy funding during the pandemic and work on alternative options for funding to support LTC pharmacy over the long-term.
9. That the MLTC enhance specialized support programs, including Behaviour Supports Ontario and specialized Nurse Practitioners to complement staffing levels in long term care homes.

### IV. Funding for Viability and Sustainability During COVID-19

Decades of underfunding has stretched the capacity of municipal homes to manage with the additional costs associated with the pandemic. While emergency funding was critical and helpful, more may be needed now will be needed into next year. At the same time, adequate base funding is needed for the core operating and capital needs. Municipal governments are facing pressure with additional pandemic costs across several program areas and experiencing declining revenue because of the pandemic. They cannot afford to continue to fill in the gap where provincial funding is lacking.

10. That the MLTC review the adequacy of the emergency COVID-19 funding against incurred costs through to March 31, 2021, and provide more funding as needed by the LTC sector.
11. That the MLTC provide for and give advance notice as soon as possible about ongoing emergency COVID-19 funding in the 2021-22 fiscal year.
12. That the MLTC increase core operational funding at least at the rate of inflation or higher in both this current fiscal year and next.
13. That the MLTC enhance and increase funding for the minor capital funding program to support operators to improve structural compliance and enable more effective IPAC in homes.

### V. Increasing Public Health and Safety

The provincial government should also provide direct and indirect resources to the LTC sector. This could include providing funding for IPAC measures in homes including for education and training and paying for staffing backfill. As well, the sustained funding of crucial third party supports such as local public health is needed. More timely testing results are also crucial.

14. That the MLTC and Ministry of Health (MOH) should review the adequacy of IPAC programs under the *Long-Term Care Homes Act, 2007* in preventing and managing COVID-19 outbreaks and put in place higher standards with increased funding to homes to implement these standards.
15. That the MLTC should provide ongoing and enhanced operational funding to implement effective IPAC measures in homes including training and continue to provide guidance based on health expertise.
16. That the MOH prioritize COVID-19 testing for LTC home staff, residents, and visitors.

17. That the MOH should invest in local public health workforces to both address the needs of the increasing complexity of the pandemic response in LTC homes and maintain critical core public health services at the same time.
18. That the MOH increase Public Health resources for IPAC and outbreak management in LTC and other higher risk settings.
19. That the MLTC and MOH review the IPAC hub and spoke model to ensure that the hospital institutional based approach is mindful, appropriate, and adaptable for LTC home settings.

## **VI. Mental Health Supports for Residents and Staff**

There have been mental health impacts on both staff and residents because of the pandemic. Attention to supporting mental health will help sustain people during this time. Ensuring the emotional well-being of both staff and residents will help staff do their jobs effectively, and reduce residents' challenging behaviours. Continued visits by family and friends can play a role but under controlled conditions.

20. That the MOH and the MLTC invest in the resources needed to support the mental health of staff and residents in LTC.
21. That the MLTC and the MOH continue to review and consult the LTC sector associations on appropriate visitors' policies, including for essential caregivers, to strike a balance between health and emotional well-being considerations.

## **Conclusion**

AMO appreciates the opportunity to provide interim recommendations to the commission. We look forward to speaking with your team further and will be providing more comprehensive recommendations further on in the process.

## Appendix A: Backgrounder on Municipal Role in Long-Term Care in Ontario

### Context

The Association of Municipalities of Ontario (AMO) welcomes the independent Long-Term Care (LTC) COVID-19 commission created by the Ministry of Long-Term Care (MLTC). AMO is interested because while the provincial government is responsible for LTC legislation, regulation and program requirements, municipal governments are mandated under the *Long-Term Care Homes Act, 2007* (LTCHA) to operate 16% (100+) of the 626 LTC homes in the Province.<sup>6</sup>

Municipal governments want to help improve the LTC system, and share lessons learned of how municipal LTC homes fared in the first wave of COVID-19. To that end, AMO's Health Task Force created a sub-working group on LTC to inform the commission about how the municipal LTC homes handled COVID-19, and how the pandemic exacerbated long-standing issues in the sector.

This brief is part of AMO's preliminary submission for consideration by the commission. It provides background for the commission around the history of the municipal role in LTC, and how municipal LTC homes are differentiated compared to for-profit and charitable/not-for profit homes. AMO staff are available to speak with your team if there are any questions on the material.

### History of Municipal Governments in LTC

Municipal governments have been involved in LTC since 1868 when the *Municipal Institutions Act* mandated that counties with over 20,000 people must provide Houses of Refuge for people who are homeless. In 1947, the *Homes for the Aged Act* replaced the Houses of Refuge and pivoted to focus on seniors. The Province provided 25% of the cost of building new Homes for the Aged for seniors.

Two years later, the Province increased provincial funding and mandated that these municipalities establish a Home for the Aged. New regulations also ensured greater consistency in care.

In 2007, the LTCHA was enacted which prescribed the requirements for every upper and single-tier southern municipality, and the option for northern municipalities to operate a municipal home.

### Municipal Role in LTC Today

Municipal governments are funders, service providers, and employers of LTC. Of the nearly 80,000 LTC beds in Ontario, just over 20% are operated by municipal governments (16,000+).<sup>7</sup> The LTCHA requires each upper and single-tier municipal government in southern Ontario to establish and maintain at least one municipal home. They can provide this service directly or jointly with other municipal governments. Northern municipalities *may* operate a home, either on individual basis or jointly. In some case, northern municipal governments jointly fund a home managed by a District Board of Management.

<sup>6</sup> Advantage Ontario. "[Ontario Municipalities – Proud Partners in Long Term Care](#)."(November 2018).

<sup>7</sup> Advantage Ontario. "[Ontario Municipalities – Proud Partners in Long Term Care](#)."(November 2018).

As the order of government closest to seniors' issues in our communities, municipal governments pride themselves on providing high quality services and safe environments for their residents. Many operate additional homes and offer services that surpass provincial requirements. More about our association and advocacy for seniors and LTC is found on the [AMO website](#).

However, today's LTC homes provide health care services to an increasingly complex patient group with high-acuity needs. They serve people who require 24-hour medical care and supervision within a secure environment. This requires significant financial resources to deliver this much-needed care.

To help cover costs, municipal governments have contributed an additional \$90 million since 2012 (a 36% increase), when the estimated municipal contribution was \$268 million. In 2016, municipal governments contributed \$350 million over and above the provincial funding subsidy, not including capital expenditures.<sup>8</sup> In 2017 alone, municipal governments invested \$2.1 billion in seniors' programs and other health services.<sup>9</sup>

In addition, municipal governments are responsible for providing a wide range of programs and services, which allow them to leverage other services – including social, paramedic and transportation services – to meet the needs of people in their LTC homes. This includes providing direct services across the continuum of care including wellness and prevention programs to promote active lifestyles including community recreation programs and Seniors Active Living Centres, community-based services, and housing and residential programs. Many municipal governments operate long-term care homes within a campus of care model enhancing the range and integration of services to residents.

The municipal LTC sector is supported by significant volunteer hours (710,000 volunteer hours, equivalent to 366 full-time positions in 2016 alone).<sup>10</sup> This plus non-profits help in many communities, particularly in northern and rural Ontario, where it is challenging to recruit and retain qualified staff.

Despite the commitment to provide high quality services to senior residents in their communities, AMO members have expressed mixed feelings about the mandated municipal role primarily because of the rate of additional municipal subsidy that is required. Many municipal governments see this as an indication of chronic underfunding of the system.

AMO generally holds that health care is a provincial responsibility and the limited municipal property tax base was never designed to raise the revenue for health and other social service programs. LTC homes have evolved since their initial inception as residential care for seniors.

While AMO is not advocating for municipal governments to get out of the LTC business, our members have long called for adequate funding for this health care service. The fact that most, if

<sup>8</sup> AMO. "[A Compendium of Municipal Health Activities and Recommendations](#)." (January 2019).

<sup>9</sup> Note that there is no public reporting of specific municipal contributions to quantify the amounts to subsidize LTC. Municipal expenditures for LTC are not disaggregated from other municipal expenditures for 'assistance to aged persons' under provincially-set Financial Information Return reporting requirements.

<sup>10</sup> Advantage Ontario. "[Ontario Municipalities – Proud Partners in Long Term Care](#)." (November 2018).

not all, municipal governments subsidize operations and capital maintenance may be an inhibitor to municipal take-up of new opportunities to develop new LTC homes in their communities.

### **Municipal LTC Governance and Accountability**

Municipal councils comprised of elected officials are the governing body of LTC homes. Management committees may be designated. Meetings are open to the public and transparent although in-camera sessions may be held for certain matters as outlined in the *Municipal Act* where confidentiality and privacy needs are required to be assured.

Municipal councils are accountable and provisions in the LTCHA dictate how. In 2017, the government made changes and removed previous due diligence standards for board members and implemented a more absolute duty to ensure compliance. The standard for LTC home board members is much higher than that of public hospitals.

The result is increased liability for board and committee members. It requires boards to spend time on staff oversight and compliance than just on traditional governance duties. Board members are liable for actions taken by the home, not just breaches of statutory provisions that they commit themselves to.



## Appendix B: AMO Working Group Members

1. **Graydon Smith**, President, Association of Municipalities of Ontario (AMO), and Mayor, Town of Bracebridge, Chair of AMO's Health Task Force
2. **Monika Turner**, Chair of Working Group, Director of Policy, Association of Municipalities of Ontario (AMO)
3. **Michael Jacek**, Senior Advisor, Association of Municipalities of Ontario (AMO), alternate Chair of Working Group
4. **Cathy Granger**, Director of Long-Term Care , Regional Municipality of Peel
5. **Sandra Hollingsworth**, Councillor Ward 1, City of Sault Ste. Marie
6. **Dr. Robert Kyle**, Commissioner & Medical Officer of Health, Regional Municipality of Durham, and Past Chair, Association of Local Public Health Agencies (aLPHa)
7. **Dean Lett**, Director, Long-Term Care, City of Ottawa
8. **Lisa Levin**, CEO, AdvantAge Ontario
9. **Dan O'Mara**, Mayor, Municipality of Temagami
10. **Kelly Pender**, Chief Administrative Officer, County of Frontenac
11. **Kevin Queen**, CAO & District Administrator, District of Kenora Home for the Aged
12. **Jane Sinclair**, General Manager, Health & Emergency Services, County of Simcoe, and Chair, AdvantAge Ontario
13. **Amber Crawford**, Policy Advisor, Association of Municipalities of Ontario (staff resource)

## Appendix C: AMO Health Task Force

1. **Graydon Smith**, President, Association of Municipalities of Ontario (AMO), and Mayor, Town of Bracebridge, Chair of AMO's Health Task Force
2. **Bernie MacLellan**, Councillor, County of Huron and Mayor, Municipality of Huron East
3. **Cathy Granger**, Director of Long-Term Care, Regional Municipality of Peel
4. **Dan McCormick**, CAO, Rainy River District Social Services Administration Board
5. **Donald Sanderson**, CEO, West Parry Sound Health Centre
6. **Doug Lawrance**, Mayor, Municipality of Sioux Lookout
7. **Gary Carr**, Regional Chair, Region of Halton
8. **Jane Sinclair**, General Manager Health and Emergency Services, County of Simcoe
9. **Jesse Helmer**, Councillor, City of London
10. **Joanne Vanderheyden**, Mayor, Municipality of Strathroy-Caradoc
11. **Katherine Chislett**, Commissioner of Community & Health Services, Regional Municipality of York
12. **Lisa Levin**, Executive Director, AdvantAge Ontario
13. **Loretta Ryan**, Executive Director, Association of Local Public Health Agencies of Ontario (alPHA)
14. **Mabel Watt**, Manager, Policy Integration, Region of Halton
15. **Nancy Polsinelli**, Commissioner, Health Services, Regional Municipality of Peel
16. **Neal Roberts**, Chief of Middlesex-London Emergency Medical Services Authority and OAPC Board Member (Past President)
17. **Norm Gale**, City Manager, City of Thunder Bay
18. **Penny Lynn Lucas**, Councillor, Township of Ignace
19. **Peter Dundas**, OAPC Board Member (President) and Chief Paramedic Services, Regional Municipality of Peel
20. **Dr. Robert Kyle**, Commissioner and Medical Officer of Health, Regional Municipality of Durham
21. **Sandra Hollingsworth**, Councillor – Ward 1, City of Sault Ste. Marie
22. **Monika Turner**, Director of Policy, Association of Municipalities of Ontario (AMO)
23. **Michael Jacek**, Senior Advisor, Association of Municipalities of Ontario (AMO)

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**MEMORANDUM**

**PHD-C 2-2021**

**Subject:** Niagara Emergency Medical Services (EMS) Temporary Funded Opportunities

**Date:** February 16, 2021

**To:** Public Health & Social Services Committee

**From:** Kevin Smith, Chief

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Niagara EMS has been requested by several Provincial Ministries to provide expanded community health services in response to the health and social impacts of COVID-19. These initiatives, 100% funded by the Province, enhance the new Mobile Integrated Health (MIH) model of service delivery in Niagara making the addition of these resources complimentary to existing services and timely implementation possible within the existing framework.

The purpose of this memo is to provide a brief summary of each of the initiatives for your awareness. While these programs are fully funded for a short period (with the exception of one initiative that is for three years) it is staff's intention to secure on-going funding from the Province should the program meet the intended objectives. Staff are also seeking the Ministry to provide exit strategies should funding not continue so that members of the community who may become dependent on these programs do not suddenly lose their critical supports without transition to alternatives.

Staff will provide more formal reports to Committee and Council upon request or as required on the following activities:

**Mental Health and Addictions Team (MHART) Expansion**

- Funding Period: November 6, 2020 - March 31 2021
- Funding Source: \$56,413 from LHIN Mental Health and Addictions Funding

Adding a second MHART resource in the community allows Niagara EMS to provide greater mental health and addictions coverage geographically to the residents of Niagara who are struggling with mental health, addictions and homelessness.

This initiative is part of a creative partnership with Quest Community Health Centre. Quest employs mental health nurses as part of the Urgent Service Access Team (USAT), and offered to temporarily share two of their nurses with MHART during this temporary expansion. They are teamed up with an advanced care paramedic, and together, they address the demand for low acuity 911 mental health and addictions related calls and challenges in real time. This is a great example of collaboration between local health care organizations that will ultimately improve service to patients seeking mental health services while in short-term crisis and longer term in the community.

### **Community Outreach**

- Funding Period: November 6, 2020 - March 31 2021
- Funding Source: \$74,748 from LHIN Mental Health and Addictions Funding

This initiative is supporting individuals who are experiencing homelessness or living within the shelter system. These clients are increasingly medically complex, and resources available to support them are limited and not often accessible in a timely manner. Two community paramedics have been recruited to form a street outreach team. In collaboration with Niagara Assertive Street Outreach (NASO) and local partners, they will provide proactive mobile medical services to individuals who are living rough and need support.

### **High Intensity Supports at Home (HISH)**

- Funding Period: November 12 2020 - March 31 2021
- Funding Source: \$218,469 from LHIN (Home and Community Care)

Niagara EMS, in partnership with HNHB LHIN Home and Community Care (HCC) Services, has one Community Paramedic (CP) and one Emergency Communications Nurse (ECN) in the NEMS Communications Center working collaboratively to support and respond to scheduled and unscheduled requests for services for HISH program clients. The CP is available to HCC and the HISH program 12 hours a day, seven days a week. The ECN role includes Remote Patient Monitoring (RPM) and following up with patients by phone if they have abnormal results. They also perform regular wellness checks with patients over the phone, to assess the patient's current health and wellbeing. This is a proactive way of staying connected with complex patients who are referred to us, and to prevent progression of health problems to needing acute intervention, rather than waiting for patients to call 911 during a crisis. The CP also

monitors low acuity 911 dispatch calls for known HISH clients and responds to those unscheduled emergency requests for service.

### **Community Paramedicine for Long-Term Care**

- Funding Period: April 1, 2021 - March 31, 2024
- Funding Source: Up to \$3 Million/Year for each of the three years from Ontario Ministry of Health and Long Term Care

This program will carry on and expand the work begun under the HISH initiative above, extending and significantly enhancing opportunities for integrated support from Niagara EMS Mobile Integrated Health (MIH) Paramedics, remote patient monitoring, as well as Emergency Communications Nurses. It is intended to provide services to individuals who are waiting for placement in a long-term care (LTC) home, or who are soon to be eligible for long-term care. The purpose of the program is to keep these individuals stabilized in their illness trajectory and in their own homes for as long as possible and avoid hospitalization. The program will do this through EMS-led preventive and responsive care, such as home visits and remote patient monitoring. Designed with a focus on health integration, the program will be coordinated with existing health services from across the Niagara region, including the HNHB LHIN (home and community care), residential long-term care, emergency care, primary care and other community/social services.

Respectfully submitted and signed by

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Kevin Smith  
Chief/Director  
Niagara Emergency Medical Services

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**MEMORANDUM****COM-C 7-2021****Subject: Responding to an information enquiry regarding a community request for the Region to declare a state of emergency on mental health, homelessness, and addiction****Date: February 16, 2021****To: Public Health and Social Services Committee****From: Adrienne Jugley, Commissioner, Community Services**

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Niagara Region has been asked to declare a state of emergency related to mental health, homelessness, and addiction. The request stems from a resolution put forth by the City of Niagara Falls that has also been supported by several local area municipalities. Further to a request from a number of councillors, this memo briefly outlines legal, policy, and funding considerations regarding this request.

**Legal Considerations**

- In Ontario the declaration of an emergency is governed by the [Emergency Management and Civil Protection Act, R.S.O. 1990, c. E.9 \(ontario.ca\)](#). The Act defines an “emergency” as “a situation or an impending situation that constitutes a danger of major proportions that could result in serious harm to persons or substantial damage to property and that is caused by the forces of nature, a disease or other health risk, an accident or an act whether intentional or otherwise”.
- In keeping with this, the Province’s [Emergency preparedness | Ontario.ca](#) webpage lists numerous types of natural, technological and human-caused hazards that the Act would apply to; including earthquakes, dam failures, floods, storms, nuclear incidents, and pandemics. These incidents are typically temporary in nature stemming from a specific extraordinary event of a magnitude that requires an immediate and co-ordinated response beyond the normal capacity or capabilities of a municipality to address in order to preserve public safety.
- The Act and emergency management regime were not designed to address social and economic problems of an ongoing systemic nature that cannot be resolved in

days, weeks or months but require the development of sustainable, long-term solutions.

- In a municipality, an emergency under the Act can only be declared by the Head of Council, and can be terminated by the Premier. Therefore if the Region were to declare an emergency related to mental health, homeless and/or addiction with a goal of seeking financial assistance from other levels of government, the Province could simply override the declaration.
- The intent of the declaration of an emergency is to allow for the implementation of the municipality's emergency plan and protect the property, health, safety and welfare of the inhabitants of the emergency area. The declaration does not provide a Head of Council, or anyone else in a municipality, with any extraordinary authorities that are not otherwise provided for in law. Moreover, the declaration of an emergency also does not impose an obligation on the part of the Provincial or Federal Government to provide financial support.

### **Policy and Funding Considerations**

- Treatment and supports for mental illness, addiction, and homelessness are predominantly funded and directed by the Province. Niagara Region does have one Regionally managed mental health program, but the program is fully funded through Ontario Health/ the LHIN. While Niagara Region Public Health has a small educational/prevention (cost shared) mandate for substance use, and with Provincial funding, provides a needle exchange program, it does not have a direct role in treatment. Local treatment centres in Niagara are also funded by Ontario Health/ the LHIN. Homelessness Services is a provincially mandated service area, and the Region, through funding from both the Provincial and Federal governments, manage the local homeless serving system. A small percentage of Regional levy dollars is provided to Homelessness Services, only as a result of Provincial underfunding concerns.
- While the concerns about the rising prevalence of homelessness, and the greater awareness of the need for treatment for mental illness and addiction have increased, it is important to recognize that these issues are distinct and should require their own policy and response solutions informed by evidence and best practice.
- As such, speaking of all three as if they are consistently interconnected, may lead to a public misunderstanding and an over simplified perception of issues and the people who struggle with them. A combined focus may also inadvertently increase

the risk of stigmatization, recognizing, for example, that a large majority of individuals who experience mental illness (or have experienced this in their lifetime) are not or ever have been homeless, nor are they dealing with substance use issues.<sup>1</sup> Although those experiencing addiction issues may be more likely to also have an underlying mental illness<sup>2</sup>, many do not; and again, it is not expected that all individuals with substance use concerns are concurrently experiencing homelessness as well<sup>3</sup>. While individuals struggling with homelessness (which is relatively a much smaller number) do often experience mental illness and addiction issues (or both)<sup>4</sup>, an understanding on how to properly support these individuals requires a multifaceted approach and will be quite distinct from the interventions from the two previously described groups.

- It is also important to note that the terms mental health and mental illness are not synonymous. Mental health can be defined as a state of psychological and emotional well-being that is a necessary resource for living a healthy life and a main factor in overall health.<sup>5</sup> A mental illness is characterized by changes in an individual's thinking, mood, or behaviour and is usually associated with significant distress or impaired functioning in social, occupational and other activities.<sup>6</sup>
- The terms mental illness and addiction refer to a wide range of conditions that require a continuum of appropriate and accessible treatments, delivered by trained and regulated practitioners. Primary care in fact provides a significant level of intervention for both mental health and substance use issues, with many individuals moving effectively through the process of assessment, treatment and recovery. Access to a further range of treatment, such as psychiatric care, outpatient treatment programs and/or inpatient programs are required and should reflect the unique needs of each individual. The amounts of service available should be informed by local needs, capacity and evidence of effectiveness. Some communities may have adequate resources in certain areas of care, but be at critically low levels of others. Local decision makers should have a clear understanding of local services and gaps in care when advocating for future investment.
- While addressing homelessness also requires a variety of policy solutions, a policy intervention highlighted as a best practice is first the provision of safe and affordable housing with the inclusion of required supports.<sup>7</sup>
- The conditions and the approaches to address mental illness, addiction and homelessness are not homogeneous.



- Further, the challenges associated with accessing treatment to address mental illness<sup>8</sup> and addictions<sup>9</sup>, and providing affordable housing for those experiencing homelessness are not unique to Niagara<sup>10</sup>. The overall incidence rate of mental illness, addiction, and homelessness in Niagara, is not greater by any significant degree when compared to municipalities across the Province.

### **Declaring a State of Emergency on Mental Health, Addiction, and Homeless across other Jurisdictions**

- A number of municipalities across the Province have been approached over the last few years to make similar declarations, but most have refrained further to similar considerations included in this memo. To date, there have not been any declarations that combine the issues of mental health, addiction, and homelessness.
- In January 2021, the City of Ottawa declined to declare an emergency but instead passed a motion that recognized an emergency created by the critical lack of affordable housing and the growing prevalence of homelessness. The motion recognizes that the City has insufficient resources to address these issues alone, and that City Council must continue to advocate to both the Provincial and Federal governments for additional funding. The motion also highlights that City staff increase efforts and further prioritize a framework for action to address affordable housing and homelessness.

### **Niagara Region's Existing Priorities on Mental Health, Homelessness and Housing**

- Niagara Regional Council established its priorities (prior to the pandemic) through the 2019 – 2022 Council Strategic Plan (Plan). The Plan identifies addressing mental health and well-being and affordable housing, as key Council priorities, with specific objectives noted in the Plan.
- Council has accepted the national challenge to end chronic homelessness and is one of a handful of municipalities across Canada that has become a “Built for Zero” community. Council has also endorsed Niagara’s 10-year Housing and Homelessness Action Plan, and supported funding and policy development on a number of critical initiatives to address homelessness and the need for increased affordable housing in Niagara. These existing efforts highlight Council’s commitment to actively address homelessness, while also being more aligned with the Region’s

funding mandate, as the majority of funding for affordable/community housing comes from the Region's levy.

- Further, through the development of Niagara's Community Safety and Well-Being plan, Council also has the opportunity to prioritize access to mental health and addiction services, and addressing homelessness.

Respectfully submitted and signed by

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Adrienne Jugley, MSW, RSW, CHE  
Commissioner

*This memo was prepared in consultation with Donna Gibbs, Director, Legal & Court Services and Pam Abeysekara, Integrated Planning and Policy Advisor.*

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<sup>1</sup> Hulchanski, J. (2009). *Finding Home: Policy Options for Addressing Homelessness in Canada*. The Homeless Hub. [Link to Finding Home: Policy Options for Addressing Homelessness in Canada](#).

<sup>2</sup> Centre for Addiction and Mental Health. (n.d.). *Mental Illness and Addiction: Facts and Statistics*. [Link to Mental Illness and Addiction: Facts and Statistics](#).

<sup>3</sup> The Homeless Hub. (n.d.). *Substance Use & Addiction*. [Link to Substance Use & Addiction](#).

<sup>4</sup> Canadian Mental Health Association, Ontario. (2014). *Housing and Mental Health*. [Link to Housing and Mental Health](#).

<sup>5</sup> Government of Canada. (2020). *About Mental Health*. [Link to About Mental Health](#).

<sup>6</sup> Public Health Agency of Canada. (2020). *Mental Illness in Canada*. [Link to Mental Illness in Canada](#).

<sup>7</sup> Canadian Mental Health Association, Ontario. (2014). *Housing and Mental Health*. [Link to Housing and Mental Health](#).

<sup>8</sup> According to the Centre for Addiction and Mental Health, only about half of Canadians experiencing a major depressive episode receive and have access to "potentially adequate care."

<sup>9</sup> The Canadian Institute for Health Information highlights that access to harm reduction and addiction treatment services are often limited, even in the in the biggest cities across Canada.

<sup>10</sup> Association Municipalities of Ontario. (2019). *Fixing the Housing Affordability Crisis*. [Link to Fixing the Housing Affordability Crisis](#)

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**MEMORANDUM**

**PHD-C 4-2021**

**Subject: Considerations & Context Regarding Declaration of a State of Emergency**

**Date: February 16, 2021**

**To: Public Health & Social Services Committee**

**From: M. Mustafa Hirji, Medical Officer of Health & Commissioner (Acting)**

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There have been multiple requests recently regarding declaration of a state of emergency on mental health and related issues. Public Health staff provide the following to Regional Councillor as additional considerations and context in order to help inform Council's decision on these request.

The declaration of a state of emergency on any issue does not automatically cause resources or additional support to be brought to bear on that issue. However, there would likely be a public expectation that if a state of emergency existed on an issue such as mental health, then Council would marshal additional resources or efforts directed to it. Council may therefore wish to make decisions around declaring a state of emergency with consideration of how much additional resources would be commensurate with the emergency. As well, Council may also wish to consider where those resources might come from: by reducing efforts on other issues, or by levying new resources.

If redirecting resources by reducing effort on other health issues, it is important that Council be aware of the burden of illness for those health issues that would now be neglected. As well, Council may wish to be mindful that any particular request for a declaration of emergency on one issue may set precedent for other issues with a similar or higher burden.

**Data on Top Health Issues in Niagara**

In 2019, as part of a fulsome planning process to support the prioritization of public health's health promotion priorities, staff completed a comprehensive Community Health Status Assessment which provides a ranked analysis of the health conditions and risk factors faced by Niagara.

By using the Winnipeg Regional Health Authority Priority Setting Framework (which is a nationally accepted framework), Niagara data from between 2013 and 2018 was tabulated to allow for the ranking of all health conditions and diseases. Qualitative and quantitative analysis was completed with equal weighting applied ensuring that no criterion was deemed to be of greater importance.

The quantitative assessment considers

- The number of deaths
- The potential years of life lost
- The hospitalization rates
- The length of stay in hospital
- Emergency Department visits

The qualitative assessment utilized a selection of relevant criteria from the Center for Disease Control (CDC) common criteria list. Criteria selected considered the communities readiness to address an issue, public health's ability to impact the health issue, programs offered by other service providers, and the impact of the health issue and disease on the Social Determinants of Health (SDOH).

These two assessments were then combined to provide a ranked list of 26 health conditions and diseases here in Niagara.

The list below outlines in rank order the top 26 health conditions and diseases in Niagara.

1. Ischaemic heart disease
2. Accidental Falls
3. Diabetes
- 4.5 Cerebrovascular disease (stroke)
- 4.5 Lung, bronchus and trachea cancer
6. Chronic lower respiratory diseases
7. Influenza and pneumonia
- 8.5 Perinatal conditions (low birth weight)
- 8.5 Cirrhosis and other liver diseases
10. Intentional self-harm (suicide)
11. Accidental poisoning (overdose)
12. Diseases of the urinary system (Urinary tract infections)
13. Colon, rectum and anus cancer

14. Congenital malformations
15. Heart failure
16. Disease of the musculoskeletal system and connective tissue (osteoarthritis)
17. Sexually-transmitted infections
18. Pregnancy, childbirth and the puerperium
19. Transport accidents
20. Dementia and Alzheimer disease
21. Breast cancer
22. Lymph, blood and related cancers
23. Appendicitis, hernia and intestinal obstruction
24. Septicaemia
25. Acute respiratory diseases
26. Pancreatic cancer

**Ischemic Heart Disease** ranks 1<sup>st</sup> given we see the highest number of deaths, the greatest number of years of life lost and the third highest hospitalization rate across all health conditions and diseases.

**Accidental Falls** ranks 2<sup>nd</sup> being responsible for the greatest number of ED visits, the fifth highest number of hospitalization admittances but with the greatest total days admitted to hospital (length of stay).

By contrast, health issues directly attributable to **Mental Health** and **Addictions** (Intentional self-harm and Accidental poisoning) are ranked 10<sup>th</sup> and 11<sup>th</sup> respectively.

Chronic risk factors were also considered as part of this analysis, recognizing that they can greatly influence and effect the health conditions and diseases identified.

Smoking, Alcohol use and Problematic substance use, all of which could fall within the broad 'Addictions' category were each identified as increasing the of risk of a number of the ranked health conditions identified:

- Smoking – 11 Health conditions or diseases affected
- Alcohol – 9 Health conditions or diseases affected
- Problematic Substance Use – 3 Health conditions or diseases affected

Stress, which is a risk factor linked to mental health, was identified as increasing the risk across three of the ranked health conditions.

The result of this analysis was the identification of five broad Health Promotion priorities for Niagara Region Public Health to focus its health promotion efforts over the coming years:

- Healthy Eating and Physical Activity
- Substance Use and Addictions
- Mental Health Promotion
- Healthy Child Development
- Sexually Transmitted Infections

### **Implications of Data**

These priorities were presented to and received approval of Council as part of the 2020 Levy Operating Budget. Since then, Public Health & Emergency Services has been reorienting and consolidating greater efforts behind these five priorities to ensure a critical mass to make a measurable impact. This has included identifying indicators, researching the most effective public health interventions to implement, and engaging partners to align with these five priorities. However, given limited budget, it has also meant that other topics (e.g. promoting vaccinations, cancer prevention) are receiving only minimal attention as resources have been redirected.

Should a state of emergency be declared around mental health and/or addictions, there would presumably be an intention to enhance resources behind these two issues either with new budget or by further deprioritizing other issues to redirect those efforts.

Respectfully submitted and signed by

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M. Mustafa Hirji, MD MPH FRCPC  
Medical Officer of Health & Commissioner (Acting)

*This memo was prepared with input by Andrew Scott, Manager of Continuous Quality Improvement & reviewed by Siobhan Kearns, Director/Chief of Staff (Public Health)*

Appendix 1: In-Depth Epidemiological Analysis

## **Appendix 1: In-depth Epidemiological Analysis**

Further, in depth analysis is provided here, which aligns with the request for an emergency declaration (mental health promotion, substance use and addictions).

### **Mental Health**

- A significantly higher proportion of individuals (12 years and older) perceive their mental health to be excellent or very good in Niagara (77.1%) compared to the provincial average (71.1%).
- Significantly more females (21.7%) than males (10.3%) talked to a health professional about their mental health status (Canadian Community Health Survey, 2015/16)
- There are significant levels of inequality in mental health related ED visits by those impacted by residential instability. This inequality is also significantly greater than the provincial average.
- In 2016, the age standardized rate of ED visits related to self-harm in Niagara (217.0 per 100,000) was significantly higher than the provincial average (141.3 per 100,000).
- The highest number of self-harm injury-related hospitalizations occur among individuals 15 to 19 years old.
- Since 2009, females had a significantly higher rates of emergency department visits and hospitalizations related to self-harm injuries.
- The rate of males dying from self-harm is significantly higher than the rate of females dying from self-harm.



Health conditions or diseases associated with mental health with current ranking in overall priority level from community health status assessment.

Health Condition or Disease	Number of Deaths	Potential years of life lost (PYLL)	Emergency Department (ED) visits	Hospitalizations	Total Length of Stay (LOS) during Hospitalization	Quantitative Total Score	Quantitative Rank	Qualitative Rank	Total Rank	Final Overall Priority Score
Intentional self-harm	129	3,304	2,341	634	2,263	79	19.5	1.5	21	10
Accidental poisoning	94	3,136	3,944	435	1,289	81	21	1.5	22.5	11

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## **Substance Misuse and Addictions**

### Smoking

- A significantly higher proportion of individuals 25 to 44 are current smokers compared to other age groups.
- Individuals 19 to 24 years are significantly more likely to vape than other age groups.
- There are significant levels of inequity in Chronic Obstruction Pulmonary Disease (COPD) hospitalizations in those impacted greatest by the social determinants of health. These patterns of inequality are significantly greater in Niagara compared to Ontario.
- There are significant differences in smoking and vaping rates by municipality, residents of Port Colborne and Thorold are more likely to smoke, residents in Thorold are more likely to vape.
- There are a significantly higher proportion of Niagara students in grades 11 and 12 who have vaped any type of e-cigarette than compared to the provincial average.

Disease of Health Condition	Number of Deaths	Potential years of life lost (PYLL)	Emergency Department (ED) visits	Hospitalizations	Total Length of Stay (LOS) during Hospitalization	Quantitative Rank	Qualitative Rank	Total Rank	Final Overall Priority Score
Ischaemic heart disease	2,035	6,744	3,081	6,348	28,885	1	5	6	1
Lung/bronchus cancer	913	4,846	454	687	5,676	11	5	16	4.5
Cerebrovascular disease	825	1,701	3,433	2,455	21,999	6	10	16	4.5
Chronic lower respiratory diseases	535	1,522	10,717	3,871	23,590	3	14	17	6
Perinatal conditions	23	1,725	457	5,773	30,469	10	10	20	8.5
Colon, rectum and anus cancer	411	2,040	156	935	9,153	13.5	14	27.5	13

Disease of Health Condition	Number of Deaths	Potential years of life lost (PYLL)	Emergency Department (ED) visits	Hospitalizations	Total Length of Stay (LOS) during Hospitalization	Quantitative Rank	Qualitative Rank	Total Rank	Final Overall Priority Score
Congenital malformations	49	1,820	207	843	5,233	23	5	28	14
Heart failure, complications and ill-defined heart disease	210	477	4,354	3,704	31,461	9	20.5	29.5	15
Pregnancy, childbirth and the puerperium	-	-	7,469	11,825	24,358	12	20.5	32.5	18
Lymph, blood and related cancers	341	1,626	273	692	10,164	18	20.5	38.5	22
Pancreatic cancer	276	1,426	133	159	1,601	25	20.5	45.5	26

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## Alcohol

- 43% of adults in Niagara exceed the low-risk alcohol drinking guideline for chronic disease or injury.
- Over 65% of students used alcohol in some frequency in 2019.
- Rates of alcohol related ED visits are high across all age groups until the age of 65 and older.
- The rate of alcohol related hospital admittance increases with age
- Among adults, males are more likely to be regular drinkers and heavy drinkers
- Males are more likely to visit the ED and be hospitalized for alcohol related health conditions.
- A significantly lower proportion of individuals with less than a high school diploma are considered regular drinkers over those who graduated high school.
- There are significant levels of inequality in alcohol-attributable hospitalizations by those facing increased levels of maternal deprivation and residential instability.
- There is a significantly higher proportion of secondary school students in Niagara who have drunk alcohol in the past 12 months when compared to the provincial average.
- Age standardized ED visits entirely attributable to alcohol was significantly higher in Niagara compared to the provincial average.

Health conditions or diseases associated with alcohol use with current ranking in overall priority level from community.

Health Condition or Disease	Number of Deaths	Potential years of life lost (PYLL)	Emergency Department (ED) visits	Hospitalizations	Total Length of Stay (LOS) during Hospitalization	Quantitative Total Score	Quantitative Rank	Qualitative Rank	Total Rank	Final Overall Priority Score
Cerebrovascular disease	825	1,701	3,433	2,455	21,999	49	6	10	16	4.5
Cirrhosis and other liver diseases	227	2,748	724	732	7,306	71	15	5	20	8.5
Intentional self-harm	129	3,304	2,341	634	2,263	79	19.5	1.5	21	10
Accidental poisoning	94	3,136	3,944	435	1,289	81	21	1.5	22.5	11
Colon, rectum and anus cancer	411	2,040	156	935	9,153	68	13.5	14	27.5	13

Health Condition or Disease	Number of Deaths	Potential years of life lost (PYLL)	Emergency Department (ED) visits	Hospitalizations	Total Length of Stay (LOS) during Hospitalization	Quantitative Total Score	Quantitative Rank	Qualitative Rank	Total Rank	Final Overall Priority Score
Congenital malformations	49	1,820	207	843	5,233	88	23	5	28	14
Transport accidents	53	1,502	10,947	747	5,784	76	17	16	33	19
Breast cancer	310	2,524	96	320	993	91	24	14	38	21
Pancreatic cancer	276	1,426	133	159	1,601	100	25	20.5	45.5	26

## Cannabis

- Individual in 19 to 24 years and 25 to 29 years were significantly more likely to report using cannabis in the past 30 days compared to all other age groups.
- The proportion of school students using cannabis increases with grade level.
- The highest rate of cannabis-related ED visits is among 15 to 19 year olds and declines by age group thereafter.
- Males are more likely to visit the ED for cannabis related health conditions.
- Use of cannabis is highest among individuals without a high school diploma and significantly decreases as educational attainment increased.
- Residents of St. Catharines are more likely to use cannabis than other municipalities.
- A significantly higher proportion of students in grades 9 and 10 in Niagara used cannabis than the provincial average.
- Age Standardized ED visits for all cannabis-related harms was significantly higher than the provincial average, but age standardized hospitalizations were significantly lower.



Health conditions or diseases associated with cannabis use with current ranking in overall priority level from community health status assessment.

Health Condition or Disease	Number of Deaths	Potential years of life lost (PYLL)	Emergency Department (ED) visits	Hospitalizations	Total Length of Stay (LOS) during Hospitalization	Quantitative Total Score	Quantitative Rank	Qualitative Rank	Total Rank	Final Overall Priority Score
Cerebrovascular disease	825	1,701	3,433	2,455	21,999	49	6	10	16	4.5
Chronic lower respiratory diseases	535	1,522	10,717	3,871	23,590	41	3	14	17	6
Intentional self-harm	129	3,304	2,341	634	2,263	79	19.5	1.5	21	10
Accidental poisoning	94	3,136	3,944	435	1,289	81	21	1.5	22.5	11
Transport accidents	53	1,502	10,947	747	5,784	76	17	16	33	19

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## Opioids

- Males are more likely to visit the ED for a health condition related to opioids.
- Rates of opioid related ED visits are significantly higher in Niagara (151.3 per 100,000) than the provincial average (63.4 per 100,000).
- Opioid related ED visits and hospitalizations are increasing in Niagara.
- The rate of individuals prescribed opioids was higher in Niagara than the provincial average in 2016, 2017 and 2018.



Health conditions or diseases associated with opioid use with current ranking in overall priority level from community health status assessment.

Health Condition or Disease	Number of Deaths	Potential years of life lost (PYLL)	Emergency Department (ED) visits	Hospitalizations	Total Length of Stay (LOS) during Hospitalization	Quantitative Total Score	Quantitative Rank	Qualitative Rank	Total Rank	Final Overall Priority Score
Intentional self-harm	129	3,304	2,341	634	2,263	79	19.5	1.5	21	10
Accidental poisoning	94	3,136	3,944	435	1,289	81	21	1.5	22.5	11

**Minute Item No. 5.1**

**CSD 12-2021**

**Optional Small Business Tax Subclass Overview**

That Report CSD 12-2021, dated February 17, 2021, respecting Optional Small Business Tax Subclass Overview, **BE RECEIVED** and the following recommendations **BE APPROVED**:

1. That staff **BE DIRECTED** to monitor the implementation of the Optional Small Business Tax Subclass for consideration in future taxation years starting in 2022; and
2. That a copy of Report CSD 12-2021 **BE CIRCULATED** to the Local Area Municipalities.

**Minute Item No. 5.2**

**CLK 1-2021**

**Establishment of Diversity Related Advisory Committees**

That Report CLK 1-2021, dated February 17, 2021, respecting Establishment of Diversity Related Advisory Committees, **BE RECEIVED** and the following recommendations **BE APPROVED**:

1. That the Terms of Reference for the Diversity, Equity, and Inclusion Advisory Committee, attached as Appendix 1 to Report CLK 1-2021, as amended, **BE APPROVED**;
2. That one Regional Councillor **BE APPOINTED** to the Diversity, Equity, and Inclusion Advisory Committee;
3. That staff **BE DIRECTED** to advertise for interested residents to serve on the Diversity, Equity, and Inclusion Advisory Committee based on the criteria described in Report CLK 1-2021; and
4. That in consultation with the Diversity, Equity, and Inclusion Committee, staff **BE DIRECTED** to report back to Council on progress and any additional resources required to establish and launch an Anti-Racism Advisory Committee and a 2SLGBTQQA+ Advisory Committee by September 30, 2021.

**Minute Item No. 5.3**

**CSC-C 9-2021**

**Niagara Regional Police Services - Special Duty Billable Rate Schedule**

That Correspondence Item CSC-C 9-2021, being a letter from D. Reid, Executive Director, Regional Municipality of Niagara Police Services Board, dated December 2, 2020, respecting Special Duty Billable Rate Schedule, **BE RECEIVED** and the following recommendation **BE APPROVED**:

1. That Regional Municipality of Niagara Police Services Board By-Law No. 388-2020, **BE APPROVED**.

**Minute Item No. 6.1**

**CSC-C 7-2021**

**COVID-19 Response and Business Continuity in Corporate Services**

That Correspondence Item CSC-C 7-2021, being a memorandum from T. Harrison, Commissioner/Treasurer, dated February 17, 2021, respecting COVID-19 Response and Business Continuity in Corporate Services, **BE RECEIVED** for information.

**Minute Item No. 6.2**

**CSC-C 2-2021**

**Committee Request for Information Re: Development Charge Calculation and Payment Policy**

That Correspondence Item CSC-C 2-2021, being a memorandum from H. Chamberlain, Director, Financial Management & Planning/Deputy Treasurer, dated February 17, 2021, respecting Committee Request for Information Re: Development Charge Calculation and Payment Policy, **BE RECEIVED** for information.

**Minute Item No. 6.3**

**CSC-C 6-2021**

**Investing in Canada Infrastructure Program: COVID-19 Resilience Stream**

That Correspondence Item CSC-C 6-2021, being a memorandum from T. Harrison, Commissioner, Corporate Services/Treasurer, dated February 17, 2021, respecting Investing in Canada Infrastructure Program: COVID-19 Resilience Stream, **BE RECEIVED** for information.

**Minute Item No. 7.1**  
**Information Request Respecting Litigation Matters**

1. That Staff **BE DIRECTED** to prepare a report/memo providing further information regarding certain litigation matters involving the Region as described Appendix 2B of Confidential Report CSD 60-2020 dated November 9, 2020, that are identified therein as numbers 6, 8, 12, 14, 15, 21, 22, 23, 26, 28, 34 and 35, as follows:
  - a) a brief description of the claim
  - b) the costs incurred on an annual basis to date in defending the claim (including external and internal legal costs and any consultants) and,
  - c) whether insurance is available (and if not some explanation as to why).
2. That Staff also **PROVIDE** information in the report/memo regarding ongoing legal proceedings initiated by the Region (including a brief description of the claim(s); costs involved; and applicable insurance as described in items a-c above).

**THE REGIONAL MUNICIPALITY OF NIAGARA  
CORPORATE SERVICES COMMITTEE  
OPEN SESSION**

**CSC 2-2021  
Wednesday, February 17, 2021  
Council Chamber/Video Conference  
Niagara Region Headquarters, Campbell West  
1815 Sir Isaac Brock Way, Thorold, ON**

Committee Members Present in the Council Chamber: Foster (Committee Chair)

Committee Members Present via Video Conference: Bradley (Regional Chair), Butters, Campion, Diodati, Easton, Edgar, Fertich, Gale, Heit, Ip, Redekop, Rigby, Whalen (Committee Vice-Chair)

Staff Present in the Council Chamber: H. Chamberlain, Director, Financial Management & Planning/Deputy Treasurer, E. Fabiani, Technology Support Analyst, T. Harrison, Commissioner/Treasurer, Corporate Services, A.-M. Norio, Regional Clerk, R. Tripp, Acting Chief Administrative Officer

Staff Present via Video Conference: N. Early, Director, Corporate Strategy & Innovation, D. Gibbs, Director, Legal & Court Services, K. Lotimer, Legislative Coordinator, B. Menage, Director, Procurement & Strategic Acquisitions, C. Ogunniyi, Diversity, Equity & Inclusion Program Manager

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**1. CALL TO ORDER**

Committee Chair Foster called the meeting to order at 9:31 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 CSD 12-2021

Optional Small Business Tax Subclass Overview

Moved by Councillor Fertich

Seconded by Councillor Rigby

That Report CSD 12-2021, dated February 17, 2021, respecting Optional Small Business Tax Subclass Overview, **BE RECEIVED** and the following recommendations **BE APPROVED**:

1. That staff **BE DIRECTED** to monitor the implementation of the Optional Small Business Tax Subclass for consideration in future taxation years starting in 2022; and
2. That a copy of Report CSD 12-2021 **BE CIRCULATED** to the Local Area Municipalities.

**Carried**

5.2 CLK 1-2021

Establishment of Diversity Related Advisory Committees

Moved by Councillor Ip

Seconded by Councillor Edgar

That Report CLK 1-2021, dated February 17, 2021, respecting Establishment of Diversity Related Advisory Committees, **BE RECEIVED** and the following recommendations **BE APPROVED**:

1. That the Terms of Reference for the Diversity, Equity, and Inclusion Advisory Committee, attached as Appendix 1 to Report CLK 1-2021, as amended, **BE APPROVED**;
2. That one Regional Councillor **BE APPOINTED** to the Diversity, Equity, and Inclusion Advisory Committee;
3. That staff **BE DIRECTED** to advertise for interested residents to serve on the Diversity, Equity, and Inclusion Advisory Committee based on the criteria described in Report CLK 1-2021; and
4. That in consultation with the Diversity, Equity, and Inclusion Committee, staff **BE DIRECTED** to report back to Council on progress and any additional resources required to establish and launch an Anti-Racism Advisory Committee and a 2SLGBTQQA+ Advisory Committee by September 30, 2021.

**Carried**



**Councillor Information Request(s):**

Include in the finalized terms of reference that the membership of the Committee include “An appointed member or the Chair or Vice-Chair of the noted advisory committees” (Section 6).

5.3 CSC-C 9-2021

Niagara Regional Police Services - Special Duty Billable Rate Schedule

Moved by Councillor Redekop  
Seconded by Councillor Whalen

That Correspondence Item CSC-C 9-2021, being a letter from D. Reid, Executive Director, Regional Municipality of Niagara Police Services Board, dated December 2, 2020, respecting Special Duty Billable Rate Schedule, **BE RECEIVED** and the following recommendation **BE APPROVED**:

1. That Regional Municipality of Niagara Police Services Board By-Law No. 388-2020, **BE APPROVED**.

**Carried**

**6. CONSENT ITEMS FOR INFORMATION**

6.1 CSC-C 7-2021

COVID-19 Response and Business Continuity in Corporate Services

Moved by Councillor Butters  
Seconded by Councillor Diodati

That Correspondence Item CSC-C 7-2021, being a memorandum from T. Harrison, Commissioner/Treasurer, dated February 17, 2021, respecting COVID-19 Response and Business Continuity in Corporate Services, **BE RECEIVED** for information.

**Carried**

6.2 CSC-C 2-2021

Committee Request for Information Re: Development Charge Calculation and Payment Policy

Moved by Councillor Heit  
Seconded by Councillor Easton

That Correspondence Item CSC-C 2-2021, being a memorandum from H. Chamberlain, Director, Financial Management & Planning/Deputy Treasurer, dated February 17, 2021, respecting Committee Request for Information Re: Development Charge Calculation and Payment Policy, **BE RECEIVED** for information.

**Carried**

6.3 CSC-C 6-2021

Investing in Canada Infrastructure Program: COVID-19 Resilience Stream

Moved by Councillor Campion  
Seconded by Councillor Gale

That Correspondence Item CSC-C 6-2021, being a memorandum from T. Harrison, Commissioner, Corporate Services/Treasurer, dated February 17, 2021, respecting Investing in Canada Infrastructure Program: COVID-19 Resilience Stream, **BE RECEIVED** for information.

**Carried**

6.4 CLK 2-2021

Considerations for a Lobbyist Registry

Moved by Councillor Ip  
Seconded by Councillor Fertich

That Report CLK 2-2021, dated February 17, 2021, respecting Considerations for a Lobbyist Registry, **BE RECEIVED** for information.

Moved by Councillor Ip  
Seconded by Councillor Edgar

That the motion **BE AMENDED** by adding the following clauses:

- 1. That staff BE DIRECTED to provide options, and a recommendation, for the retention of a Lobbyist Registrar and that considerations for the retention of a Lobbyist Registrar form part of the budget proposals for 2022;***

- 2. That specific mechanisms for the establishment of a mandatory Lobbyist Registry with enforcement BE DEVELOPED for implementation in 2022;**
- 3. That feedback about the establishment of a mandatory Lobbyist Registry with enforcement for Niagara Region BE SOUGHT from Public Affairs Association of Canada; Niagara's chambers of commerce; and other pertinent associations or organizations; and**
- 4. That the report(s) indicated in the first three parts of this motion BE PROVIDED at the May 2021 Corporate Services Committee meeting.**

Recorded Vote:

Yes: (10) Bradley, Butters, Campion, Diodati, Easton, Edgar, Fertich, Foster, Gale, Ip.

No: (4) Heit, Redekop, Rigby, Whalen.

**Carried**

Moved by Councillor Redekop  
Seconded by Councillor Gale

That consideration of the motion respecting Report CLK 2-2021 **BE DEFERRED** to the Corporate Services Committee meeting to be held on May 12, 2021, to allow consultation with the stakeholders noted in clause 3.

Recorded Vote:

Yes: (10) Campion, Diodati, Easton, Fertich, Foster, Gale, Heit, Redekop, Rigby, Whalen.

No: (4) Bradley, Butters, Edgar, Ip.

**Carried**

**Councillor Information Request(s):**

Provide information for the May 12, 2021, Corporate Services Committee meeting regarding a mandatory lobbyist registry. Councillor Redekop.

7. **OTHER BUSINESS**

7.1 **Information Request Respecting Litigation Matters**

Moved by Councillor Gale  
Seconded by Councillor Whalen

1. That Staff **BE DIRECTED** to prepare a report/memo providing further information regarding certain litigation matters involving the Region as described Appendix 2B of Confidential Report CSD 60-2020 dated November 9, 2020, that are identified therein as numbers 6, 8, 12, 14, 15, 21, 22, 23, 26, 28, 34 and 35, as follows:
  - a) a brief description of the claim
  - b) the costs incurred on an annual basis to date in defending the claim (including external and internal legal costs and any consultants) and,
  - c) whether insurance is available (and if not some explanation as to why).
2. That Staff also **PROVIDE** information in the report/memo regarding ongoing legal proceedings initiated by the Region (including a brief description of the claim(s); costs involved; and applicable insurance as described in items a-c above).

**Carried**

7.2 **Hospice Niagara Funding Request**

Councillor Redekop enquired about the status of the report respecting the Hospice Niagara funding request. Todd Harrison, Commissioner/Treasurer, Corporate Services, advised that the report will be included on the agenda for the Corporate Services Committee meeting being held on April 16, 2021.

7.3 **Standing Committee Meeting Cycle**

Councillor Rigby requested information respecting the change to a monthly meeting cycle from the previous three week cycle.

8. **NEXT MEETING**

The next meeting will be held on Wednesday, March 10, 2021 at 9:30 a.m.

9. **ADJOURNMENT**

There being no further business, the meeting adjourned at 10:47 a.m.

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Councillor Foster  
Committee Chair

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Kelly Lotimer  
Legislative Coordinator

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Ann-Marie Norio  
Regional Clerk

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**Subject:** Optional Small Business Tax Subclass Overview

**Report to:** Corporate Services Committee

**Report date:** Wednesday, February 17, 2021

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## Recommendations

1. That staff **BE DIRECTED** to monitor the implementation of the Optional Small Business Tax Subclass for consideration in future taxation years starting in 2022; and
2. That a copy of report CSD 12-2021 **BE CIRCULATED** to the Local Area Municipalities.

## Key Facts

- The purpose of this report is to provide committee members an overview of the optional small business property tax subclass as announced in the 2020 Ontario Budget.
- Included in the 2020 Ontario Budget is the ability for upper-tier municipalities to create a new small business tax subclass. The Region would need to determine eligibility requirements and amount of reduction. Regulations guiding the implementation have yet to be created by the Province. The Ontario Budget is currently the only information currently available to municipalities.
- Relief provided under this optional program as a tax policy decision is made by the Region and applicable to all Niagara lower tiers and results in a redistribution of both Regional and Municipal property taxes onto other property owners (predominately residential which represents 80% of the Region's tax base). Relief as a grant program requires a budget to fund the program and administration on the part of the local area municipalities.
- Regional finance staff have had discussions with the Local Area Treasurers as well as Ontario Regional Treasurers regarding the optional subclass and there is general agreement of the many concerns noted below with the implementation that should be fully analysed in advance of adoption as this is intended as a long term tax policy decision and not a COVID-19 relief tool.
- Municipal Finance Officers' Association (MFOA) has also provided preliminary comments to the Province and has expressed the need for caution and due care to

ensure both the regulatory framework and subsequent implementation of any subclass supports long term strategic objectives in an efficient and effective manner.

- Staff will continue to review the implications of this program including the apparent effectiveness and report back to Council in Q2 of 2021.

## **Financial Considerations**

There are no direct financial implications associated with this report as the Region will still collect the total tax levy. There will be an impact on other property owners not included in the optional subclass as a result of tax redistribution.

For modelling purposes, if 10% of the taxes from the existing commercial tax class are encompassed in a small business subclass and provided with a reduction of 22.5% (similar to vacant/excess land subclass discount) it would create an estimated \$1.5 million saving for eligible properties but increase the tax burden for residential property owners by an estimated \$1.2 million and the remaining impact is to other property classes including commercial properties not captured in the subclass. This results in approximately a 0.4% increase in annual taxes for the average household in Niagara.

Based on the above example using 10% of the taxation, which actually incorporates approximately 60% of all commercial properties in the Region, the eligible commercial properties in that sample would have a maximum assessment of 393,000. A 22.5% reduction would generate a maximum relief for these properties of approximately \$900 and an average relief of \$400 per property.

## **Analysis**

On December 8, 2020 Provincial Bill 229, Protect, Support and Recover from COVID-19 Act (Budget Measures), 2020 received Royal Assent. This omnibus budget bill introduced various amendments to existing property tax legislation for the 2021 taxation year. The more significant of these amendments is the optional small business tax subclass for which further discussion on implementation opportunities and challenges will follow.

### Optional Small Business Tax Subclass Program Overview

- Upper-tier municipalities are able to adopt a new optional property subclass for small business properties starting 2021.
- Intended to target relief to small businesses.

- Municipalities will need to define small business eligibility.
- Province may consider matching any municipal property tax reductions adopted through this program.
- Any relief provided through the optional subclass using tax policy will shift added tax burden to other property owners (predominately residential owners which is 80% of the Regional tax base and other business properties that may not be eligible for the subclass).
- Any relief provided through an application based grant program for eligible properties would need to be funded through Regional and local budgets which would also be incorporated in the general levy distributed to all property classes.

#### Implementation Opportunities

- The ability to create the subclass gives municipalities a method to provide targeted relief to small businesses.
- The possibility of the Province providing equivalent matching relief by reducing education taxes for the new subclass would result in additional property tax relief for small businesses. This will likely be known with the release of the Provincial regulations and if not the Region would advocate for such relief.

#### Implementation Challenges

- Eligibility – The provincial government is proposing to allow the Region to define small business eligibility in a way that best meets local needs and priorities. The Region would need to consider how to define a “small business” in a way that can be captured in the MPAC assessment roll or through an application program. Although property classification is normally performed by MPAC, in this case municipalities may need to identify the roll numbers to be included in the small business class based on their chosen definition. Municipalities do not have broad experience in determining the eligibility of properties for a particular property class. Also, given the nature of small businesses eligible properties would need to be reviewed annually.

A small business can be defined in numerous ways including by number of employees, by property value, by a class of businesses, by businesses within a geographic area (e.g. located in a BIA), by sales revenue, etc. Most of this information is not part of the assessment roll. Input will be required from MPAC



as to how to define a small business and maintain the assessment roll in a practical manner.

- **Small Business Tenants** – It is not clear on how any tax benefit derived from the subclass may benefit the small businesses that rent building space for their operations. In many cases, small businesses are tenants in larger buildings and may not benefit from property tax savings directly or indirectly.
- **Inconsistency Across Municipalities** – Municipalities will need to determine eligibility criteria independently which will create a lack of consistency in application across the Province. Generally speaking, tax policy legislation is consistently applied for all 444 Ontario municipalities. The inconsistencies could create significant pressure for municipalities to adopt a subclass which may not align with long-term objectives or strategies.

It is also relevant to note that even the definition of a small business may be defined differently within Niagara municipalities. If a subclass were to be based on current value assessment, for example, this will create disparity across Niagara as a result of different assessment values. The average 2020 assessment for a commercial property in Niagara ranges from \$202,000 to \$1,452,000 depending on the municipality. Appendix 1 provides the average assessment range by municipality as well as the associated levy amounts.

The wide variation in assessment values for commercial properties in Niagara's municipalities would mean that in some cases, at a cap based on assessment of 393,000, approximate 70% of the existing commercial assessment base would be included in the new subclass for one municipality but only 4% for another. Therefore it would be challenging to create equity across Niagara municipalities and this has been expressed by Niagara's Area Treasurers as a priority principle for any tax relief program.

A preliminary review of the business types that would be captured in an assessment based program (used the property assessment of 393,000) shows that larger businesses that own multiple properties across the Region would likely benefit the most from the subclass. These larger business would include national telecommunication, energy, gas and larger real estate holding companies. Based on this, an assessment based approach may not be the most effective method of providing relief in comparison to a more targeted application based program which would require a greater implementation timeline and administration on the part of the local area municipalities.

- Tax Shift to Other Property Tax Class – The annual budget determines the amount of taxes to be levied and a variety of tax policies determines the property tax rates for each property class. Lowering the tax rate for a small business subclass shifts the tax burden onto other classes of property including residential, multi-residential, and other commercial/industrial properties that would not be eligible for the new subclass. The residential tax class represents 80% of the Region's assessment base. As such, based on the most recent BMA municipal study any shift in tax burden onto this class would further increase the relative tax burden as a percentage of household income for Niagara (Niagara = 5.2% compared to survey average of 4.8%).
- Budget Implications – Should the class be used for an application based relief program the funding requirement would be similar to that noted above regarding tax policy however it would require a budget funding source. For the Region and municipalities that have finalized their 2021 budgets this will require a change to approved budgets.
- Timing/MPAC Support – Staff do not believe that sufficient time is available in 2021 to properly implement such a subclass as the annual tax policy will need to be established by April. If implementation were to occur in 2021 there is a high risk that the program will not be successful in achieving desired outcomes. It may also result in in-year administrative complexities causing in-year budget impacts to municipalities in 2021 given that the MPAC assessment roll for 2021 has been finalized and delivered. It should also be noted that MPAC may not be supportive of adopting a subclass that has criteria based on anything other than assessed values or a common approach across all Ontario municipalities.
- COVID-19 Impacts – Some of the urgency of implementation may be tied to the impacts of COVID-19 on businesses. However, the financial impacts of COVID-19 are not just limited to small businesses but also effect larger business and residential households. This optional subclass would only address one subset of property owners at the expense of others.

#### Other Financial Programs Available to Businesses

While this new optional subclass represents another potential tool available for small business it will take time to implement. In the interim there are other supports for the business community that are currently being provided by the Province and Region specifically for COVID-19 assistance, including:

- Business Education Tax Reduction -
  - Addresses the wide range of business education tax (BET) rates across the Province by introducing a uniform rate for 2021.
  - Total annual business property tax saving across Province = \$450M
    - Niagara Commercial savings for 2021 = \$6.6M
    - Niagara Industrial savings for 2021 = \$2.8M
    - Total = \$9.4M
  - No action required for Region - provides property tax relief to non-residential properties without effecting Regional tax policy or other property classes.
- Ontario Personal Protective Equipment (PPE) Grant – provides small business with a one-time grant up to \$1,000 for PPE related expenditures.
- Ontario Property Tax and Energy Bill Rebates - Businesses that are, or were, required to shut down or significantly restrict services due to provincial public health measures can apply for rebates, provided in the form of grants, to help with their fixed costs including municipal/education property taxes and energy costs.
- Ontario Small Business Support Grant - Starting at \$10,000 for all eligible businesses, the grant will provide businesses with dollar for dollar funding to a maximum of \$20,000 to help cover decreased revenue expected as a result of the Province-wide Shutdown effective December 26, 2020.
- Tourism Adaption and Recovery Fund – will provide financial assistance ranging from \$2,500 to \$20,000 for tourism dependent businesses in Niagara to operate within Public Health protocols and thereby retain/create jobs.
- Canadian Emergency Business Account - The CEBA program offers interest-free credit of up to \$40,000 to eligible businesses through their financial institution. If the balance of the loan is repaid by the end of 2022, \$10,000 of the initial loan will be forgiven.
- Canadian Emergency Rent Subsidy - Canadian businesses, non-profit organizations, or charities who have seen a drop in revenue due to the COVID-19 pandemic may be eligible for a subsidy to cover part of their commercial rent or property expenses, starting on September 27, 2020, until June 2021.

### Future Considerations

The decision to implement the optional subclass resides with Regional Council which is consistent with other tax policy decisions. The Treasurers from the Region and the Local Area Municipalities have had preliminary discussions on this item and will continue to do so during 2021. Preliminary discussions have also occurred between Regional finance and economic development staff. These preliminary discussions have focussed on both the opportunities and challenges outlined in this report, specifically the challenges that the redistribution of taxes from the subclass may have on other property owners and the disproportionate benefit by municipality that may occur if the subclass eligibility is based on assessed values only.

The Municipal Finance Officer' Association (MFOA) has also provided preliminary comments to the Province and has expressed the need for caution and due care to ensure both the regulatory framework and subsequent implementation of any subclass supports long term strategic objective. MFOA further has commented that municipalities will need time to understand the costs and benefits of the optional small business property subclass including the ongoing toll of administering this specialized class on already stretched resources. Further to this, MFOA notes the importance of ensuring that the solution matches the problem and that the implementation of the subclass is equitable, effective, and efficient.

The proposed changes affect businesses in the retail, food, and accommodation services industry. These businesses represent a significant part of Niagara's economy, and one that has been particularly hard hit by the COVID-19 pandemic. However, excluded from the proposed changes are businesses in the manufacturing, agriculture, and food processing sectors. As a result, the optional small business tax subclass change would favour one sector of the economy over another while at the same time shift the tax burden to residents, who are also being affected by the on-going pandemic.

Further reviews and recommendations may be developed once the Regulations have been published by the Provincial government.

### **Alternatives Reviewed**

Council may provide direction to implement the subclass for the 2021 taxation year however this is not recommended due to the outstanding regulations and necessary analysis. Due to this delay, if implemented in 2021, could lead to delays in the tax rate by-laws for the Region and local area municipalities, tax billing and impact cash flow.

Alternatively, after tax rates are set, it would likely create a negative variance in the annual tax write-off budget as any change to be implemented after the 2021 roll return would cause in-year tax write-offs/adjustments.

### **Relationship to Council Strategic Priorities**

This report addresses Council's priority of Businesses and Economic Growth.

### **Other Pertinent Reports**

None.

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#### **Prepared by:**

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

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#### **Recommended by:**

Todd Harrison, CPA, CMA  
Commissioner/Treasurer  
Corporate Services

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#### **Submitted by:**

Ron Tripp, P.Eng.  
Acting Chief Administrative Officer

*This report was prepared in consultation with Margaret Murphy, Associate Director, Budget Planning & Strategy, Rob Fleming, Senior Tax & Revenue Analyst and Ken Scholtens, Manager, Business Development & Expedited Services.*

### **Appendices**

Appendix 1            Average Commercial Property Assessment Values by Municipality

**Reassessment Related CVA and CVA Tax Change: Typical Commercial Properties (CT and XT)**

Municipality	Average CVA			2019 Municipal General Levy			2020 Municipal General Levy			Phase-In Related Tax Shift	
	2019	2020	Change	Region	Local	Combined	Region	Local	Combined		
Fort Erie	349,990	358,440	2.41%	\$3,438	\$4,145	\$7,583	\$3,396	\$4,153	\$7,549	-\$34	-0.45%
Grimsby	947,280	1,018,496	7.52%	\$9,306	\$4,192	\$13,498	\$9,650	\$4,265	\$13,915	\$417	3.09%
Lincoln	569,426	590,933	3.78%	\$5,594	\$4,313	\$9,907	\$5,599	\$4,286	\$9,885	-\$22	-0.22%
Niagara Falls	1,393,877	1,451,965	4.17%	\$13,694	\$10,547	\$24,241	\$13,756	\$10,570	\$24,326	\$85	0.35%
Niagara-on-the-Lake	1,346,417	1,409,804	4.71%	\$13,227	\$4,844	\$18,071	\$13,357	\$4,858	\$18,215	\$144	0.80%
Pelham	429,196	443,616	3.36%	\$4,216	\$3,803	\$8,019	\$4,203	\$3,814	\$8,017	-\$2	-0.02%
Port Colborne	301,043	312,578	3.83%	\$2,957	\$4,499	\$7,456	\$2,961	\$4,548	\$7,509	\$53	0.71%
St. Catharines	712,610	744,095	4.42%	\$7,001	\$6,628	\$13,629	\$7,050	\$6,696	\$13,746	\$117	0.86%
Thorold	452,685	470,680	3.98%	\$4,447	\$4,605	\$9,052	\$4,459	\$4,653	\$9,112	\$60	0.66%
Wainfleet	190,810	202,738	6.25%	\$1,875	\$2,018	\$3,893	\$1,921	\$2,056	\$3,977	\$84	2.16%
Welland	453,009	468,759	3.48%	\$4,450	\$6,263	\$10,713	\$4,441	\$6,310	\$10,751	\$38	0.35%
West Lincoln	374,431	383,100	2.32%	\$3,678	\$2,245	\$5,923	\$3,630	\$2,192	\$5,822	-\$101	-1.71%
<b>Region Average</b>	<b>780,590</b>	<b>814,152</b>	<b>4.30%</b>	<b>\$7,669</b>	<b>\$7,070</b>	<b>\$14,739</b>	<b>\$7,714</b>	<b>\$7,131</b>	<b>\$14,845</b>	<b>\$106</b>	<b>0.72%</b>
<b>Region Median</b>	<b>278,000</b>	<b>291,000</b>	<b>0.00%</b>	<b>\$2,731</b>	<b>\$2,518</b>	<b>\$5,249</b>	<b>\$2,757</b>	<b>\$2,549</b>	<b>\$5,306</b>	<b>\$57</b>	<b>1.09%</b>

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**Subject:** Establishment of Diversity Related Advisory Committees

**Report to:** Corporate Services Committee

**Report date:** Wednesday, February 17, 2021

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## Recommendations

1. That the Terms of Reference for the Diversity, Equity, and Inclusion Advisory Committee, attached as Appendix 1 to Report CLK 1-2021, **BE APPROVED**;
2. That one Regional Councillor **BE APPOINTED** to the Diversity, Equity, and Inclusion Advisory Committee;
3. That staff **BE DIRECTED** to advertise for interested residents to serve on the Diversity, Equity, and Inclusion Advisory Committee based on the criteria described in Report CLK 1-2021; and
4. That in consultation with the Diversity, Equity, and Inclusion Committee, staff **BE DIRECTED** to report back to Council on progress and any additional resources required to establish and launch an Anti-Racism Advisory Committee and a 2SLGBTQQIA+ Advisory Committee by September 30, 2021.

## Key Facts

- Regional Council passed a motion to join the Coalition of Inclusive Municipalities (CIM) on September 19, 2019, and signed a joint declaration to join the CIM along with the 12 Local Area Municipalities on September 18, 2020
- At the Corporate Services Committee meeting held on October 14, 2020, staff were requested to provide a report respecting the creation of a structure of working groups and/or advisory committees to ensure that the communities in Niagara have a part in directing the work related to addressing issues faced by equity-seeking groups
- At its meeting held on December 17, 2020, Regional Council endorsed the establishment of the Diversity, Equity, and Inclusion Advisory Committee and requested establishment of an Anti-Racism Advisory Committee and an 2SLGBTQQIA+ Advisory Committee
- The purpose of this report is to seek approval for a Terms of Reference for the DEI Advisory Committee, and provide membership requirements for consideration for an Anti-Racism Advisory Committee, and a 2SLGBTQQIA+ Advisory Committee

- The DEI Advisory Committee will provide support and guidance for the development of the DEI Action Plan to advance CIM commitments for the Region and 12 Local Area Municipalities
- Phasing the launch of the Anti-Racism Advisory Committee and the 2SLGBTQQIA+ Advisory Committee to occur after the establishment of the DEI Advisory Committee will provide time to establish clear governance, policies, procedures, and coordination between all diversity related Advisory Committees, including the Women's Advisory Committee and the Accessibility Advisory Committee, and to assess resource requirements to support these new committees

### **Financial Considerations**

Costs associated with the creation and maintenance of the Committees include administrative resources and staff time. Additional resources may be required to support the new committees. Staff will report back on financial implications prior to the launch of the Anti-Racism Advisory Committee and the 2SLGBTQQIA+ Advisory Committee.

To remove barriers to participation, policy advice will be sought from the DEI Advisory Committee regarding reimbursement of expenses and/ or per diem support for Committee members with lived experience of marginalization and low income. It is not expected that all Committee members would meet the criteria for reimbursement. Should all members seek reimbursement the projected cost would be \$10,000 for all three Committees.

The estimated budget for the Committees is \$6,000 for 2021, including a provision for Committee member reimbursement. All of these potential costs have been contemplated and can be accommodated within the Council approved 2021 budget for the work associated with joining the Coalition of Inclusive Municipalities and will be included in future operating budgets.

### **Analysis**

#### **Background**

On September 18, 2020, Niagara Region joined the Coalition of Inclusive Municipalities (CIM) and in doing so, has pledged to support the 10 common commitments to build respectful, inclusive, and diverse societies. In order to create a Diversity, Equity, and Inclusion (DEI) Action Plan to address these common commitments, Council endorsed



the hiring of a Diversity, Equity, and Inclusion Program Manager, who began work in late August 2020.

Progress to date has included establishing a corporate DEI Working Group, a corporate DEI Interest Group, a working group of Local Area Municipality representatives, and collaborating with a Diversity Group from Seniors Services. In addition to supporting the creation of the DEI Action Plan, these groups have identified some “quick start” areas to focus on for 2021 and are collaborating to:

- Develop a best practices guide for human resources recruitment, hiring, and promotion
- Compile a list of DEI related training opportunities
- Create opportunities for staff training
- Review current land acknowledgements

A number of training sessions have been launched. Leela MadhavaRau, the Director of Human Rights and Equity at Brock University, facilitated a Diversity & Inclusion Training for Regional Councillors at the end of 2020. An Indigenous Speakers Series for Regional staff will occur in February and March 2021. New leaders in Niagara Region’s Leader’s Edge program will participate in a two-part training called ‘Addressing Bias and Discrimination’, also in February and March 2021.

A Regional staff engagement survey conducted in November 2020, provided the opportunity to establish a baseline of staff demographics regarding race/ethnicity, gender, sexual orientation, religious affiliation, and disability. This preliminary data will be used to ensure diverse staff voices are heard in creating the DEI Action Plan, and will guide the measurements of success to be proposed in the DEI Action Plan.

Staff have begun to develop the DEI Action Plan based on the five-step Drivers Model: 1) assess the current state, 2) develop the vision, 3) identify barriers and critical success factors, 4) define goals, objectives, and strategies, and 5) develop a monitoring plan. It is proposed that the diversity related Advisory Committees participate in this process, which will in turn support the development of their work plans for future years.

At its meeting held on December 17, 2020, Regional Council approved a motion to endorse the establishment of a DEI Advisory Committee, and staff were directed to prepare a report respecting a draft Terms of Reference, including membership requirements for a DEI Advisory Committee, an Anti-Racism Advisory Committee, and a

2SLGBTQQIA Advisory Committee for consideration at the Corporate Services Committee being held on February 17, 2021.

Staff recommend that the DEI Advisory Committee be established immediately, and the Anti-Racism and 2SLGBTQQIA+ Advisory Committees have a phased launch date of September 2021 to allow time to establish clear governance, policies, and procedures, and coordination between all diversity related Advisory Committees, including the Women's Advisory Committee and the Accessibility Advisory Committee, and to assess resource requirements to support these new committees.

The Region does not currently have a policy providing for the reimbursement of expenses and compensation for Committee members. Advice will be sought from the DEI Advisory Committee on options to reimburse expenses and/or compensate Committee members, including people with lived experience of marginalization and low income to remove barriers to participation.

It is proposed that members be appointed to the inaugural committees for a period of two (2) years to coincide with the current term of Council. Membership shall be approved by Council in accordance with membership requirements in the Terms of Reference.

### **Advisory Committee Criteria and Size**

Staff researched Diversity, Anti-Racism, and 2SLGBTQQIA+ Advisory Committees that have been established in other Canadian cities, including Hamilton, Vancouver, Windsor, St. Catharines, Peel, and London, and consulted with the Niagara Regional DEI Working Group, to develop the content of the Terms of Reference, the membership criteria, and committee size.

Staff recommend that the DEI Advisory Committee be established with a maximum of eleven (11) members, and the 2SLGBTQQIA+ and Anti-Racism Advisory Committees have between seven (7) and nine (9) members, each including one (1) member of Regional Council. The aim is for each committee to have sufficient diversity and representation while maintaining efficiency. One (1) designated staff member shall serve as staff liaison for each Committee. Other staff may be requested to join meetings or support the work of this committee as the need arises.

### **Diversity, Equity, and Inclusion Advisory Committee Mandate and Goal**

Staff recommend that the mandate of the DEI Advisory Committee is to provide support to staff in the drafting and implementation of a Diversity, Equity, and Inclusion Action Plan and provide recommendations, advice, and information to Regional Council and Regional Staff on matters pertaining to diversity, equity, and inclusion.

The recommended goal of the DEI Committee is to address bias and discrimination and its negative impacts on quality of life, safety, health, and inclusion for the diverse communities in Niagara, providing a safe place for all people to voice their opinions in order to work together to promote and foster understanding and inclusion in Niagara.

### **Diversity, Equity, and Inclusion Advisory Committee Membership**

The community members recommended for appointment to the DEI Advisory Committee should represent the diversity of the Region and broad cross-section of residents, including geographical and gender balance. An intersectional approach should be taken to ensure representation by community members with lived experience or service in agencies related to one or more of the following areas:

- Ethnocultural and linguistic diversity
- Francophone
- New immigrants
- Indigenous communities
- 2SLGBTQQIA+ individuals
- Individuals with disabilities, including mental health disabilities
- Seniors/older adults
- Individuals living with low income or experiencing homelessness
- Post-secondary students/youth
- Faith-based diversity

It is proposed that four (4) of the ten (10) resident members recommended for appointment to the Committee shall be members of the following other Advisory committees at Niagara Region. There shall be one member each from the Accessibility Advisory Committee, and Women's Advisory Committee. Once the Anti-Racism Committee and the 2SLGBTQQIA+ Committee are established, one representative from each committee would also join the DEI Advisory Committee.

## **2SLGBTQQIA+ Advisory Committee Membership**

The community members recommended for appointment to the 2SLGBTQQIA+ Advisory Committee should come from diverse backgrounds. An intersectional approach should be taken to ensure representation by community members with:

- A history of working to advance equity for the 2SLGBTQQIA+ community
- Experience in considering broader and structural interests of the 2SLGBTQQIA+ community
- Representing vulnerable individuals who have experienced the impacts of discrimination on the basis of sex, gender, and/or sexual orientation

It is proposed that the majority of individuals on the 2SLGBTQQIA+ Advisory Committee should be individuals who identify as part of the 2SLGBTQQIA+ community. It is proposed that one (1) member of the 2SLGBTQQIA+ Advisory Committee, preferably the Chair or Vice Chair of the Committee, will also be a member of the DEI Advisory Committee. This member shall serve as a liaison between the diversity-related committees and facilitate interactions between them as required.

## **Anti-Racism Advisory Committee Membership**

The community members recommended for appointment to the Anti-Racism Advisory Committee should come from diverse backgrounds. An intersectional approach should be taken to ensure representation by community members with:

- A history of working to advance equity for the Black and/or Indigenous community
- Experience in considering broader and structural interests of the Black and Indigenous community
- Representing vulnerable individuals who have experienced the impacts of racism and discrimination

The majority of individuals on the Anti-Racism Advisory Committee should be individuals who identify as Black, Indigenous, or People of Colour (BIPOC).

It is proposed that one (1) member of the Anti-Racism Advisory Committee, preferably the Chair or Vice Chair of the Committee, will also be a member of the DEI Advisory Committee. This member shall serve as a liaison between the diversity-related committees and facilitate interactions between the committees as required.

## Considerations

An alternative option to the above recommendation is to establish all three Advisory Committees at the same time. Staff do not recommend this option based on the following considerations:

- A significant interest is expected for committee members for these three committees. Recruitment of the Women’s Advisory Committee resulted in 60 applications. Phasing the start of two committees will allow staff sufficient time to properly review each submission to recommend the most suitable committee members.
- Additional time is required to establish clear governance, policies and procedures, and coordination between all diversity related Advisory Committees.
- At the moment, there is one contract staff and one temporary Intern assigned to the Diversity, Equity, and Inclusion portfolio, who are also supporting the Women’s Advisory Committee, an internal staff working group, a Local Area Municipalities working group, and the development of the DEI Action Plan. Two staff in the clerks department currently support the agenda development and minutes for 14 committees, in addition to their other areas of responsibility.
  - To ensure the committees are supported and can function efficiently, establishing these new committees will require additional staff to provide the research, information, professional expertise, and collaboration required to support the committees. Further time is required to quantify these resource requirements.

## Relationship to Council Strategic Priorities

The creation of the diversity-related advisory committees supports Regional Council’s Strategic Priorities by **Supporting Business and Economic Growth**, as research indicates that culturally diverse regions are more innovative and economically prosperous. The recommendations, advice, and information provided by these committees will strengthen the Region’s ability to create a safe and inclusive community for the increasingly diverse populations living in Niagara, which promotes a **Healthy and Vibrant Community**. The diversity-related advisory committees will help foster a more **Sustainable and Engaging Government** by enhancing Council’s ability to provide innovative, and inclusive customer-focused services through reaching and maximizing the assets of Niagara’s diverse community members.

## Other Pertinent Reports

- [CAO 23-2020](#) – Diversity, Equity, and Inclusion Advisory Committee Recommendations
- [CAO 14-2019](#) - Actions & Resources to Join the Coalition of Inclusive Municipalities
- [COM 14-2019](#) - Canadian Coalition of Municipalities Against Racism and Discrimination (CCMARD)

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**Prepared by:**  
Cassandra Ogguniyi  
Diversity, Equity and Inclusion Program  
Manager  
Corporate Strategy and Innovation

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**Recommended by:**  
Natalie Early  
Director  
Corporate Strategy and Innovation

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

This report was prepared in consultation with Jayzer Flores, Diversity, Equity and Inclusion Student, Matthew Trennum, Deputy Regional Clerk, and reviewed by Ann-Marie Norio, Regional Clerk, Jodie Middleton, Organizational Development & Talent Acquisition Manager, Andrew Korchok, Communications Consultant, Mike Ogunlaja, Project Manager, Pam Abeysekara, Policy Advisor, Steve Murphy, Accessibility Advisory, and Jacalyn Winger, Community Health Broker.

## Appendices

Appendix 1 Diversity, Equity, and Inclusion Advisory Committee Terms of Reference

**DIVERSITY, EQUITY, AND INCLUSION (DEI) ADVISORY COMMITTEE  
TERMS OF REFERENCE**

**Appendix to Report CLK 1-2021**

**Recommended for Approval by the Corporate Services Committee on February  
17, 2021**

**Ratified by Regional Council on**

**Consolidated Version as of**

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## **1. PREFACE**

The Regional Municipality of Niagara and the 12 Local Area Municipalities affirmed their support for Diversity, Equity, and Inclusion (DEI) when they signed a joint declaration to join the Coalition of Inclusive Municipalities (CIM) on September 18, 2020. The objectives of the Coalition are to improve municipal practices for social inclusion, establish policies to eradicate racism and discrimination, and promote human rights and diversity. There are ten common commitments to guide municipalities in developing policies and programs, which focus on challenging racism and discrimination and providing opportunities for community members from all backgrounds to have a voice and participate in decision making in areas including housing, police, education, employment, and the labour market.

A glossary of terms to assist with understanding diversity, equity, and inclusion have been provided at the end of the Terms of Reference.

## **2. MANDATE**

The Niagara Region Diversity, Equity, and Inclusion Advisory Committee (DEIAC) is an advisory body established by the Regional Municipality of Niagara in accordance with the following Terms of Reference. The Committee will provide support to staff in the drafting and implementation of a Diversity, Equity, and Inclusion Action Plan and shall provide recommendations, advice, and information to Regional Council and Regional Staff on matters pertaining to diversity, equity, and inclusion.

## **3. GOAL AND PURPOSE**

The goal of the Committee is to address bias and discrimination and its negative impacts on quality of life, safety, health, and inclusion for the diverse communities in Niagara providing a safe place for all people to voice their opinions in order to work together to promote and foster understanding and inclusion in Niagara.

The purpose of the Committee is to:

- Advise and provide recommendations on the development and review of policies and procedures to ensure they reflect Niagara Region's commitment to fostering diversity and inclusion within the organization, and within the community
- Engage and facilitate discussions with community groups to achieve a greater understanding of the strengths and needs of residents of diverse backgrounds and abilities to identify opportunities for collaboration and support between groups, recognizing that each diverse group will require unique approaches and solutions

- Collaborate with other civic agencies and local community groups and partners including the initiation and development of relevant programs, services, events and projects identifying opportunities for education, collaboration, support, and engagement to promote equity, inclusion, and the elimination of discrimination

When matters benefit from input from more than one equity-seeking committee the DEIAC will be asked to provide input or may be asked to attend joint meetings with other Advisory Committees.

#### **4. REPORTING STRUCTURE**

The DEIAC will report to Regional Council through the Corporate Services Committee.

#### **5. BUDGET**

The DEIAC shall have an annual operating budget to be used for valid Committee purposes as detailed in the budget approved by Regional Council for the current year and aligned with the annual Committee work plan. Corporate Services and Innovation Division shall submit a budget request each year to Regional Council for consideration and approval.

#### **6. MEMBERSHIP**

##### **a. Term**

There shall be a maximum of eleven (11) members on the DEIAC. Membership for the DEIAC shall include:

- One (1) Regional Councillor
- The Chair or Vice Chair of the following Advisory Committees:
  - Accessibility Advisory Committee
  - Anti-Racism Advisory Committee
  - 2SLGBTQQIA+ Advisory Committee
  - Women's Advisory Committee
- Six (6) additional community members

One (1) designated staff member shall serve as staff liaison. Other staff may be requested to join meetings or support the work of this committee as need arises.

The members shall represent the diversity of the Region and broad cross-section of residents, including geographical and gender balance. An intersectional approach

should be taken to ensure representation by community members with lived experience or service in agencies related to one or more of the following areas:

- Ethnocultural and linguistic diversity
- Francophone
- New immigrants
- Indigenous communities
- LGBTQ2S+ individuals
- Individuals with disabilities, including mental health disabilities
- Seniors/older adults
- Individuals living with low income/homeless
- Post-secondary students/youth
- Faith-based diversity

All attempts will be made to stay within the guideline composition; however, if the applications received or the qualifications of applicants do not fully address the guideline composition criteria, the most capable and qualified applicants will be recommended for appointment to fulfill the membership composition.

**b. Term**

The term of membership shall be two years. Membership shall be approved by Council in accordance with membership requirements in the Terms of Reference.

**7. ROLES & RESPONSIBILITIES**

**a. Chair & Vice Chair**

A Chair and Vice Chair will be elected from Committee members on a biannual basis at the first meeting of the new year to preside over meetings and Committee business. The Chair and Vice Chair of the Committee shall be members of the public. Committee criteria considerations will be used during the selection of the Chair and Vice Chair.

It is the role of the Chair to preside over Committee meetings so that its business can be carried out efficiently and effectively, and to act as liaison between the Committee, Regional Council, and other committees. It is the role of the Vice Chair to preside over Committee meetings and act as a liaison in the absence of the Chair.

### **b. Committee Members**

All DEIAC members, including the Chair and Vice Chair, have the responsibility to help achieve the Committee's Mandate and Purposes. Committee members are also responsible for:

- Reviewing meeting materials in advance of the meetings and arriving prepared to provide a broad perspective on the issues under consideration;
- Contributing to the creation of an annual work plan;
- Working diligently to complete assigned activities;
- Participating on working groups, as appropriate;
- Agreeing to describe, process, and resolve issues in a professional and respectful manner;
- Providing input to help identify future projects or strategic priorities for future years' work;
- Communicating activities of the Committee to groups represented or those who may have an interest and offer information back to the Committee

## **8. WORKING GROUPS**

To fulfill its mandate and accomplish its goals, the DEIAC may establish working groups to deal with specific issues or projects. Working groups are considered to be time-limited, project specific sub-committees of the DEIAC in that they are convened to accomplish a specific task (or tasks) in a narrowly defined time period.

Working groups must be comprised of at least one member of the DEIAC and may include community members and other individuals with relevant knowledge and expertise.

Working groups shall be chaired where possible by a voting member of the DEIAC and shall provide regular updates to the DEIAC regarding recommendations on assigned projects. Minutes of the meetings of the working group shall be recorded and submitted to the DEIAC for proper directing through the approval process. Working groups may meet at a time and place as decided by the members of the working group.

## **9. RESOURCES**

Corporate Strategy and Innovation is the designated lead department providing resource support for the Diversity, Equity, and Inclusion Advisory Committee.

The DEIAC also has access to the technical expertise of staff from other Regional departments and is encouraged to collaborate with specific internal departments to implement specific initiatives within the Region through the initiation of the Committee Chair in conjunction with the Staff Liaison.

The DEIAC is encouraged to collaborate with the Accessibility Advisory Committee, and Women's Advisory Committee, and any other relevant Advisory Committee.

The DEIAC shall receive administrative support from the Office of the Regional Clerk for meeting and agenda management.

## **10. MEETINGS**

The DEIAC shall meet at least six times per year, and may meet more frequently if required. A meeting schedule should be set for the DEIAC and circulated to the members for approval each year. Should a time sensitive matter arise requiring immediate attention, the DEIAC may meet at the discretion of the Chair.

The DEIAC meetings will be held at Regional Headquarters or in a virtual format at a time as determined by the members. All meetings will be open to the public. The Region shall provide accommodations for those that have barriers to connecting to meetings virtually.

Meetings shall be governed by the Region's Procedural By-law, being a by-law to govern the calling, place and proceedings of the meetings of Council and its Committees, as may be amended from time-to-time.

A committee member who is unable to attend a meeting, shall forward their regrets to the Office of Regional Clerk as soon as possible. Should the Office of Regional Clerk not have confirmation of quorum 24 hours prior to the meeting, the meeting shall be cancelled.

## **11. ABSENTEEISM**

Members who miss three unauthorized consecutive meetings shall be deemed to have resigned from the Committee and will be notified of this in writing by the Committee Chair.

## **12. AMENDMENTS TO THE TERMS OF REFERENCE**

The Terms of Reference should be reviewed and refined at a minimum of every two years to ensure that they remain current and meaningful.

Proposals to amend the Terms of Reference shall require the approval of a majority of the members present. Proposed amendments to the Terms of Reference shall be submitted to Regional Council for Approval.

### **13. GLOSSARY OF TERMS**

**Discrimination:** The treatment or consideration based on class or category rather than individual merit and that can be used to privilege (special treatment in favour of) as well as disadvantage (special treatment against) a particular group or individual.

**Diversity:** The presence of differences in the lived experiences and perspectives of people that may include race, ethnicity, colour, ancestry, place of origin, political belief, religion, marital status, family status, physical ability, mental disability, sex, gender identity or expression, sexual orientation, age, class, education, and/or socio-economic situations. Individuals affiliate with multiple identities.

**Equity:** The fair treatment, access, opportunity, and advancement for all people. It involves striving to identify and eliminate unfair biases, stereotypes, or barriers that may limit the full participation of individuals or groups in society.

**Inclusion:** An active, intentional, and continuous process to address inequities in power and privilege, and build a respectful and diverse community that ensures welcoming spaces and opportunities for all to fully participate and flourish.



REGIONAL MUNICIPALITY OF NIAGARA  
**POLICE SERVICES BOARD**

5700 VALLEY WAY, NIAGARA FALLS, ONTARIO L2E 1X8

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December 2, 2020

SENT BY EMAIL

[Ann-Marie.Norio@niagararegion.ca](mailto:Ann-Marie.Norio@niagararegion.ca)

[Todd.Harrison@niagararegion.ca](mailto:Todd.Harrison@niagararegion.ca)

Ms. Ann-Marie Norio, Regional Clerk  
Regional Municipality of Niagara  
1815 Sir Isaac Brock Way  
P.O. Box 1042  
Thorold, ON  
L2V 4T7

Dear Ms. Norio:

**Re: Special Duty Billable Rate Schedule - Effective Date December 1, 2020  
Item 8.2 – 2020.11.26**

At its Public Meeting held November 26, 2020, the Regional Municipality of Niagara Police Services Board considered Service report dated November 10, 2020 requesting the Board approve a revision to the Special/Paid Duty Rates outlined in the proposed By-law 388-2020 to update the billing rate schedule for NRPS Constables and Sergeants that will come into effect on December 1, 2020 in accordance with the 2020 Arbitration Award. The following motion was passed:

**'That subject to approval of Regional Council, the Board approve the revised Special Duty Rates for Constables and Sergeants;**

**And further, that the Board adopt By-law No. 388-2020 as appended to the report and authorize the Acting Chair to execute the required documentation;**

**And further, that By-law No. 388-2020 be forwarded to Regional Council for approval. Carried.'**

Further to Board direction, I would ask that you take the appropriate action. I have enclosed a copy of the executed By-law 388-2020 for Council approval and further for inclusion in a consolidated fees and charges by-law for all Regional departments, boards and agencies. A copy of the Service report is also enclosed for your reference.

I would request that notification of the resolution passed by Regional Council be provided to me when available.

Yours truly,

Deb Reid  
Executive Director

:dc

Encl.

c. Chief of Police B. MacCulloch, Niagara Regional Police Service  
Mr. T. Harrison, Commissioner/Treasurer, RMGN



## NIAGARA REGIONAL POLICE SERVICE Police Services Board Report

PUBLIC AGENDA

**Subject:** Special Duty Billable Rate Schedule – Effective December 1, 2020  
**Report To:** Chair and Members, Niagara Police Services Board  
**Report Date:** 2020-11-10



### Recommendation(s)

**That the Niagara Police Services Board approve the revised Special/Paid Duty Rates schedule on By-Law 370-2017 effective for December 1, 2020; and direct staff to ensure that all documentation be revised accordingly.**

### Key Facts

- The purpose of this report is to update By-Law 370-2017 Special/Paid Duty Rates schedule effective December 1, 2020, based on the recently arbitrated Niagara Regional Police Association Burkett wage settlement for Uniform and Civilian positions.
- Special/Paid Duty billable rate schedules are established with the object of recovering the cost of providing the service.
- Special Duties are defined in the Niagara Region Police Association (NRPA) and Senior Officer Association (SOA) Collective agreements as *“duties assigned to members apart from their regular duties, resulting from the request of individuals, corporations or organizations for special services....Such duty is to be paid for at the rate fixed by the Niagara Regional Police Board...”*
- Special/Paid Duty billable rate schedule for By-Law 370-2017 as outlined in Appendix 1 has been updated with the recent December 1, 2020, arbitrated Burkett award for NRPA Uniform and Civilian wages.

### Financial Considerations

The billable rate fees for Special/Paid Duties are established with the objective of recovering the cost of providing the service. The current published billable rates are based on salary rates as per the 2016-2019 Niagara Region Police Association (NRPA) Collective Agreement. By approving the recommendation to update the Special/Paid Duty billable rates to the recently arbitrated NRPA 2020 Burkett award will ensure the Service continues to recover the cost of providing the service.



## Analysis

Special Duties are defined in the Collective Agreement as “...duties assigned to members apart from their regular duties, resulting from the request of individuals, corporations or organizations for special services... Such duty is to be paid for at the rate fixed by the Niagara Regional Police Board...” The rate applicable to a Special Duty Officer is specified as “... the overtime rate for a First Class Constable.”

The Performance Allowance provisions of the Collective Agreement stipulate that it is to be included in the calculation of Special Duty Pay. The payroll system is configured to capture a single rate of pay for each category of Special Duty participant. Consequently, the rate of pay with full Performance Allowance has been implemented (i.e. rate for 23 years of service). Also, an administrative fee equal to twenty percent of the total amount charged for officers has been included in the final fee. This is consistent with the methodology of establishing previous Special Duty fees and is intended to cover costs such as benefits, vehicle operations and administrative functions.

Appendix 1 outlines the Special/Paid Duty billable rate based on the contract rate of pay as at December 1, 2020, for Constables and Sergeants.

At this time, with the Senior Officers' collective agreement still outstanding, Inspector Special/Paid Duty rates remain based on the rate of pay effective January 1, 2019. A separate report to follow soon after the outstanding contract is settled.

## Alternatives Reviewed

No alternatives are proposed.

## Relationship to Police Service/Board Strategic Priorities

The Board determines the appropriate user fees in respect of certain services provided by the Niagara Regional Police Service.


## Relevant Policy Considerations

- Financial Reporting, Control and Procurement of Goods and Services in the Niagara Regional Police Service By-Law 384-2019.
- By-Law 370-2017- Special/Paid Duty Rates 2017/2018/2019.
- By-Law 371-2017 User Fees and Charges for Services Provided by the NRPS - 371-2017.
- Niagara Regional Police Association Collective Agreement January 1, 2020 to December 31, 2020.

### Other Pertinent Reports

- None

*This report was prepared by Finance Manager, Laura Rullo, and recommended by Bill Fordy, Deputy Chief of Police, Support Services.*



**Submitted by:**

Bryan MacCulloch, M.O.M. #5835  
Chief of Police

### Appendices

Appendix 1 Special Duty Billable Rate Table – Effective December 1, 2020



**BY-LAW NO. 388-2020**

**A BY-LAW TO AMEND CERTAIN CHARGES FOR POLICE SERVICES  
SPECIAL/PAID DUTY RATES 2019/2020**

**1. PREAMBLE**

- 1.1 WHEREAS the Regional Municipality of Niagara Police Services Board is responsible for the provision of police services and for law enforcement and crime prevention in the Regional Municipality;
- 1.2 AND whereas the Board has determined that it is appropriate to charge user fees in respect of certain service provided to any person;
- 1.3 AND whereas section 391 of the *Municipal Act, 2001, S.O., c.25*, and amendments thereto, provides that a local board may pass by-laws imposing fees or charges on any class of persons for, inter alia, services or activities provided or done by or on behalf of it;
- 1.4 AND whereas section 396(1)(b) of the *Municipal Act, 2001, S.O., c.25*, and amendments thereto, provides that discounts and other benefits for early payment of fees and charges may be given;
- 1.5 AND whereas section 396(1)(c) of the *Municipal Act, 2001, S.O., c.25*, and amendments thereto, provides that variable fees are considered appropriate by the Board may be charged in respect of such services;
- 1.6 AND whereas the said section 397 of the *Municipal Act, 2001, S.O., c.25*, and amendments thereto, requires that the Regional Municipality must pass a resolution approving the said by-law before it comes into force.

NOW THEREFORE THE REGIONAL MUNICIPALITY OF NIAGARA POLICE SERVICES BOARD ENACTS AS FOLLOWS:

**2. DEFINITIONS**

- 2.1 "Board" means the Regional Municipality of Niagara Police Services Board;
- 2.2 "Member" means a Member of the Niagara Regional Police Service;

- 2.3 "Person" means any member of the public and includes an individual, sole proprietorship, partnership, corporation, any other police service, and any other government body or agency;
- 2.4 "Police Service" means the Niagara Regional Police Service;
- 2.5 "Regional Municipality" means the Regional Municipality of Niagara.

**3. CHARGES FOR SERVICE**

- 3.1 Subsection 2.1 of By-law 178-1999, By-law 251-2001, By-law 266-2004, By-law 280-2006, By-law 303-2010, and subsection 3.1 of By-law 337-2013, By-law 339-2013, By-law 349-2014, By-law 351-2014, By-law 368-2017, and By-law 370-2017 are hereby amended by deleting the previously listed regular, overtime and holiday rates, and inserting the attached special duty rates for the ranks of Constable, Sergeant and Inspector.

**4. REPEAL OF FORMER BY-LAW**

- 4.1 The provisions of By-law No. 370-2017 and other By-laws, sections of By-laws and certain charges for special duty rates of the Police Service inconsistent with the provisions of this By-law are hereby repealed and replaced by this by-law.

**5 ENACTMENT**

- 5.1 This By-law shall come into force December 1, 2020, subject to approval by Council of the Regional Municipality of Niagara.

ENACTED AND PASSED this 26<sup>th</sup> day of November, 2020.

THE REGIONAL MUNICIPALITY OF NIAGARA POLICE SERVICES BOARD

Chairperson



Executive Director



**Attachments (2)**

**NIAGARA REGIONAL POLICE SERVICE  
SPECIAL DUTY RATES EFFECTIVE DECEMBER 1, 2020**

HOURS	CONSTABLE		SERGEANT	
	REGULAR RATE	HOLIDAY RATE	REGULAR RATE	HOLIDAY RATE
	CHARGE PER OFFICER	CHARGE PER OFFICER	CHARGE PER OFFICER	CHARGE PER OFFICER
3	\$291	\$388	\$329	\$438
3 1/4	\$316	\$421	\$356	\$475
3 1/2	\$340	\$453	\$383	\$511
3 3/4	\$364	\$485	\$411	\$548
4	\$388	\$518	\$438	\$584
4 1/4	\$413	\$550	\$466	\$621
4 1/2	\$437	\$582	\$493	\$657
4 3/4	\$461	\$615	\$520	\$694
5	\$485	\$647	\$548	\$730
5 1/4	\$510	\$680	\$575	\$767
5 1/2	\$534	\$712	\$603	\$803
5 3/4	\$558	\$744	\$630	\$840
6	\$582	\$777	\$657	\$876
6 1/4	\$607	\$809	\$685	\$913
6 1/2	\$631	\$841	\$712	\$949
6 3/4	\$655	\$874	\$739	\$986
7	\$680	\$906	\$767	\$1,022
7 1/4	\$704	\$938	\$794	\$1,059
7 1/2	\$728	\$971	\$822	\$1,095
7 3/4	\$752	\$1,003	\$849	\$1,132
8	\$777	\$1,036	\$876	\$1,169
8 1/4	\$801	\$1,068	\$904	\$1,205
8 1/2	\$825	\$1,100	\$931	\$1,242
8 3/4	\$849	\$1,133	\$959	\$1,278
9	\$874	\$1,165	\$986	\$1,315
9 1/4	\$898	\$1,197	\$1,013	\$1,351
9 1/2	\$922	\$1,230	\$1,041	\$1,388
9 3/4	\$947	\$1,262	\$1,068	\$1,424
10	\$971	\$1,294	\$1,095	\$1,461
10 1/4	\$995	\$1,327	\$1,123	\$1,497
10 1/2	\$1,019	\$1,359	\$1,150	\$1,534
10 3/4	\$1,044	\$1,391	\$1,178	\$1,570
11	\$1,068	\$1,424	\$1,205	\$1,607
11 1/4	\$1,092	\$1,456	\$1,232	\$1,643
11 1/2	\$1,116	\$1,489	\$1,260	\$1,680
11 3/4	\$1,141	\$1,521	\$1,287	\$1,716
12	\$1,165	\$1,553	\$1,315	\$1,753

**NIAGARA REGIONAL POLICE SERVICE  
SPECIAL DUTY RATES - JANUARY 1, 2019**

			INSPECTOR	
			REGULAR RATE	HOLIDAY RATE
HOURS	OFFICER RECEIVES	SERVICE FEE	CHARGE PER OFFICER	CHARGE PER OFFICER
2	289.36	57.87	\$347	\$347
2 1/4	289.36	57.87	\$347	\$391
2 1/2	289.36	57.87	\$347	\$434
2 3/4	298.40	59.68	\$358	\$477
3	325.53	65.11	\$391	\$521
3 1/4	352.65	70.53	\$423	\$564
3 1/2	379.78	75.96	\$456	\$608
3 3/4	406.91	81.38	\$488	\$651
4	434.04	86.81	\$521	\$694
4 1/4	461.16	92.23	\$553	\$738
4 1/2	488.29	97.66	\$586	\$781
4 3/4	515.42	103.08	\$619	\$825
5	542.55	108.51	\$651	\$868
5 1/4	569.67	113.93	\$684	\$911
5 1/2	596.80	119.36	\$716	\$955
5 3/4	623.93	124.79	\$749	\$998
6	651.05	130.21	\$781	\$1,042
6 1/4	678.18	135.64	\$814	\$1,085
6 1/2	705.31	141.06	\$846	\$1,128
6 3/4	732.44	146.49	\$879	\$1,172
7	759.56	151.91	\$911	\$1,215
7 1/4	786.69	157.34	\$944	\$1,259
7 1/2	813.82	162.76	\$977	\$1,302
7 3/4	840.95	168.19	\$1,009	\$1,346
8	868.07	173.61	\$1,042	\$1,389

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## MEMORANDUM

**CSC-C 7-2021**

**Subject:** COVID-19 Response and Business Continuity in Corporate Services  
**Date:** February 17, 2021  
**To:** Corporate Services Committee  
**From:** Todd Harrison, Commissioner, Corporate Services/Treasurer

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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)***

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:

- Maintaining Vine Portal for EOC supply chain requests allowing for increased efficiencies and tracking of delivery;
- 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;
- Providing dedicated and secured 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; and
- Redeployment of CE&FM staff to support REOC and facilities operations.

## **Operational Outlook**

### **1/3/6 months**

#### *Construction:*

- Continue to work with contractors on construction sites for work that resumed as of mid-May.
- For projects not in construction, staff is proceeding with procurement for projects deemed to be critical to proceed.
- Working with OH&S, determining what physical changes are required to re-open Regional office locations to the public.
- Completed installation of glass/plexi barriers at SAEO Niagara Falls, Welland, St. Catharines, Fort Erie, and Port Colborne public waiting areas.
- Completed installation of glass barriers throughout POA courts building.
- Modified Campbell East entrance for temporary staff screening and additional security.
- Working with communications, developed new Region floor decals and signage for physical distancing. Decals are installed at Welland POA Courts, SAEO offices at Niagara Falls, Welland and St. Catharines and partial installation at Niagara Region HQ based on operational need.
- Completed working with dental clinics to review air exchange requirements in order to resume in person appointments.
- Reconfiguration of Vaccine storage room and complete upgrades to electrical and HVAC to accommodate COVID vaccine.
- All capital projects at Niagara Region are considered essential construction and are not affected by the Province's lockdown order.



*Cleaning:*

- Staff has extended the current enhanced COVID cleaning requirements for facilities managed by CE&FM and EMS stations.
- Renegotiated cleaning contract to extend for another 6 months based on right sizing operations to meet PH guidelines.
- Procured additional cleaning and janitorial supplies to meet divisional and client needs.
- Addressed multiple emergency workplace disinfection requests following positive COVID findings in the workplace.

*Supply Chain and Deliveries:*

- Dedicated staff for delivery and reception of all Region Headquarters deliveries to loading dock to limit personnel entry to Region Headquarters.
- Have met all client and division's support requests for procurement of PPE, hygiene and cleaning supplies.
- Sourced face shields, N95, cloth and surgical masks for use by region staff based on operational needs.
- Increasing inventory of critical PPE supplies for fall flu season (including anticipation of second wave).
- Working with REOC and PHEOC to prepare for storage, security and distribution of COVID vaccines and immunization supplies.

*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.

*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;
- Publication of the 2019 Annual Report;
- Develop 2020 tax bylaws and provide required necessary report and bylaws;
- Work with Public Works to update financial implications of SNF water treatment plant for inclusion in the 2021 budget;
- Publication of the 2020 Budget Summary;
- 2021 budget planning and preparations;
- Successful sale of \$34 million in serial debentures (\$15.5 million Regional) on July 31 at all time historical low interest rate of 1.43% for 10 years;
- Preparation of 2021 Capital and Operating Budgets timetables and planning report for Council and establishing strategies for budget preparation; Budget Review Committee of the whole approval of the 2021 Water, Wastewater and Waste Management Operating Budget and 2021 Capital Budget.
- Reported to Council on the second and third quarter financial results and year end forecast;
- Completion of Service Sustainability Review project and reporting to Council;
- Update of Standard and Poor's credit rating, reaffirming the Region's AA stable credit rating; and
- Creation of new Development Charge Policy regarding payment instalment options and related interest.

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 including ongoing update of EOC costing assumptions;
- Support HR in establishing process to administer pandemic pay. Finance is leading completion of significant additional reporting requirements for various different Ministry;
- 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;
- Preparation of COVID-19 recovery planning documentation and consolidation of corporate plan;
- Complying with reporting requirements for \$12.8 million in provincial Safe Restart Phase 1 funding along with the completion of additional COVID-19 extraordinary cost claims and reports to various Ministry; and
- Successful in application to Provincial Safe Restart Phase 2 for \$9.2 million in COVID-19 funding for 2020 and 2021.

## **Operational Outlook**

### **1/3/6 months**

- Ongoing financial reporting submissions for COVID-19 extraordinary cost claims including Safe Restart and Personal Support Worker Wage Enhancement.
- Supporting the 2021 Operating Budgets preparation.
- Supporting GO implementation, Niagara Regional Transit Governance, Canada Summer Games, Incentive Review, Airport Master Plan RFP, sponsorship revenue, Asset Management Planning, Niagara Regional Housing ASD.
- Beginning work on Development Charge Bylaw update with consultant and other teams involved in master plan updates.

- Evaluation of the HRIS RFP.
- Coordinating debenture issuances with infrastructure Ontario for Region and Area Municipalities.
- Supporting Procurement in actioning the recommendations from the non-competitive procurement audit.
- Analysis and reporting of 2021 tax policy decisions to set the 2021 tax rates.
- Finalizing 2020 year end reporting to Council and completing 2020 financial statement audit, financial information return and annual report.

## ***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.

### **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)***

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:

- Modifications to various web applications to support the AODA 2021 compliance regulations.
- Updated external COVID reporting on website to simplify information and added vaccination data.
- Provide support for Community Services in the onboarding of an online financial assistance application (OLAF).
- Creation of new reports to support the HR Redeployment tool- currently reactivated for use in the 2<sup>nd</sup> wave of COVID.
- Produced and/or iterated a variety of Power BI reports for Public Health as it relates to COVID, including:
  - PH and REOC dashboards;
  - The public COVID metrics on niagararegion.ca;
  - LAM specific report for public health to deliver weekly to each Mayor and CAO and other requested senior staff;
  - A repatriation report for HR and public health visualizing the COVID redeployment effort;
  - Outbreak COVID reporting;
  - Public COVID Info-Line and Online Chat Wait Times; and
  - Public Health COVID Response Tracking.
- Additional Power BI reports were produced for:
  - SAEO Intake – to assist in assessing the impact of CERB etc. to their call volume and intake load;
  - Customer Service Call Volume – to assess the impact on dispatch with forwarding all HQ call attendant calls to dispatch; and
  - CAMRA Reporting for capital project budget decision making.
- Produced a data solution for school outbreak COVID reporting in the EOC (both EOC's).
- Devised and are continuing to implement a long term data solution for public health COVID information and contact tracing, including integrating with the Provincial CCM application.

- Automation of the public daily COVID report publication which was manually completed 7 days a week for ~ 5 months.
- Provided the Homelessness Reporter suite of applications to Community Services for outreach workers to use with the homeless during COVID.
- Support for onboarding the 2 new WM collection contractors - modifications and enhancements to various applications were required to support this initiative.
- Implemented a public facing website with automation of the application process for qualification of Specialized Transit services offered by Niagara Region.
- Modifications to EMS Tools to adhere to recently revised Ministry of Health regulations for Incident reporting.
- Modifications to HSMS (Hauled Sewage Management System) for WWW to enable GIS/mapping services connectivity, data capture for Source locations, enhance search capabilities, enhance filtering capabilities and usability.
- Modifications to various web applications to support the AODA 2021 compliance regulations.
- Security enhancements to ChildCare EReg to further safeguard sensitive data.
- FOI Application upgrade to stay current with security and functionality offered by the vendor.
- Assisted the City of Thorold by producing economic development maps to be used with prospective clients/developers for the City. Five different maps were produced in total.
- Worked collaboratively with NH on rebuilding the application 'Transfer of Care' which will improve efficiencies and tracking in the life cycle of a patient beginning care with EMS up to the hand off (transfer) of care to NH.
- Support for Legal in looking for a new application for time tracking, case management and insurance management.
- Support for HR on the Talent Map Survey regarding work conditions in the Covid-19 Pandemic.
- User survey conducted on cyber readiness for all staff.
- Continued education on cyber training to staff and council through the Niagara Region phishing program and broader corporate communications.
- Continue to monitor and enable features of the Region's security access controls and invest in vulnerability software to safeguard the corporation's assets and data.

## **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 for all of the Corporate Services Departments Legal Services continues to deliver core services, while at the same time providing a significant level of support in response to the COVID-19 pandemic to the Region's EOC and all operating departments.

The Legal team performs a key role in the Region's EOC providing risk management and legal advice. The team provides ongoing legal support to the Region's EOC and operating departments in particular related to the interpretation and implementation of new provincial legislation and Emergency Orders that have been issued throughout the pandemic. Highlights of advice and legal support provided include:

- Advice and legal support related to the development and implementation of the Region's face covering by-law;

- Advice related to impact of emergency orders on procurement and construction to ensure the continuation of essential Regional capital projects and help minimize pandemic-related project costs and disruptions;
- Advice to Public Health to support the issuance of Orders under the Health Protection and Promotion Act;
- Legal support related to enforcement of and compliance with a broad range of regulatory requirements imposed in response to the pandemic;
- Risk management advice on building screening and security issues; and
- Advice related to recovery planning/reopening of Regional facilities.

## **Operational Outlook**

### **1/3/6 months**

The Legal team continues to provide advice and support to operational departments on core business activities, including risk management and insurance advice and litigation support. Litigation and claims management have become increasingly active in the latter half of 2020 into 2021 as Courts and lawyers adapt to pandemic constraints and remote working alternatives. The team also continues to provide additional support for REOC and COVID-19 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:

- In alignment with the Stay at Home Order, the Niagara Region's POA Courthouse building closed temporarily to the public with alternative services being offered effective Friday January 15, 2021.
- At this present time, Court Administration & Collections staff remain onsite to provide customer service via telephone and email, as well as conduct remote



court matters as scheduled to enable the public and stakeholders to continue to access court services during the lockdown.

- Court Services continued to accept the filing of charges and informations by enforcement agencies onsite 8:30am-4:30pm while the public entrance remains closed.
- Direction from the Ministry of the Attorney General (MAG) has been received indicating that all in-person Provincial Offences matters have been adjourned to at least January 25, 2021. There has been ongoing collaboration with Facilities and Corporate Health & Safety to prepare for resumption of in-person court matters, utilizing the initial Recovery Secretariat Guidelines provided by the MAG. A site assessment by the Public Services Health & Safety Association (PSHSA) is required to support the resumption of in-person court matters. Court Services is presently awaiting an assessment date in order to move forward with resumption.
- Since July 6, 2020 judicial pre-trial matters and early resolution guilty pleas have been conducted remotely where eligible, before a Justice of the Peace via audio conference.
- Since October 19, 2020 non-trial remote matters have been conducted remotely where eligible, before a Justice of the Peace via audio conference.
- Court services is well equipped to deliver these services remotely, and has begun to do so, based on extensive preparation for remote and virtual matters in addition to the modern technology available onsite at the courthouse facility. The Courthouse is now Zoom enabled (which is the video platform required by MAG), which will support Court Services in conducting trials by video when permitted.

## **Operational Outlook**

### **1/3/6 months**

Continue to provide customer service support remotely wherever possible, and in-person via counter service where required. Continue to conduct eligible remote court matters via audio while awaiting resumption of in-person and commencement of virtual court proceedings by video

## **ASSET MANAGEMENT OFFICE**

### **Current Status of Operations**

AMO staff continue to support core business functions during the pandemic. Some highlights of these actions include:

- Planning and leading the development and submission to the Province of the 2021 Asset Management Plan in accordance with Reg 588.
- Initiated development of a corporate Asset Registry focusing on the asset hierarchy to support the 2021 AMP.
- Continuing development of the Region's Enterprise Risk Management Framework.

Although redeployed staff have returned, they have now been seconded to assist with a priority ITS project. Backfilling of the position is underway and until complete, start-up of other projects is delayed. Only one of the positions will be backfilled to maintain cost efficiency for the Department. The position should be filled by February.

Projects to improve the Region's Asset Management System (AMS) require participation and collaboration from staff across the organization. Given the impact of COVID-19 on divisional plans and resources, the ability of Region staff to focus time on the AMS projects is limited and will have further impact on the schedule of 2020 projects. A schedule assessment indicates the majority of planned 2020 projects are now delayed while some are on hold due to the previous staffing levels.

The overall 5-year plan has been impacted and will be re-evaluated in Q2 2021 with short-term adjustments made over the next few months. A strategy to rework the 5-year plan has been developed and will be put into place in the next one to two months.

### **Operational Outlook**

#### **1/3/6 months**

The Asset Management System development projects that are underway (Priority 0) and those planned in the coming months (Priority 1) are tabled below. These projects are directly related to the requirements of the 2021 Asset Management Plan.

Table 1: Asset Management System development projects

Priority	Service availability by Phase	Current status	Project
0	PNM	Delayed	Region AM delivery structure ID 112
0	PNM	Delayed	AM program foundations ID 430
0		Pilot completed	CAMRA - Risk Management Framework ID 248
0	PNM	Delayed	Develop data analytics capabilities- Microsoft BI ID 530
0	PNM	Delayed	Develop AM performance management KPIs ID 410
1	PNM	Inaugural meeting held	Niagara Region AM working group ID 512
1	PNM	Completed	Process for preparing the AM Plan ID 210
0	PNM	Underway	Capital planning process ID 262
0	PNM	Scope revised	Enterprise Risk Management Framework ID 249
0	PNM	Scope revised	Develop Asset Registry - hierarchy and relationships ID 242
1	C	On hold pending resource evaluation	Project Resource Estimating - cost model ID 310
0	PNM	Initiated and on track	2021 AMP ID 630

Notes: PNM: No changes but delivered differently - e.g. working remotely

C: Cancelled pending redeployed/ staff vacancies and resource evaluation

Other planned 2020 projects not tabled above, and that have only an indirect bearing on the 2021 Asset Management Plan, or are related to supporting Niagara's local municipalities are also on hold until staffing issues have been resolved.

## **BUSINESS LICENSING**

### **Current Status of Operations**

Similar to the other departments in Corporate Services, the Business Licensing department continues to operate with core service delivery as well as playing a role in the Region's EOC and response to Provincial O.Reg enforcement. These activities are identified separately.

### Business Licensing

- Continue processing, and issuance of business licenses including fee payments and response to enforcement and inspection requirements.
- Developing office protocols for streamlined business licensing processes under COVID-19 restrictions including the issuance of licenses at set times in the lobby of the facility.
- Investigating permanent eCommerce licensing sales and software database updates. Currently using Region website ecommerce credit card payment options for license fee payments.
- Establishing industry specific contacts with various law enforcement agencies including NRPS, OPP, MTO, MOE and AGCO as well as local by-law enforcement agencies.
- Preparing for the procurement of a modernized licensing/incident/inspection/enforcement database with a projected Q3 2021 delivery.

### Provincial Order Enforcement

The provincial government requires continued enforcement of provincial orders by municipalities. Business Licensing staff maintain availability for active enforcement and inspection measures for the orders and provide support to local municipalities and Niagara Regional Police. They provide both random inspections and complaint driven inspections 7 days a week.

- 3 staff from Business Licensing have been re-assigned to enforce the Provincial Orders and are providing 7 day a week coverage. Staff remain assigned to this until further notice or when the orders and state of emergency are lifted. Hours of operation and days of service are assessed weekly and are adjusted to meet demands and pressures.
- Beginning December 06, 2020, two staff Tobacco Enforcement have been assigned to augment Business Licensing staff assigned to provincial pandemic O.Reg. enforcement and inspection. These staff will be assigned to this detail until the end of January 2021 at which time their deployment will be re-assessed.
- Staff respond to Provincial Order and Regional Face Covering By-law complaints to assist the local response and also conduct random compliance inspections. Staff also continue to ensure Region licensed businesses are following order requirements and adherence to the Regional Licensing Bylaw.

- Provincial Order enforcement, including education, warnings, charges and summons for the Re-opening Ontario Act.
- Regional Face Covering By-law enforcement including education, warnings and summons.
- Provide Provincial O.Reg enforcement data to the Ministry of the Solicitor General and the local area municipalities weekly.
- Publically post general weekly inspection and enforcement statistics for O.Reg enforcement.
- Provide background justification for business closure orders that consistently fail to comply with Reopening Ontario Act O.Reg.
- Provide support for changing O.Reg stages of opening.

## **Operational Outlook**

### **1/3/6 months**

- The Business Licensing Manager will continue to work with local municipalities, NRPS and other Regional departments and external agencies in a coordinated approach to enforcement of Provincial Orders and the Regional Face Covering Bylaw until the pandemic eases.
- The Business Licensing Manager will be available to assist with security measures surrounding COVID-19 vaccinations and deployment.
- The business license bylaw review is ongoing and will come before Council in February of 2021.
- The Business Licensing Manager is reviewing COVID-19 pandemic impacts on licence holders licensed by the Region.
- The Business Licensing Manager will be developing a “return to normal operations” plan for implementation when the pandemic measures ease.

## ***INTERNAL AUDIT***

### **Current Status of Operations**

Preparing detailed scoping documents for planned audits for 2021 including two audits in IT – cyber security and penetration testing, two follow up audits including the Corporate PCard program and several other Audit Committee approved audits.

Continuing to work with other clients on the development of an Enterprise Risk Management Plan.

### **Operational Outlook**

#### **1/3/6 months**

RFP to be posted for an audit on cyber security. Scoping out a full audit plan for a continuation of testing sample POs that were part of the recently completed Non-Competitive Audit.

Finalizing 3 three year audit plan to be presented to Audit Committee at February 8, 2021 meeting. Audits will focus on current and future risks with coverage across all business lines. Following presentation to Audit Committee, council members will have an opportunity to introduce and/or discuss other areas for potential audits to be included in 3 year plan.

Respectfully submitted and signed by

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Todd Harrison, CPA, CMA  
Commissioner, Corporate Services/Treasurer

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**MEMORANDUM**

**CSC-C 2-2021**

**Subject:** Committee Request for Information Re: Development Charge Calculation and Payment Policy

**Date:** February 17, 2021

**To:** Corporate Service Committee

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

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At the Corporate Services Committee on December 9, 2020, staff provided a draft policy for the timing of development charge calculation, installments and interest for Committee's consideration to address recent changes to the Development Charge Act. The purpose of this memo is to address questions that were expressed by committee members.

**Q1. For the rate freeze, will there be retro-active rebates for applications received between January to December 2020?**

Any institutional and rental housing development that met the Development Charge (DC) rate freeze requirements as per section 26.2 of the Development Charges Act (DCA) as of the legislation's effect date of January 1, 2020 would "lock in" the 2020 rates. This means, that if a developer submitted a complete application for an approval of development in a site plan control area under section 41 (4) of the Planning Act or an application for an amendment to a by-law passed under section 34 of the Planning Act on or after January 1, 2020 and was subsequently issued a permit in 2020 the developer would incur DCs payable at the 2020 rate regardless of whether or not section 26.2 of the DCA was in effect.

**Q2. If there any front loaded development charge agreements, how are they impacted?**

Any development that submitted a complete application for an approval of development in a site plan control area under section 41 (4) of the Planning Act or an application for an amendment to a by-law passed under section 34 of the

Planning Act that predate the date of the legislation are not eligible for the rate freeze or deferral arrangements

**How will the interest be calculated for frozen rates and installment?**

For the frozen rates, interest will be calculated on a non-compounding basis on the DC payable from the initial freeze date to when the building permit is issued. Developers have 2 years from the initial freeze to be issued a building permit to utilize the frozen rates. For Installments, interest will be calculated on a non-compounding basis from the date that the first building permit is issued to the date that the deferred DCs are paid in full at the conclusion of the installment period.

**Q3. How does this policy impact properties eligible for installments but paid the amounts in full at permit issuance in 2020 (I.e., after legislation was in effective but before Regional policy approval)?**

The DCA amendments that permit installments for certain development types under section 26.1 was effective January 1, 2020. As such, any eligible property that was issued a permit in 2020 would be eligible for instalment despite the Region policy not being effective until January 1, 2021. The only impact is the Region would forgo any interest that could have been generated for 2020 as a result of the installment.

If a developer was issued a permit for a development in 2020 that would have been eligible for installments but paid the DCs in full at time of permit issuance, then under the complaint procedure within the DCA, the developer would have 90 days from payment to file a complaint with the Region to rectify the issue. If the 90 days has lapsed then the developer has forgone their ability to file a complaint.

Additionally Region staff will review permits issued in 2020 to determine those that may have been eligible for installments under section 26.1 of the DCA. If any eligible developments were issued a permit and confirmation of eligibility for installment can be obtained, the Region will recalculate their DCs payable under the installment approach and provide the necessary payment schedule and interest calculation as per the legislative requirements.



**Q4. If a developer triggers DC rate freeze in 2020 and is issued a permit in 2021, how does this impact the DC rate that the developer pays in 2021?**

Since the Policy has an effective date of January 1, 2021, the Region will forgo any interest on the frozen DC rate from the date that the rate freeze occurred to December 31, 2020. The policy effective date does not impact the DC freeze date as per the DCA; the DC rates are frozen with or without a Regional Policy. Since the Region's Policy has a planned effective date of January 1, 2021, the Region would be able to charge interest on the frozen DC rates starting on this effective date.

**Q5. The Regional policy is not in effect until 2021 with respect to the calculation date. Does that negatively effect developments of availing them of the options under the policy?**

The legislation was effective January 1, 2020. As such, developers that met the DCA criteria would be eligible for the DC rate freeze despite the Region not having a Policy in place until January 1, 2021.

**Q6. Risk of litigation since we have not implemented on January 1, 2020?**

There is no risk of litigation as a result of the delay in the Region setting the policy as the legislation was effective January 1, 2020. As noted previously, if any eligible developments were issued a permit and confirmation of eligibility for installment can be obtained, the Region will recalculate their DCs payable under the installment approach and provide the necessary payment schedule and interest calculation as per the legislative requirements.

**Q7. How does this impact outstanding litigation matter regarding Regional Development Charges?**

There is no impact on any outstanding litigation matter regarding Regional Development Charges.

Respectfully submitted and signed by

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

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## MEMORANDUM

**CSC-C 6-2021**

**Subject:** Investing in Canada Infrastructure Program: COVID-19 Resilience Stream

**Date:** February 17, 2021

**To:** Corporate Services

**From:** Todd Harrison, Commissioner, Corporate Services/Treasurer

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On November 17<sup>th</sup>, the Province of Ontario (province) opened the intake for the Investing in Canada Infrastructure Program: COVID-19 Resilience Stream (program) for capital projects that meet the program criteria. Under this program, municipalities will not be required to cost-share. The federal government will cover 80% of the total cost associated with any approved project and the province will cover 20%. Total costs for all projects cannot exceed the municipal allotment of \$2.56 million as determined by the province and the Region will not be cost sharing. In addition, projects must start by September 30, 2021 and be complete by December 31, 2021.

The Niagara Region has received a notice of allocation for 5 projects capped at \$2,561,025 in total from the program. Eligible projects under this program are as follows:

1. Retrofits, Repairs and Upgrades for municipal, provincial, territorial and indigenous buildings, health infrastructure and educational infrastructure;
2. COVID-19 Response Infrastructure, including measures to support physical distancing;
3. Active Transportation Infrastructure, including parks, trails, foot bridges, bike lanes and multi-use paths; and
4. Disaster Mitigation and Adaption, including natural infrastructure, flood and fire mitigation, tree planting and related infrastructure.

In total 16 projects totaling \$9,526,000 were screened. Due to the limitations of the program, projects were prioritized based on the following strategy:

- Maximize the funding to total our municipal allocation of \$2.56 million
- Relation to COVID-19 response
- Target multiple eligible categories as defined by the program

- Diversify funding to various departments
- Completion of a risk analysis as part of Corporate Asset Management Resource Allocation prioritization process

Utilizing the strategy, five projects totaling \$2,561,000 were approved by the Corporate Leadership team to have the following applications submitted to the province:

### **1. HVAC Replacement & Air purification for Regional buildings**

**Project cost:** \$900,000

**Scope of the project:** The project aims to improve air quality, airflow, lower energy usage/energy related costs and reduce indoor pathogens for up to 50 regional administrative buildings and 3 long-term care facilities through the following:

- Ultra Violet air purifiers
- Increased filter sizes
- Upgraded energy recovery ventilators
- Replacement of make-up air units at the following long term care facilities Northland Pointe, Woodlands of Sunset and Rapelje Lodge

### **2. Social Housing Electrical Upgrade**

**Project cost:** \$800,000

**Scope of the project:** The project aims to upgrade the electrical systems at various Niagara Regional Housing buildings to achieve the following:

- Safety of our tenants from fire prevention and security risks
- Reduction in the number of maintenance calls and the installation of energy efficient components to reduce operating cost

### **3. Mobile Dental Unit Replacement**

**Project cost:** \$461,000

**Scope of the project:** The project will replace the current mobile dental unit, which is not operational and does not meet the requirements outlined by the dental regulatory bodies in Ontario, including infection prevention and control measures. The mobile dental units provides restorative & preventive oral health services to youth & low income seniors in the Niagara Region. The new unit will

provide two stations; which could potentially double the number of clients served compared to prior years while also meeting COVID-19 safety guidelines.

#### **4. Implementation of Complete Streets**

**Project cost:** \$300,000

**Scope of the project:** The project will support the operation and interaction between multiple transportation modes (walking, cycling, transit, driving, goods movement and micro-mobility), and local heritage and urban design objectives. Implementation of complete streets and spaces, particularly those with accessible and comfortable active transportation (eg. Region's Bikeways Master Plan), can encourage community members to make more trips using active modes, improving public health.

#### **5. WIFI Expansion at Wastewater Facilities to support Social Distancing**

**Project cost:** \$100,000

**Scope of the project:** The project will support wireless internet accessibility which is important to the health and safety of staff members and the communication functions within waste water treatment plants (WWTP). Additional corporate wireless access points are required at the WWTP's within the Niagara Region to allow operations and maintenance to access network resources throughout the facilities. The implementation of new WIFI access points supports social distancing.

The province will notify applicants in early spring. If successful, a report with the transfer payment agreement and authorizing by-law will be prepared for Council's approval.

Respectfully submitted and signed by

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Todd Harrison, CPA, CMA  
Commissioner/Treasurer Corporate Services

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**Subject:** Considerations for a Lobbyist Registry

**Report to:** Corporate Services Committee

**Report date:** Wednesday, February 17, 2021

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## Recommendations

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

## Key Facts

- The purpose of this report is to provide information respecting the creation and maintenance of a lobbyist registry.
- At its meeting held on December 17, 2020, Regional Council passed a resolution directing staff to research and report back with recommendations for the creation and maintenance of a lobbyist registry.
- A lobbyist registry is considered a publicly accessible accountability and transparency tool.
- Section 223.9(1) of the Municipal Act, 2001, provides authority for establishing and maintaining a lobbyist registry.
- Section 223.11(1) of the Act also permits a municipality to appoint a “registrar who is responsible for performing in an independent manner the functions assigned by the municipality with respect to the registry and the system of registration.”
- Niagara Region has other transparency and accountability measures in place that can address concerns regarding lobbying.
- There are a number of factors to consider in terms of the type of lobbyist registry model that Council may wish to implement including financial implications to initiating a lobbyist registry that were not considered as part of the 2021 budget process.

## Financial Considerations

Should Council wish to proceed with establishing any model of Lobbyist Registry, there are initial start-up and annual operating costs that would be required for an online registry system. This would include information technology required, annual expenses required to maintain the registry and additional costs associated with appointing the Lobbyist Registrar and the hiring of additional administrative/policy support staff.

The costs would vary depending on the Lobbyist Registry model selected, the number of complaints and inquiries received as well as the enforcement model. The City of Vaughan, implemented a mandatory registry with enforcement and budgeted approximately \$250,000 which included the appointment of a Lobbyist Registrar and administrative staff to maintain the Lobbyist Registry.

In 2016 the Town of Caledon provided a report to their Council estimating initial costs for implementation of a registry between \$50,000 and \$100,000 with potential annual costs based on research of Ontario municipalities with active registries ranging from \$55,000 to \$130,000.

## Analysis

At its meeting held on December 17, 2020, Regional Council passed the following motion:

- 1. That Council **DIRECT** staff to research and report back with recommendations for the creation and maintenance of a Lobbyist Registry, which should include a regular, transparent reporting process and contains a jurisdictional scan for best practices from other municipal governments in Ontario, such as Toronto, Ottawa, Hamilton, Brampton, Peel Region, Vaughan, and Collingwood; and*
- 2. That this motion **BE CIRCULATED** to Niagara's 12 local area municipalities.*

Section 223.9(1) of the Municipal Act, 2001, authorizes a municipality “to establish and maintain a registry in which shall be kept such returns as may be required by the municipality that are filed by persons who lobby public office holders”.

A lobbyist registry provides a mechanism for public disclosure of lobbying activities. It is a tool that may lead to greater accountability and transparency for local government by allowing public office holders and members of the public to know who is attempting to influence local government.

The basic elements of lobbying legislation are similar across Canada; however, there are key elements that vary, such as, but not limited to, the definition of a “public office holder”, the responsibility of the public office holder, the time limits for the registration, the amount of lobbying activity that will trigger registration requirements, and the penalties in case of a contravention of the by-law and code of conduct.

Lobbying occurs when an individual who represents a business or has a financial interest communicates with a public office holder, with the intent to influence a decision on governmental matters outside of the City's normal procedures and processes including but not limited to:

- arrangement of a meeting between a public office holder and any other person on any of the subject matters listed below;
- the outcome of a decision on any matter before Council, a Committee of Council or staff member, or a local board;
- development, introduction, passage, defeat, amendment or repeal of a Region by-law, motion or resolution;
- development, approval, amendment, application or termination of a Region policy, program, directive, guideline;
- purchase of goods, services or construction and the award of a contract by the Region;
- approval, approval with conditions, or refusal of an application for a service, grant, planning approval, permit or other licence or permission by the Region; and,
- transfer to or from the Region of any interest in or asset of any business, enterprise or institution.

The goal of any municipal lobbying registry is to ensure that lobbying is carried out transparently and in a manner that ensures accountability as outlined in Section 223.9 to Section 223.12 of the Municipal Act, 2001, S.O. 2001, c 25 (the "Act").

There are certain activities that, while they may seek to influence municipal behaviour, are not generally considered lobbying. These may include but are not limited to:

- Municipal staff, in their official capacity, discussing official business with Council members or other public officials;
- Individuals acting in their personal capacity to make representations before Council, Committees of Council or Local Boards;
- Providing information to a public official in response to a request;
- Members of other levels of government communicating with public officials while acting in their official capacity; and,
- Casual conversations with public officials that do not specifically pertain to municipal business.

Section 223.9 (1) of the Municipal Act, 2001, S.O. 2001, c 25 (the “Act”) authorizes a municipality to establish and maintain a registry in which shall be kept such returns as may be required by the municipality that are filed by persons who lobby public officer holders.

Although there is variation in the definition of “public office holder” between established Lobbyist Registry by-laws, generally, a public office holder is a member of Council; an officer or employee of the municipality; a member of a local board or a Committee established by Council and any person on his or her staff; an accountability officer appointed under the Municipal Act, 2001, such as Integrity Commissioner, Lobbyist Registrar, Ombudsman, etc.

Section 223.9 (2) of the Act also authorizes the municipality to provide for a system of registration of persons who lobby public office holders and to do the following things:

- Define lobby.
- Require persons who lobby public officer holders to file returns and give information to the municipalities.
- Specify the returns to be filed and the information to be given to the municipality by persons who lobby public officer holders and specify the time within which the returns must be filed and the information provided.
- Exempt persons from the requirement to file returns and provide information.
- Specify activities with respect to which the requirement to file returns and provide information that does not apply.
- Establish a code of conduct for persons who lobby public officer holders.
- Prohibit former public office holders from lobbying current public office holders for the period of time specified in the by-law.
- Prohibit a person from lobbying public office holders without being registered.
- Impose conditions for registration, continued registration or a renewal of registration.
- Refuse to register a person, and suspend or revoke a registration.
- Prohibit persons who lobby public office holders from receiving payment that is in whole or in part contingent on the successful outcome of any lobbying activities.

A review of the definition of “lobby” and “lobbying” from various lobbyist registries suggests a common view that lobbying is any communication with a public office holder about the following things:

- a by-law, bill or resolution that requires a decision by Council, a committee or other decision maker acting under municipal authority;



- the development, approval or termination of policies or programs;
- the purchase of goods and services, construction procurement, and the awarding of contracts;
- applications for planning approval, permits, service, grants and other licences or permissions;
- the award of financial contributions, grants or other financial benefits; and
- the transfer from the Region of any interest in or asset of an institution, enterprise or business.

Most Lobbyist Registry By-laws identify the following three types of lobbyists:

1. Consultant lobbyist: an individual who lobbies for payment on behalf of a client (another individual, company, partnership or organization). If the consultant arranges for a meeting between a public office holder and a third party, this is considered lobbying.
2. In-house lobbyist: an individual who is an employee, partner or sole proprietor who lobbies on behalf of their own employer, business or organization.
3. Voluntary unpaid lobbyist: an individual who lobbies without payment on behalf of an individual, business or organization for the benefit of the interests of the individual, business or other organization.

Examples of organizations that hire or retain Lobbyists include business, trade, industry, professional or voluntary organizations; a trade union or labour organization; a chamber of commerce or board of trade; and, an association, a charitable/not-for-profit organization, a coalition or an interest group.

A Lobbyist Registry is an accountability and transparency tool that involves the registration and regulation of lobbying activities. The Lobbyist Registry would apply to anyone who wishes to lobby a public office holder outside of a public forum and the Region's normal procedures and processes. Section 223.9 (3) of the Act states that the registry shall be available for public inspection in the manner and during the time that the municipality may determine.

There are three Lobbyist Registry models that could be considered for implementation:

1. Voluntary Registry – No Enforcement

- Develop a voluntary registry with no formal enforcement wherein lobbyists may choose to register with the Clerk who then posts the registrations online
- There is no complaint mechanism

2. Mandatory Registry – Self Enforcement (Self-Monitored)

- Develop a mandatory registry with no formal enforcement wherein anyone who wishes to undertake lobbying activities must register with the Clerk who then posts the registrations online
- Council members are responsible for enforcement i.e. the onus is on the member of Council not to meet with someone they consider to be a lobbyist, unless the individual has registered as a lobbyist
- Amend the Code of Conduct for Members of Council so that any interactions with un-registered lobbyists or acceptance of gifts from lobbyists can be breaches of the Code
- Any complaints regarding lobbying activity are reported to the Integrity Commissioner

3. Mandatory Registry – With Enforcement Measures

- Develop a mandatory registry with formal enforcement
- Develop a Code of Conduct for Lobbyists
- Amend the Code of Conduct for Members of Council to codify appropriate interactions with lobbyists
- A complaint regime is developed wherein individuals may file a complaint with the Registrar (could be the Integrity Commissioner) if they believe that a lobbyist is not following the Lobbyist Code of Conduct
- A by-law is enacted and offences and penalties for by-law contraventions are established

Considerations in establishing a registry would be who would be appointed as the Lobbyist Registrar; the process for registering; developing a process for reporting on lobbying activities after registering; creating and maintaining a web page with a searchable online registry; and, developing a Code of Conduct for lobbyists and a Registry by-law.

## **Review of Other Municipalities**

Currently, municipalities in Ontario that have established a Lobbyist Registry include the Region of Peel, Toronto, Hamilton, Ottawa, Brampton, Vaughan and, more recently, Collingwood. Appendix 1 provides a comparison chart. The City of Vaughan implemented a phased-in approach for their Lobbyist Registry whereby it started as a Voluntary Registry in 2017 but transitioned to a mandatory registry with enforcement a year later in 2018.

The Town of Collingwood implemented a Lobbyist Registry in 2020; however, the first six months of the Lobbyist Registry program were considered educational and penalties for contraventions were not applied.

Municipalities who have investigated but chosen not to implement a Lobbyist Registry include the Region of Durham, Brantford, Caledon, Guelph, London, Milton and Mississauga.

For those municipalities that have chosen not to establish a Lobbyist Registry, reasons include, the costs associated with establishing and maintaining such a registry, as well as the existence of other accountability and transparency measures such as: legislation and organizational policies which address interactions between Members of Council, staff and various third parties, requirements of Purchasing by-laws, Codes of Conduct for Council and staff, Integrity Commissioner services, Declarations of Interest Registry, the Municipal Conflict of Interest Act, R.S.O. 1990, c. M. 50, and a Municipal Ombudsman/Closed Meetings Investigator.

Any mandatory registry would need to include an online registration process administered by a Lobbyist Registrar appointed by Council as well as a Code of Conduct for Lobbyists, Lobbyist By-law and would require each lobbyist to register their activity with the City prior to commencing lobbying activities or within a given timeframe after lobbying activities have taken place.

## **Lobbyist Registrar**

Section 223.11 of the Act authorizes a municipality to appoint a registrar who is responsible for performing in an independent manner the functions assigned by the municipality with respect to the registry as described in Section 223.9 (1) and the system of registration and other matters described in Section 223.9 (2). Brampton,

Ottawa, Vaughan and Peel have appointed their Integrity Commissioners as their Lobbyist Registrar.

The Lobbyist Registrar is an independent person or body that performs duties as assigned by Council such as regulating lobbying activity by overseeing public disclosure of lobbying activity and ensuring adherence to a Lobbyist Code of Conduct. The Registrar may also enforce the by-law; review, verify and approve registrations; and, deliver information and training materials. Generally, the following are duties of a Lobbyist Registrar:

- Establish and maintain a registry of Lobbyists with a record of all returns and documents filed;
- Verify information contained in any documents filed;
- Refuse to accept a filing or document that does not comply with the Lobbyist Registry;
- Remove a filing if the person who filed does not comply with their duty to provide clarifying information;
- Issue interpretation bulletins and advisory opinions with respect to enforcement, interpretation or application of the by-law to Council;
- Investigate and report to Council on investigations and make recommendations to Council on punitive measures related to Code of Conduct violations or other applicable policies; and,
- Other duties and parameters to the position as assigned by Council.

There are many considerations regarding administering a Lobbyist Registry such as responsibility for maintaining the Registry, the registration process, the process for reporting lobbyist activities, and creation and maintenance of a searchable online registry for public access. Typically, the Lobbyist Registry would include information on individuals who lobby such as:

- name and business address;
- employer, organization or association;
- who the individual is lobbying on behalf of;
- the public office holders they are lobbying;
- the general nature of the subject matter of their lobbying; and,
- the dates on which their lobbying will start and finish.

One common component of online Lobbyist Registries is a 'Frequently Asked Questions' webpage to help determine if an activity is defined as lobbying. In addition to this feature, significant public education would need to take place to ensure the public is aware of what a Lobbyist Registry is and how it may affect them.

A mandatory registry would also include provisions for inquiries and significant sanctions and penalties for Lobbyists not in compliance. The Lobbyist Registrar may be given a range of enforcement powers including the ability to suspend or revoke a registration, impose conditions on the registration, and implement sanctions or penalties on a sliding scale dependent on the number of violations.

The Lobbyist Registrar may conduct an inquiry when requested to do so by Council as a whole, by a single member of Council or by a member of the public, and may provide a public report back to Council regarding any inquiry conducted. Provisions set out in the City of Toronto model provide that the Lobbyist Registrar may prosecute breaches of the by-law under the Provincial Offences Act with fines ranging from \$25,000 up to \$100,000. Any report from a Lobbyist Registrar must be made public.

There may also be a requirement for an administrative system to allow for management of registrations as well as staff to oversee the registry. It is helpful to note that in the City of Toronto, seven full-time staff make up the Office of the Lobbyist Registrar, not including the Lobbyist Registrar; however, the City of Toronto has a dynamic Lobbyist Registry office that has been in place over a decade.

There are a number of factors to consider when reviewing the options to establish a Lobbyist Registry, in particular, balancing the costs and benefits of such an approach. There are financial and staffing implications with respect to implementing and maintaining a Lobbyist Registry as the registry would require ongoing staff and financial resources including initial and annual operating costs, appointment of a Lobbyist Registrar, creation and maintenance of an online registration system, and potential hiring of staff to administer the registry.

### **Existing Accountability and Transparency Measures**

Niagara Region has an Accountability and Transparency Policy as well as a contract with an Integrity Commissioner who can provide advice and conduct investigations related to breaches of the Code of Conduct for Members of Council or contraventions of the Municipal Conflict of Interest Act. In addition, there are accountability and

transparency measures that already exist and are well established for elected officials including:

- Code of Conduct for Members of Council
- Integrity Commissioner Services
- Municipal Conflict of Interest Act
- Declaration of Interest Registry
- Procurement By-law
- Council's Procedural By-law

In addition, the Region has a Code of Ethics/Conflict of Interest Policy for staff that was strengthened as a result of the recommendations from the Ontario Ombudsman report "Inside Job". Additionally, the Code of Conduct could be amended to include provisions specifically related to lobbying.

### **Alternatives Reviewed**

This report has been provided for information purposes only, as Council has options to consider related to the type of lobbyist registry model that could be implemented. Council could:

- a) consider not establishing a Lobbyist Registry and instead rely on existing policies and legislation which address concerns regarding contracting and relations with third parties such as the Procurement By-law, Accountability and Transparency Policy, Code of Ethics/Conflict of Interest Policy, Municipal Conflict of Interest Act and the Code of Conduct for Members of Council to ensure accountability and transparency.
- b) if it wishes to implement a lobbyist registry, identify the preferred model (voluntary, mandatory – self enforcement, mandatory with enforcement) and direct staff to provide a report on the costs of the proposed model, including staffing, technology requirements, processes, necessary by-law and code of conduct and options for a Lobbyist Registrar.

### **Relationship to Council Strategic Priorities**

This report aligns to Council's strategic priority of sustainable and engaging government including promoting an organizational culture that values continuous improvement, collaboration, and innovation and enhancing communication.

## Other Pertinent Reports

None.

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**Prepared and Recommended by:**

Ann-Marie Norio  
Regional Clerk

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**Submitted by:**

Ron Tripp, P. Eng.  
Acting Chief Administrative Officer

*This report was prepared in consultation with Donna Gibbs, Director, Legal and Court Services.*

## Appendices

Appendix 1            Municipal Comparison Chart

Municipality	Year Established	Integrity Commissioner Appointed as Lobbyist Registrar	Penalties
Brampton	2015	Yes	First contravention: may be prohibited from lobbying for 30 days Second contravention: may be prohibited from lobbying for 90 days Third or subsequent contravention: Lobbyist Registrar to determine appropriate penalty that is greater than a penalty for a second contravention
Hamilton	2015	No	First contravention: may be prohibited from lobbying for 30 days Second contravention: may be prohibited from lobbying for 60 days Third contravention or subsequent contravention: may be prohibited from lobbying for longer than 60 days as determined by the Lobbyist Registrar
Ottawa	2012	Yes	First breach: banned from communicating with public office holders for one month Second breach: banned from communicating with public office holders for three months Third breach: Integrity Commissioner determines appropriate sanction



Peel	2017	Yes	<p>First breach: banned from communicating with public office holders for one month</p> <p>Second breach: banned from communicating with public office holders for three months</p> <p>Third breach: Integrity Commissioner determines appropriate sanction</p>
Toronto	2008	No	<p>First breach: the lobbyist is banned from communicating with public office holders for one month;</p> <p>Second breach: the lobbyist is banned from communicating with public office holders for three months; and</p> <p>Third breach: the Lobbyist Registrar may ban the lobbyist from communicating with public office holders for a period of not more than two years.</p> <p>The Lobbyist Registrar can also prosecute breaches of the Lobbying By-law under the Provincial Offences Act (POA). Every person convicted of an offence under the Lobbying By-law is liable on a first conviction to a fine of not more than \$25,000 and on each subsequent conviction to a fine of not more than \$100,000.</p>
Vaughan	2017	No	<p>First offence: prohibited from lobbying until completion of information and education meeting with Lobbyist Registrar</p> <p>Second offence: prohibited from lobbying for 3 months</p> <p>Third or subsequent offences: prohibition of lobbying activities as determined by the Lobbyist Registrar</p>
Collingwood	2020	No	<p>First contravention: ban on communication for 30 days</p> <p>Second contravention: ban on communication for 60 days</p> <p>Third or subsequent contravention: ban on communication for longer than 60 days as determined by the Lobbyist Registrar</p>

**Minute Item No. 6.4**  
**PDS 9-2021**  
**Review of Options – South Niagara Aquifer**

That Report PDS 9-2021, dated February 17, 2021, respecting Review of Options - South Niagara Aquifer, **BE RECEIVED** and **BE CIRCULATED** to the City of Port Colborne, Town of Fort Erie, City of Welland, Township of Wainfleet, Niagara Peninsula Conservation Authority (NPCA), and the Niagara Peninsula Source Protection Committee.

Committee subsequently passed the following motion:

That staff **BE FURTHER DIRECTED** to state within the new Regional Official Plan that groundwater across the Region is an important resource to all Niagara residents and specifically a source of potable drinking water to many rural residents.

**Minute Item No. 5.2**  
**ED 4-2021**  
**Tourism Adaption and Recovery Fund Budget Adjustment**

That Report ED 4-2021, dated February 17, 2021, respecting Tourism Adaption and Recovery Fund Budget Adjustment, **BE RECEIVED** and the following recommendation **BE APPROVED**:

1. That an operating budget adjustment in the amount of \$2,000,000 gross and \$0 net **BE APPROVED** (and **INITIATED**) for the Niagara Tourism Adaption and Recovery Fund and that the initiative **BE FUNDED** from a Fed Dev Ontario grant.

**Minute Item No. 5.3**  
**PDS 13-2021**  
**Municipal By-law Enforcement Appointments – Woodland Conservation By-law**

That Report PDS 13-2021, dated February 17, 2021, respecting Municipal By-law Enforcement Appointments - Woodland Conservation By-law, **BE RECEIVED** and the following recommendations **BE APPROVED**:

1. That the following Regional staff **BE APPOINTED** as Municipal By-law Enforcement Officers for the purpose of enforcing Niagara Region By-law No. 2020-79, being the Woodland Conservation By-law:
  - Cara Lampman, Manager, Environmental Planning
  - Daniel Root, Regional Forester
2. That the necessary by-law **BE PREPARED** and **PRESENTED** to Council for consideration.

**Minute Item No. 5.4**

**PDS-C 10-2021**

**Motion from Councillor Sendzik respecting Support for the Wine Sector**

1. That Niagara Region **CALLS** on the Province of Ontario to create a level playing field and to provide Ontario's entrepreneurial wine industry with opportunities to invest more into innovation and job creation while providing consumer choice and convenience for the purchase of Ontario wines;
2. That the Province **BE URGED** undertake the following:
  - Eliminate the 6.1% tax applied to VQA (100% Ontario-grown) wines on sales in the 2021 Budget;
  - Enable Ontario wines to offer direct delivery, with margin, to grocery stores;
  - Establish long-term VQA wine support programs at the LCBO that would increase shelf space for VQA wines and;
  - Eliminate import taxes on 100% Ontario VQA wines
  - Continue working towards more equitable inter-provincial trade on wines
3. That this motion **BE CIRCULATED** to municipalities in Niagara, Prince Edward County and Lake Erie North Shore and to the Premier, Minister of Finance and Minister of Agriculture, Food and Rural Affairs, Grape Growers of Ontario, Wine Council of Ontario, the local MPs and MPPs.

**Minute Item No. 6**

**Consent Items for Information**

That the following items **BE RECEIVED** for information:

ED 3-2021

COVID-19 Response and Business Continuity in Economic Development

PDS-C 5-2021

COVID-19 Response and Business Continuity in Planning and Development Services

ED 5-2021

Economic Recovery Plan Update 3

PDS 7-2021

Niagara Official Plan Process and Local Municipality Conformity

PDS-C 8-2021

2021 Public Realm Investment Program Launch

**Minute Item No. 6.3**

**PDS 1-2021**

**Natural Environment Work Program – 2<sup>nd</sup> Point of Engagement**

That Report PDS 1-2021, dated February 17, 2021, respecting Natural Environment Work Program - 2nd Point of Engagement, **BE RECEIVED** and **BE CIRCULATED** to the Local Area Municipalities and the Niagara Peninsula Conservation Authority (NPCA).

**Minute Item No. 6.8**

**PDS-C 4-2021**

**Response to Town of Pelham Motion on Cannabis Appeals**

That Correspondence Item PDS-C 4-2021, being a memorandum from P. Busnello, Acting Director, Development Approvals, dated February 17, 2021, respecting Response to Town of Pelham Motion on Cannabis Appeals, **BE RECEIVED** for information.

**Minute Item No. 6.9**

**PDS-C 11-2021**

**A letter from Jocelyn Baker, Canadian Co-Chair, and Jajeon Rose-Burney, U.S. Co-Chair, Niagara River Ramsar Binational Steering Committee, dated February 12, 2021, respecting Confidential Report PDS 2-2021**

That Correspondence Item PDS-C 11-2021, being a letter from Jocelyn Baker, Canadian Co-Chair, and Jajeon Rose-Burney, U.S. Co-Chair, Niagara River Ramsar Binational Steering Committee, dated February 12, 2021, respecting Confidential Report PDS 2-2021, **BE RECEIVED** for information.

**Minute Item No. 9.1**

**Confidential PDS 2-2021**

**A Matter of Advice that is Subject to Solicitor-Client privilege under s. 239(2) of the Municipal Act, 2001 - Implications of a Ramsar Designation on the Niagara River**

That Confidential Report PDS 2-2021, dated February 17, 2021, respecting A Matter of Advice that is Subject to Solicitor-Client privilege under s. 239(2) of the Municipal Act, 2001 - Implications of a Ramsar Designation on the Niagara River, **BE RECEIVED**; and

That the Planning and Economic Development Committee **RECOMMEND** that Confidential Report PDS 2-2021 including Appendix 1 authored by Willms & Shier dated January 18, 2021, respecting Implications of a Ramsar Designation on the Niagara River, be released publicly subject to Council approval.

**THE REGIONAL MUNICIPALITY OF NIAGARA  
PLANNING & ECONOMIC DEVELOPMENT COMMITTEE  
MINUTES**

**PEDC 2-2021**

**Wednesday, February 17, 2021**

**Council Chamber / Video Conference**

**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 Video Conference: Bradley (Regional Chair), Butters, Bylsma, Campion, Darte, Easton, Fertich, Foster, Greenwood, Heit, Junkin, Redekop, Rigby, Sendzik, Ugulini, Witteveen, Zalepa

Absent/Regrets: Bellows

Staff Present in the Council Chamber: D. Giles, Acting Commissioner, Planning & Development Services, S. Guglielmi, Technology Support Analyst, A.-M. Norio, Regional Clerk, G. Spezza, Director, Economic Development

Staff Present via Video Conference: E. Acs, Manager, Community Planning, I. Banach, Acting Director, Community & Long Range Planning, P. Busnello, Manager, Development Planning, M. Evely, Legislative Coordinator, L. Ferrell, Program Financial Specialist, D. Gibbs, Director, Legal & Court Services, D. Heyworth, Official Plan Policy Consultant, V. Kuhns, Manager, Strategic Initiatives, P. Lambert, Director, Infrastructure Planning & Development Engineering, C. Lampman, Manager, Environmental Planning, K. McCauley, Acting Manager, Long Range Planning, S. Norman, Senior Planner, R. Tripp, Acting Chief Administrative Officer

Others Present via Video Conference: S. Miller, Senior Manager, Water Resources, Niagara Peninsula Conservation Authority, J. Stevens, Partner, and L. Wortsman, Associate, Willms & Shier Environmental Lawyers LLP, External Legal Counsel

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**1. CALL TO ORDER**

Committee Chair Huson called the meeting to order at 1:00 p.m.

**2. DISCLOSURES OF PECUNIARY INTEREST**

Councillor Heit declared an indirect pecuniary interest with respect to Correspondence Item PDS-C 10-2021 (Agenda Item 5.4), as his daughter is employed by the Liquor Control Board of Ontario (LCBO).

### 3. PRESENTATIONS

#### 3.1 Source Protection Program Overview

Thomas Proks, Source Water Protection Coordinator, Niagara Peninsula Conservation Authority, provided information respecting Source Protection Program Overview. Topics of the presentation included:

- Source Protection Process
- Vulnerability Analysis
- Delineation of Surface Water Intake Protection Zones
- Assignment of Vulnerability Score
- Niagara's Vulnerability Scores
- 22 Prescribed Drinking Water Threat Activities
- Summary of Significant Prescribed Drinking Water Threats in Niagara Intake Protection Zones

There being no objection, Report PDS 9-2021 (Agenda Item 6.4) respecting Review of Options – South Niagara Aquifer, was considered at this time.

### 6. CONSENT ITEMS FOR INFORMATION

#### 6.4 PDS 9-2021

Review of Options - South Niagara Aquifer

Moved by Councillor Butters

Seconded by Councillor Rigby

That Report PDS 9-2021, dated February 17, 2021, respecting Review of Options - South Niagara Aquifer, **BE RECEIVED** and **BE CIRCULATED** to the City of Port Colborne, Town of Fort Erie, City of Welland, Township of Wainfleet, Niagara Peninsula Conservation Authority (NPCA), and the Niagara Peninsula Source Protection Committee.

**Carried**

Moved by Councillor Butters

Seconded by Councillor Witteveen

WHEREAS at the January 15, 2020 Planning and Economic Development meeting, the following resolution was adopted: “That staff **BE DIRECTED** to consider the highly vulnerable aquifer as an important, vital source of water to our rural residents in Niagara from Wainfleet, through Port Colborne to Fort Erie and ensure specific Official Plan policies are developed to reflect the importance and subsequent protection of this water source”; and

WHEREAS Report PDS 9-2021 has provided an overview of opportunities for drinking water protection in Ontario with an emphasis on the highly vulnerable aquifer in South Niagara.

NOW THEREFORE BE IT RESOLVED:

That staff **BE FURTHER DIRECTED** to state within the new Regional Official Plan that groundwater across the Region is an important resource to all Niagara residents and specifically a source of potable drinking water to many rural residents.

**Carried**

**4. DELEGATIONS**

There were no delegations.

**5. ITEMS FOR CONSIDERATION**

**5.1 PDS-C 9-2021**

Planning and Economic Development Committee Vice-Chair

Correspondence Item PDS-C 9-2021 provided information respecting the vacancy in the Committee Vice-Chair role due to Councillor Darte's resignation. Chair Huson called for nominations for the position of Vice-Chair of the Planning and Economic Development Committee for a two-year term (2021-2022).

Moved by Councillor Fertich  
Seconded by Councillor Greenwood

That Councillor Witteveen **BE NOMINATED** as Vice-Chair of the Planning and Economic Development Committee for a two-year term (2021-2022).

**Carried**

Moved by Councillor Redekop  
Seconded by Councillor Easton

That Councillor Campion **BE NOMINATED** as Vice-Chair of the Planning and Economic Development Committee for a two-year term (2021-2022).

**Carried**

Moved by Councillor Butters  
Seconded by Councillor Redekop

That nominations for the position of Vice-Chair of the Planning and Economic Development Committee for a two-year term (2021-2022), **BE CLOSED.**

**Carried**

Voting by a show of hands resulted in the following:

Witteveen = 8

Campion = 6

Based on the result of the vote, Chair Huson announced that Councillor Witteveen would be Vice-Chair of the Planning and Economic Development Committee for a two-year term (2021-2022).

5.2 ED 4-2021

Tourism Adaption and Recovery Fund Budget Adjustment

Moved by Councillor Greenwood

Seconded by Councillor Foster

That Report ED 4-2021, dated February 17, 2021, respecting Tourism Adaption and Recovery Fund Budget Adjustment, **BE RECEIVED** and the following recommendation **BE APPROVED**:

1. That an operating budget adjustment in the amount of \$2,000,000 gross and \$0 net **BE APPROVED** (and **INITIATED**) for the Niagara Tourism Adaption and Recovery Fund and that the initiative **BE FUNDED** from a Fed Dev Ontario grant.

**Carried**

5.3 PDS 13-2021

Municipal By-law Enforcement Appointments - Woodland Conservation By-law

Moved by Councillor Zalepa

Seconded by Councillor Fertich

That Report PDS 13-2021, dated February 17, 2021, respecting Municipal By-law Enforcement Appointments - Woodland Conservation By-law, **BE RECEIVED** and the following recommendations **BE APPROVED**:

1. That the following Regional staff **BE APPOINTED** as Municipal By-law Enforcement Officers for the purpose of enforcing Niagara Region By-law No. 2020-79, being the Woodland Conservation By-law:
  - Cara Lampman, Manager, Environmental Planning
  - Daniel Root, Regional Forester
2. That the necessary by-law **BE PREPARED** and **PRESENTED** to Council for consideration.

**Carried**



**Councillor Information Request(s):**

Provide a copy of Report PDS 13-2021 and all future reports related to the Woodland Conservation By-law to the Agricultural Policy and Action Committee. Councillor Witteveen.

5.4 PDS-C 10-2021

Motion from Councillor Sendzik respecting Support for the Wine Sector

Moved by Councillor Sendzik  
Seconded by Councillor Easton

WHEREAS the Ontario wine industry supports directly and indirectly over 18,000 full-time equivalent jobs; and Niagara is Ontario's largest wine growing region responsible for over 90% of Ontario's grape production;

WHEREAS, with 2.4 million annual visitors, Niagara's wine sector has developed unique experiential destination tourism, enhanced by the proximity to Niagara Falls;

WHEREAS COVID-19 has had significant impacts on Ontario's wine industry – a key contributor to Niagara's economy and tourism sector; and

WHEREAS to build back a stronger, more sustainable economy, there is a need to unlock the potential of Ontario's grape and wine industry.

NOW THEREFORE BE IT RESOLVED:

1. That Niagara Region **CALLS** on the Province of Ontario to create a level playing field and to provide Ontario's entrepreneurial wine industry with opportunities to invest more into innovation and job creation while providing consumer choice and convenience for the purchase of Ontario wines;
2. That the Province **BE URGED** to undertake the following:
  - Eliminate the 6.1% tax applied to VQA (100% Ontario-grown) wines on sales in the 2021 Budget;
  - Enable Ontario wines to offer direct delivery, with margin, to grocery stores;
  - Establish long-term VQA wine support programs at the LCBO that would increase shelf space for VQA wines; and
  - Eliminate import taxes on 100% Ontario VQA wines
3. That this motion **BE CIRCULATED** to municipalities in Niagara, Prince Edward County and Lake Erie North Shore and to the Premier, Minister of Finance and Minister of Agriculture, Food and Rural Affairs.

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

2. That the Province **BE URGED** undertake the following:
  - Eliminate the 6.1% tax applied to VQA (100% Ontario-grown) wines on sales in the 2021 Budget;
  - Enable Ontario wines to offer direct delivery, with margin, to grocery stores;
  - Establish long-term VQA wine support programs at the LCBO that would increase shelf space for VQA wines and;
  - Eliminate import taxes on 100% Ontario VQA wines
  - ***Continue working towards more equitable inter-provincial trade on wines***

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

3. That this motion **BE CIRCULATED** to municipalities in Niagara, Prince Edward County and Lake Erie North Shore and to the Premier, Minister of Finance and Minister of Agriculture, Food and Rural Affairs, ***Grape Growers of Ontario, Wine Council of Ontario, the local MPs and MPPs.***

Chair Huson called the vote on the motion, as amended,

WHEREAS the Ontario wine industry supports directly and indirectly over 18,000 full-time equivalent jobs; and Niagara is Ontario's largest wine growing region responsible for over 90% of Ontario's grape production;

WHEREAS, with 2.4 million annual visitors, Niagara's wine sector has developed unique experiential destination tourism, enhanced by the proximity to Niagara Falls;

WHEREAS COVID-19 has had significant impacts on Ontario's wine industry – a key contributor to Niagara's economy and tourism sector; and

WHEREAS to build back a stronger, more sustainable economy, there is a need to unlock the potential of Ontario's grape and wine industry.

NOW THEREFORE BE IT RESOLVED:

1. That Niagara Region **CALLS** on the Province of Ontario to create a level playing field and to provide Ontario's entrepreneurial wine industry with opportunities to invest more into innovation and job creation while providing consumer choice and convenience for the purchase of Ontario wines;
2. That the Province **BE URGED** undertake the following:
  - Eliminate the 6.1% tax applied to VQA (100% Ontario-grown) wines on sales in the 2021 Budget;
  - Enable Ontario wines to offer direct delivery, with margin, to grocery stores;
  - Establish long-term VQA wine support programs at the LCBO that would increase shelf space for VQA wines and;
  - Eliminate import taxes on 100% Ontario VQA wines
  - Continue working towards more equitable inter-provincial trade on wines
3. That this motion **BE CIRCULATED** to municipalities in Niagara, Prince Edward County and Lake Erie North Shore and to the Premier, Minister of Finance and Minister of Agriculture, Food and Rural Affairs, Grape Growers of Ontario, Wine Council of Ontario, the local MPs and MPPs.

**Carried**

**6. CONSENT ITEMS FOR INFORMATION**

Moved by Councillor Butters  
Seconded by Councillor Junkin

That the following items **BE RECEIVED** for information:

ED 3-2021  
COVID-19 Response and Business Continuity in Economic Development

PDS-C 5-2021  
COVID-19 Response and Business Continuity in Planning and Development Services

ED 5-2021  
Economic Recovery Plan Update 3

PDS 7-2021  
Niagara Official Plan Process and Local Municipality Conformity

PDS-C 8-2021  
2021 Public Realm Investment Program Launch

**Carried**

Agenda Items 6.3, 6.8, and 6.9 were considered separately.

6.3 PDS 1-2021

Natural Environment Work Program - 2nd Point of Engagement

Moved by Councillor Redekop  
Seconded by Councillor Witteveen

That Report PDS 1-2021, dated February 17, 2021, respecting Natural Environment Work Program - 2nd Point of Engagement, **BE RECEIVED** and **BE CIRCULATED** to the Local Area Municipalities and the Niagara Peninsula Conservation Authority (NPCA).

**Carried**

6.8 PDS-C 4-2021

Response to Town of Pelham Motion on Cannabis Appeals

Moved by Councillor Junkin  
Seconded by Councillor Butters

That Correspondence Item PDS-C 4-2021, being a memorandum from P. Busnello, Acting Director, Development Approvals, dated February 17, 2021, respecting Response to Town of Pelham Motion on Cannabis Appeals, **BE RECEIVED** for information.

**Carried**

6.9 PDS-C 11-2021

A letter from Jocelyn Baker, Canadian Co-Chair, and Jajean Rose-Burney, U.S. Co-Chair, Niagara River Ramsar Binational Steering Committee, dated February 12, 2021, respecting Confidential Report PDS 2-2021

Moved by Councillor Foster  
Seconded by Councillor Butters

That Correspondence Item PDS-C 11-2021, being a letter from Jocelyn Baker, Canadian Co-Chair, and Jajean Rose-Burney, U.S. Co-Chair, Niagara River Ramsar Binational Steering Committee, dated February 12, 2021, respecting Confidential Report PDS 2-2021, **BE RECEIVED** for information.

**Carried**

7. **OTHER BUSINESS**

7.1 Growing the Size of the Greenbelt in Niagara

Councillor Foster advised that the Ministry of Municipal Affairs and Housing is seeking feedback on ways to grow the size of the Greenbelt in Ontario. Doug Giles, Acting Commissioner, Planning and Development Services, advised that staff would provide a report at the next Planning and Economic Development Committee meeting respecting this issue.

**8. CLOSED SESSION**

Moved by Councillor Greenwood  
Seconded by Councillor Butters

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 under s. 239(2) of the Municipal Act, 2001 - Implications of a Ramsar Designation on the Niagara River

**Carried**

Committee resolved into closed session at 3:08 p.m.

**9. BUSINESS ARISING FROM CLOSED SESSION ITEMS**

Committee reconvened in open session at 3:34 p.m. with the following individuals in attendance:

Committee Members Present in the Council Chamber: Huson (Committee Chair)

Committee Members Present via Video Conference: Bradley (Regional Chair), Butters, Bylsma, Darte, Easton, Fertich, Foster, Greenwood, Redekop, Sendzik, Ugulini, Witteveen, Zalepa

Absent/Regrets: Bellows, Campion, Heit, Junkin, Rigby

Staff Present in the Council Chamber: D. Giles, Acting Commissioner, Planning & Development Services, S. Guglielmi, Technology Support Analyst, A.-M. Norio, Regional Clerk, G. Spezza, Director, Economic Development

Staff Present via Video Conference: E. Acs, Manager, Community Planning, M. Evely, Legislative Coordinator, D. Gibbs, Director, Legal & Court Services

Others Present via Video Conference: J. Stevens, Partner, and L. Wortsman, Associate, Willms & Shier Environmental Lawyers LLP, External Legal Counsel

9.1 Confidential PDS 2-2021

A Matter of Advice that is Subject to Solicitor-Client privilege under s. 239(2) of the Municipal Act, 2001 - Implications of a Ramsar Designation on the Niagara River

Moved by Councillor Redekop  
Seconded by Councillor Sendzik

That Confidential Report PDS 2-2021, dated February 17, 2021, respecting A Matter of Advice that is Subject to Solicitor-Client privilege under s. 239(2) of the Municipal Act, 2001 - Implications of a Ramsar Designation on the Niagara River, **BE RECEIVED**; and

That the Planning and Economic Development Committee **RECOMMEND** that Confidential Report PDS 2-2021 including Appendix 1 authored by Willms & Shier dated January 18, 2021, respecting Implications of a Ramsar Designation on the Niagara River, be released publicly subject to Council approval.

**Carried**

10. NEXT MEETING

The next meeting will be held on Wednesday, March 10, 2021 at 1:00 p.m.

11. ADJOURNMENT

There being no further business, the meeting adjourned at 3:37 p.m.

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Councillor Huson  
Committee Chair

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Mark Evely  
Legislative Coordinator

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Ann-Marie Norio  
Regional Clerk

# Source Protection Program Overview

## Niagara Region Planning Committee

Niagara Peninsula Source Protection Authority  
Thomas Proks, P.Geo.  
February 17, 2021

# Source Protection Program Context

- After the Walkerton tragedy in May 2000, Justice Dennis O'Connor was commissioned to lead an inquiry into the contamination of the Walkerton water supply and more broadly, the safety of Ontario's drinking water.
- *Clean Water Act, 2006 (CWA)* came into force July 3rd, 2007.
  - **Fulfills 12 of Justice O'Connor's recommendations.**
- First Principle - concept of prevention in the safeguarding of our drinking water for our communities and our health.



# Source Protection Program

- The CWA established 38 source protection areas within the Province generally based on Conservation Authority boundaries under the *Conservation Authorities Act, 1990*.
- Source protection plans are now in place for municipal residential drinking water systems within the 38 source protection areas, representing approximately **90% of the population** within those source protection areas.



# Source Protection Process

## Assessment Report (November 2013)

- Vulnerable zones and vulnerability scores delineated
- Significant threats identified

## Source Protection Plan (legal effect October 2014)

- Policies to address significant threats
- Implementer timelines and responsibilities

## Implementation of Source Protection Plan

- By municipalities, provincial ministries, etc.
- Annual monitoring reporting by SPA

## Update of Source Protection Plan (2018-2023)

- Minister's Section 36 Order to NPCA December 3<sup>rd</sup>, 2018

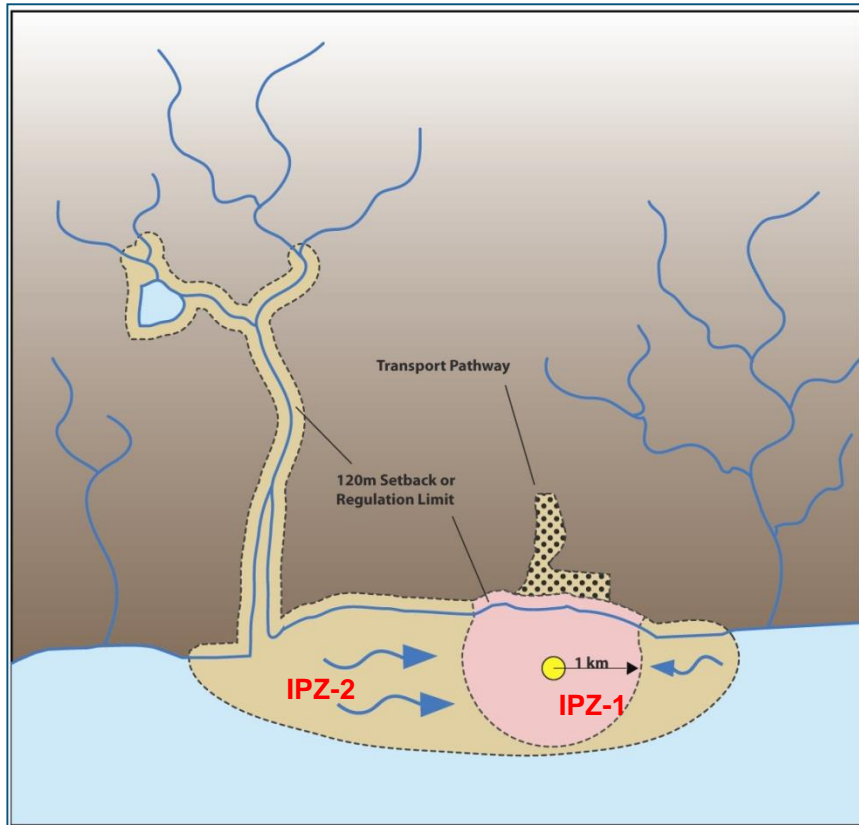
# Vulnerability Analysis

- Water quality vulnerability analysis assesses how vulnerable **groundwater** and **surface water** sources are to contamination.
- Water quantity vulnerability analysis uses **water budgets** to assess the sustainability of the drinking water sources.
- Through these analyses four types of vulnerable areas are delineated:
  - Intake Protection Zone (IPZ) (Quality and Quantity)\*
  - ~~Well Head Protection Area (WHPA) (Quality and Quantity)\*~~
  - Significant Groundwater Recharge Areas (SGRAs)( Quantity)
  - Highly Vulnerable Aquifers (HVAs) (Quality)

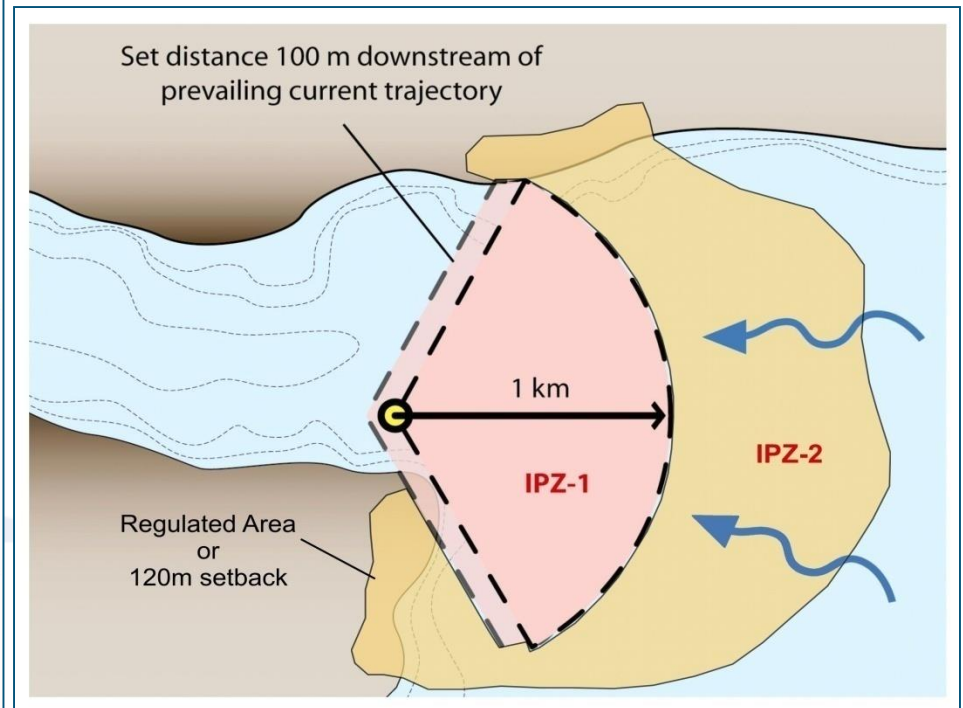
\*areas where significant risk can occur

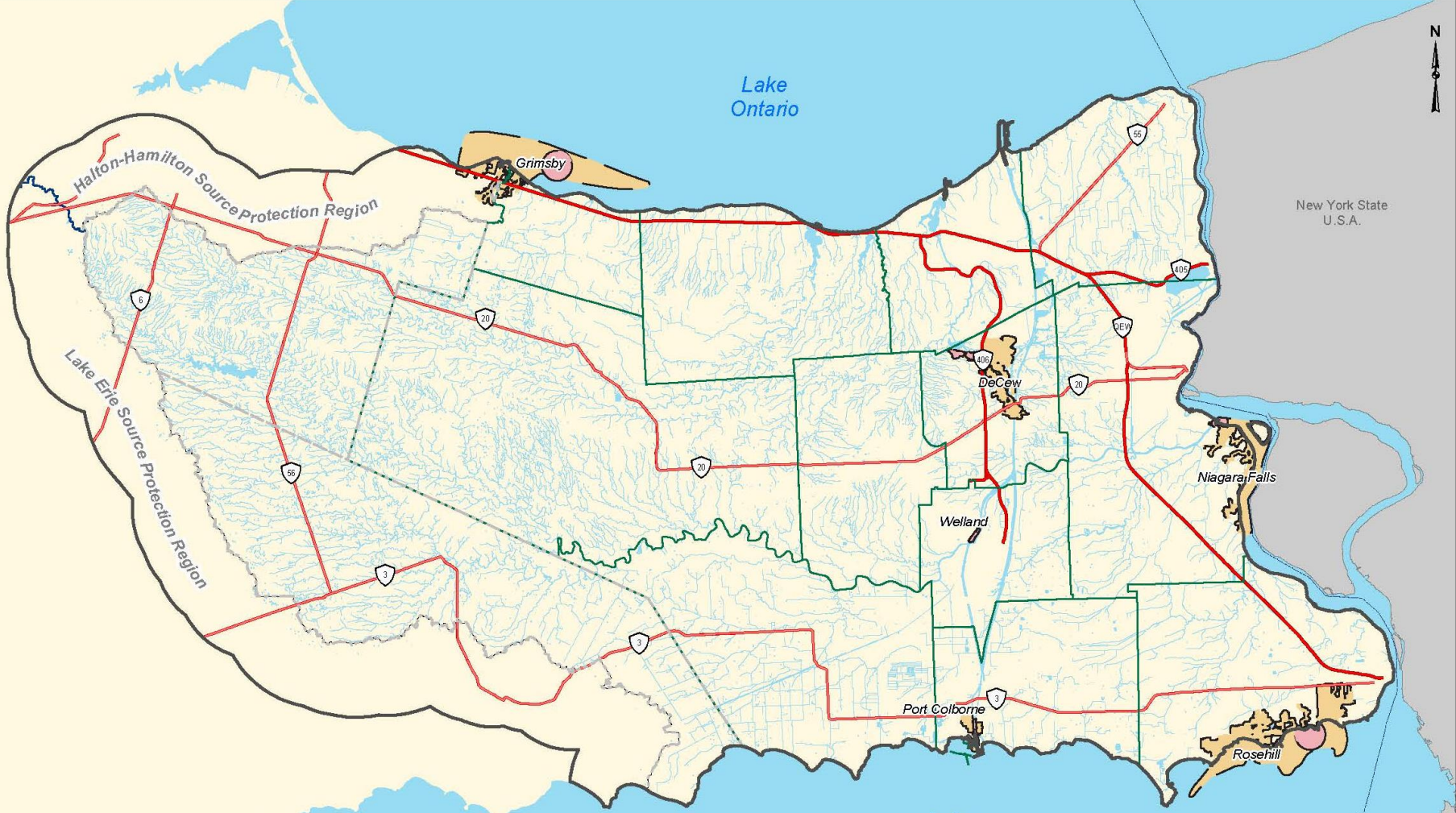
# Delineation of Surface Water IPZs

## Type A (Grimsby, Fort Erie)



## Type B (Port Colborne, Welland, DeCew Falls, Niagara Falls)





Disclaimer: This map is intended for illustrative purposes only. Figure is to be read in conjunction with the Niagara Peninsula Source Protection Area Assessment Report. Please refer to report text for digital mapping sources.  
 All Frames: North American Datum 1983, Universal Transverse Mercator 6° Projection, Zone 17N, Central Meridian 81° West.  
 Produced by the Niagara Peninsula Conservation Authority with data supplied under licence by members of the Ontario Geospatial Data Exchange, 2009.

1:250,000  
 0 1.25 2.5 5 7.5 10  
 Kilometers

- |                        |  |                         |                        |
|------------------------|--|-------------------------|------------------------|
| International Boundary | Watercourse                                    | Lower Tier Municipality | Intake Protection Zone |
| Major Highways         | Ponds, Reservoirs, Lakes                       | Upper Tier Municipality | IPZ-1                  |
| Highways               | Extended Context Area                          | IPZ-2                   |                        |
| Roads                  | Niagara Peninsula Source Water Protection Area |                         |                        |



	NPSPA Assessment Report	
	Figure 5-5: Intake Protection Zones	
	Thursday, July 14, 2011	

# Assignment of Vulnerability Score

$$\text{Vulnerability Score} = \text{Area Vulnerability Factor} \times \text{Source Vulnerability Factor}$$

- Area Vulnerability Factor

- Land cover, soil type, permeability, slope of setbacks
- Hydrological and hydrogeological conditions
- Percentage of area composed of land

- Source Vulnerability Factor

- Distance of intake from land
- Depth of intake from top of water surface
- Number of recorded drinking water issues related to intake

Type of Intake	Source Vulnerability Factor	Area Vulnerability Factor		Overall Vulnerability Score	
		IPZ-1	IPZ-2	IPZ-1	IPZ-2
A	0.5 – 0.7	10	7 – 9	5 - 7	3.5 – 6.3
B	0.7 – 0.9	10	7 – 9	7 – 9	4.9 – 8.1

# Niagara's Vulnerability Scores

Intake	Type	IPZ-1 Vulnerability Score	IPZ-2 Vulnerability Score
Niagara Falls	B	<b>8.0</b>	6.4
Port Colborne	B	<b>9.0</b>	<b>8.1</b>
Welland	B	7.0	N/A
Decew Main Intake and 406	B	<b>8.0</b>	4.9
Decew Lake Gibson	B	<b>8.0</b>	5.6
Rosehill	A	7.0	5.6
Grimsby	A	5.0	4.0



# 22 Prescribed Drinking Water Threat Activities

1 – **waste** disposal

2 – **sewage**

## Agriculture

3 – application of Agricultural Source Materials  
4 – storage of Agricultural Source Materials  
5 – management of Agricultural Source Materials

6 – application of Non Agricultural Source Materials  
7 – handling and storage of Non Agricultural Source Materials

8 – application of commercial fertilizer  
9 – handling and storage of commercial fertilizer

10 – application of pesticide  
11 – handling and storage of pesticide

21 – livestock grazing and pasturing

12 – application of **road salt**  
13 – handling and storage of **road salt**

14 – storage of **snow**

## Industrial

15 – handling and storage of **fuel**

16 – handling and storage of dense non-aqueous phase liquid ( **DNAPL** )

17 – handling and storage of an **organic solvent**

18 – chemicals used in the de-icing of aircraft

22 – operation of liquid hydrocarbon pipeline

## Water Quantity

19 – consumptive water taking

20 – activity that reduces the recharge of an aquifer

*Clean Water Act (General Reg. 287/07)*

# Summary of Significant Prescribed Drinking Water Threats in Niagara IPZs

Threat Category	DeCew Falls IPZ-1s	Port Colborne IPZ-1	Port Colborne IPZ-2	Niagara Falls IPZ-1
1. Waste Disposal Sites	X	X	X	X
2. Sanitary, storm, & industrial discharges.	X	X	X	X
3, 4, & 21. Agricultural source material – application, storage	X	X	X	X
6 & 7. Non-agricultural source material	X	X	X	X
10. Pesticide application		X		
11. Pesticide storage/handling		X		
13 & 14. Road salt & snow storage		X		
18. Aircraft de-icing runoff		X		

# Objectives of the Source Protection Plan

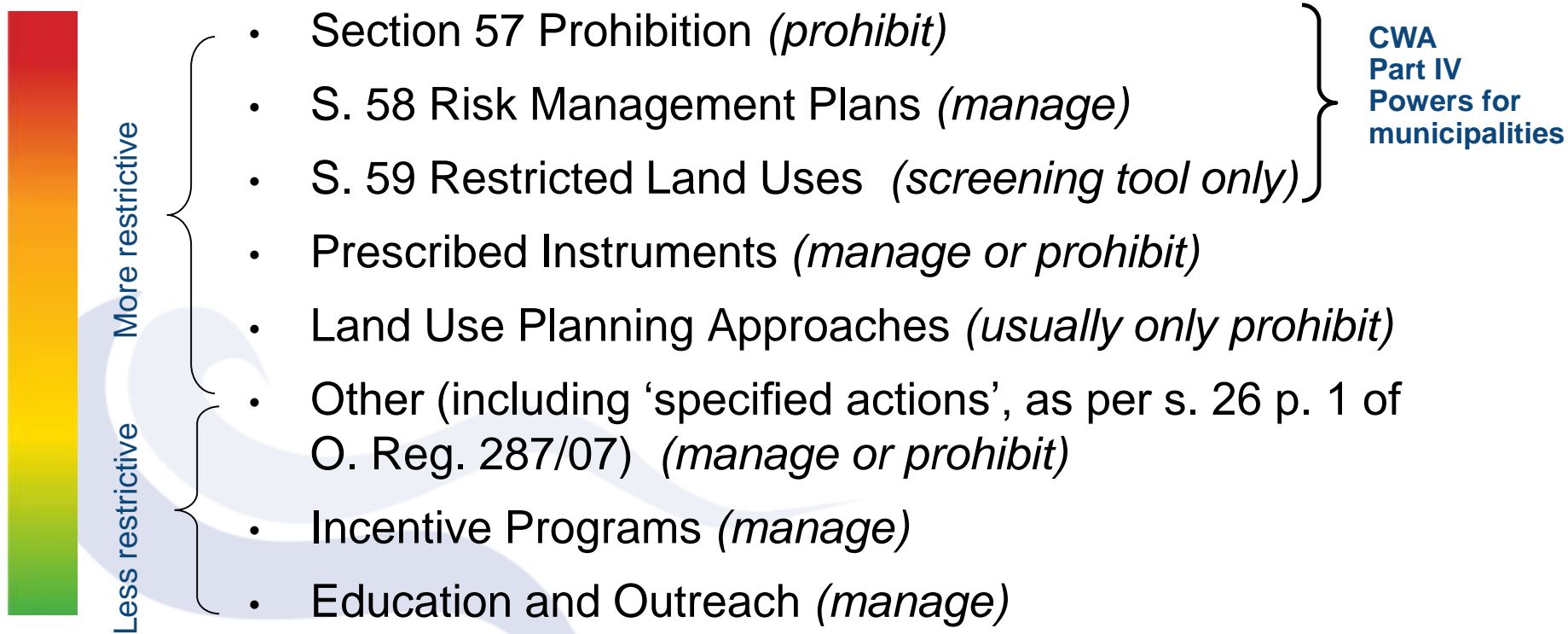
1. *Protecting existing and future drinking water sources in the Niagara Peninsula Source Protection Area; and*
2. *Ensuring through management or prohibition, that activities identified as threats to drinking water either never become a significant threat or, if the activity is already taking place, the activity ceases to be a significant threat.*

(Section 2.1, Niagara Peninsula Source Protection Plan)

The current plan only speaks to municipal supply protection.

# Source Protection Plan Tools

Committees first decided desired outcome: manage or prohibit, then chose the specific tool(s) to achieve this

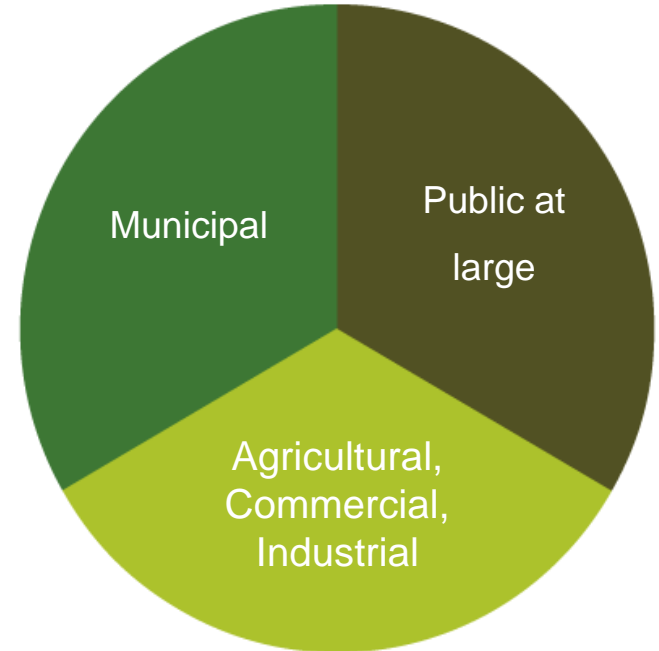


Objective of significant threat policies: Ceases to be / does not become significant (i.e., sufficiently managed)

# Key Players

## Source Protection Committee (SPC)

- Multi-stakeholder committee comprised of 9 members,
  - 3 municipal representatives from each of Haldimand, Hamilton and Niagara
- Makes recommendations to the Source Protection Authority on annual reporting and revisions to the Source Protection Plan.



## Source Protection Authority (Niagara Peninsula Conservation Authority)

- SPA Board appoints the SPC, while SPA staff provide administrative and technical support to the Source Protection Committee
- Ultimately responsible for Source Protection Plan monitoring implementation, reporting, and revisions.

# Other Key Players

## Municipalities

- Partners in development of the Source Protection Program in Niagara since Day 1.
- Implementers/enforcers of local measures, actions and policies addressing drinking water threats.

## Province

- Develop, update and provide guidance to Source Protection Regions on regulations and technical rules
- Provide funding for Source Protection Authority staffing.
- Approvals (ToR, AR, SPP and revisions to plans).
- Implementers/enforcers of provincial measures, actions and policies addressing drinking water threats.

# Thank You

For more information, please visit:

<http://www.sourceprotection-niagara.ca/>

Or contact:

Thomas Proks, P.Geo.  
905 – 788 – 3135 ext. 261  
tproks@npca.ca

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**Subject:** Review of Options – South Niagara Aquifer

**Report to:** Planning and Economic Development Committee

**Report date:** Wednesday, February 17, 2021

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## Recommendations

1. That Report PDS 9-2021 **BE RECEIVED** for information; and
2. That Report PDS 9-2021 **BE CIRCULATED** to the City of Port Colborne, Town of Fort Erie, City of Welland, Township of Wainfleet, Niagara Peninsula Conservation Authority (NPCA), and the Niagara Peninsula Source Protection Committee.

## Key Facts

- This report responds to direction given at the December 9, 2020 Planning and Economic Development Committee (PEDC) meeting where staff were requested to prepare a report outline existing policies and options for the protection of the south Niagara aquifer.
- In considering the protection of groundwater resources and drinking water systems in the region there are primarily two pieces of Provincial legislation that need to be reviewed, the *Planning Act, 1990* (Planning Act) and the *Clean Water Act, 2006* (Clean Water Act).
- In Niagara, the NPCA is the Source Protection Authority under the Clean Water Act. The responsibility for source water protection planning is that of the Source Protection Committee (SPC) with staff support from the NPCA. The Province is the approval authority for Source Protection Plans prepared by the SPC.
- Policies included in the Regional Official Plan related to drinking water systems, Intake Protection Zones (IPZs), and Wellhead Protection Areas (WPAs) must be directly informed by the Source Protection Plan (SPP). The Regional Official Plan cannot designate an IPZ or WPA without it first being identified in the SPP by the SPC following a technical evaluation process.
- This report outlines several tools and policies which can protect the south Niagara aquifer, such as provincial policy requirements, official plan policies, zoning by-laws, site alteration by-laws, and Ontario Building Code regulations. The report



however draws the conclusion that the provisions of the Clean Water Act are unlikely to apply to a number of private drinking water wells across a wide geographic area, and the Clean Water Act not the appropriate tool to achieve the desired outcome of protecting the Highly Vulnerable Aquifer (HVA) in south Niagara.

- In 2020, specific actions were taken by Regional Council and the City of Port Colborne City relating to the south Niagara aquifer. In January 2020, PEDC passed a resolution directing staff to include specific policies for the protection of the south Niagara aquifer in the new Niagara Official Plan. At its October 26, 2020 meeting, the Port Colborne City Council passed a resolution directing additional protection of the aquifer including local official plan polices and changes to their zoning by-law.

## **Financial Considerations**

There are no financial implications stemming from this report.

## **Analysis**

### Part A – Review of Background Information and Existing Policies

#### *A.1 - Important Terminology Related to Groundwater Resources:*

To ensure a common understanding of groundwater resources in the Region the following terminology is used in this report. These terms are based on provincial definitions.

- Key Hydrologic Feature – permanent streams, intermittent streams, inland lakes and their littoral zones, seepage areas and springs, and wetlands (Growth Plan).
- Key Hydrologic Areas – significant groundwater recharge areas, highly vulnerable aquifers, and significant surface water contribution areas that are necessary for the ecological and hydrologic integrity of a watershed (Growth Plan).
- Highly Vulnerable Aquifer (HVA) – aquifers, including lands above the aquifer, on which external sources have or are likely to have a significant adverse effect (Growth Plan).

- Significant Groundwater Recharge Area (SGRA) – an area that has been identified:
  - a) as a significant groundwater recharge area by any body for the purpose of implementing the PPS, 2014;
  - b) as a significant groundwater recharge area in the assessment report required under the Clean 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 (Growth Plan).

- Intake Protection Zone (IPZ) – an area as delineated in Schedule H of this Plan and in the Source Protection Plan for the Niagara Peninsula Source Protection Area that surrounds a municipal surface water intake and within which it is desirable to regulate or monitor drinking water threats. Where a conflict in mapping arises, the Source Protection Plan shall prevail (ROP, 2014).
- Wellhead Protection Area (WPA) – an area that is related to a wellhead and within which it is desirable to regulate or monitor drinking water threats (O. Reg. 287/07).

#### *A.2 - Mapping of HVAs and SGRAs in the Region:*

To provide context - a map showing the extent of HVAs and SGRAs in the Region is included as **Appendix 1**. The following is a brief description of the sources of the data:

- HVAs are a vulnerable area delineated for the Source Water Protection Assessment Report (Chapter 4 - NPCA, 2010). The HVAs were based largely upon earlier vulnerability mapping completed as part of the 2005 NPCA Groundwater Study. This earlier mapping combined two vulnerability assessment methods: (i) intrinsic susceptibility index (ISI) and (ii) aquifer vulnerability index (AVI).
- SGRAs are also a vulnerable area delineated for the Source Water Protection Assessment Report (Chapters 3 and 4 - NPCA, 2010). The SGRAs are classified as “significant” when they supply more water to an aquifer than the surrounding

area. SGRAs were identified where groundwater is recharged by a factor of 1.15 or more than the average recharge rate for the whole watershed.

*A.3 - Role of the Planning Act vs. Role of the Clean Water Act:*

In considering the protection of groundwater resources and drinking water systems in the Region there are primarily two pieces of provincial legislation that need to be considered, the Planning Act and the Clean Water Act.

	<b><i>Planning Act</i></b>	<b><i>Clean Water Act</i></b>
What is it?	The Planning Act sets out the ground rules for land use planning in Ontario. It describes how land uses may be controlled, and who may control them.	The Clean Water Act assists communities with protecting their municipal drinking water supplies at the source.
What tools are available?	Municipal Official Plans (Regional, Local), Zoning By-Laws (Local)	Source Protection Plans, Official Plans and Zoning By-Laws (which have been informed by the SPP)
How is it implemented?	Through a mix of Provincial tools such as the Provincial Policy Statement and Growth Plan, as well as upper and lower tier Official Plans.	Through a Source Protection Plan prepared by the Source Protection Committee and approved by the Province.
Who is primarily responsible?	Regional and Local Planning Departments, Regional and Local Councils.	Source Protection Authority, Risk Management Official.

In addition, there are other pieces of Provincial legislation that can apply on a topic-specific basis, for example: the Ontario Water Resource Act, Safe Drinking Water Act, Aggregate Resource Act, Municipal Act, and Ontario Building Code.

*A.3 - Recent Reporting to Planning and Economic Development Committee:*

At the January 15, 2020 PEDC meeting, there was a Councillor request for more information on how the Region has been involved in the Port Colborne Quarry project and the Region's obligations under Provincial policies.

In response to that request, PDS 8-2020, dated March 11, 2020 was prepared. PDS 8-2020 includes a discussion on the Region's involvement in the quarry project as well as additional information related to drinking water, source protection, the south Niagara aquifer, and the development of a new comprehensive water resource system (WRS) in the Region. PDS 8-2020 is attached for reference as **Appendix 2**.

*A.4 - Provincial Planning Requirements:*

There are a number of Provincial planning policies that require municipalities to protect groundwater and other water resources in their jurisdictions. This includes a relatively new Provincial requirement for a comprehensive water resource system (WRS). A WRS is currently being developed and will be implemented in Niagara for the first time as part of the new Niagara Official Plan. Other associated water resources planning policies are being brought into conformance with Provincial requirements through the new Niagara Official Plan project.

The policies of the Provincial Policy Statement (PPS, 2020) related to water resources are included in **Appendix 3**.

The policies of A Place to Grow: Growth Plan for the Greater Golden Horseshoe (Growth Plan, 2020) related to water resources are included in **Appendix 4**.

*A.5 - Existing Regional Official Plan Policies:*

Although the requirements for a comprehensive WRS are new, there are policies in the existing Regional Official Plan (ROP, 2014) related to water resources (both surface and groundwater). For example Policy 7.A.2.1 a) states that:

*“Development and site alteration shall only be permitted if it will not have negative impacts, including cross-jurisdictional and cross-watershed impacts, on the quantity and quality of surface and groundwater”*

The policies of the ROP are generally triggered when there is a proposed change in land use requiring an approval under the Planning Act (e.g. Official Plan Amendment,

Zoning By-Law Amendment, Draft Plan of Subdivision, Site Plan, etc.). For other forms of development and site alteration, other mechanisms apply, such as the Ontario Building Code and site alteration by-laws. The Region does not have a site alteration by-law; this is an area of local jurisdiction.

The complete policies of Section 7.A.2 'Water Resources' of the ROP, 2014 are included in **Appendix 5**.

*A.6 - In-Effect Council Resolution:*

At the January 15, 2020 PEDC meeting, the following resolution was adopted:

*“That staff **BE DIRECTED** to consider the highly vulnerable aquifer as an important, vital source of water to our rural residents in Niagara from Wainfleet, through Port Colborne to Fort Erie and ensure specific Official Plan policies are developed to reflect the importance and subsequent protection of this water source.”*

As directed, staff will include policies in the new Official Plan related to the HVA in south Niagara. The specific wording of these policies will be developed as Staff move forward with the Natural Environment Work Program and related Niagara Watershed Plan projects.

*A.7 - Natural Environment Work Program and Niagara Watershed Plan Project:*

The Natural Environment Work Program is the project that is being undertaken to identify and protect regional natural systems through the new Niagara Official Plan. Natural systems to be developed include a natural heritage system (NHS) and a water resource system (WRS). The WRS will include both groundwater and surface water features and areas.

Additional information regarding the Natural Environment Work Program can be found on the website for the new Official Plan:

<https://www.niagararegion.ca/projects/rural-and-natural-systems/default.aspx>

One of the three background reports that was completed for Natural Environment Work Program was the Watershed Planning Discussion Paper. This report identified the need for a watershed plan to be completed to inform various aspects of the new Niagara Official Plan (including the development of the WRS). To meet this need, a Consultant

team has been retained and a project to prepare a Niagara Watershed Plan (NWP) is underway. NPCA staff are involved in the project.

The NWP is being prepared in accordance with Provincial requirements, including direction that the new comprehensive water resource system be informed by watershed planning. The consideration of the south Niagara aquifer was identified as an important issue during the project kick-off phase.

#### *A.8 - Source Water Protection Planning:*

Source water protection planning is the process in which communities identify potential risks to local water quality and water supply and create a plan to reduce or eliminate the risks. Source water protection planning is undertaken based on a process prescribed by the Clean Water Act and its regulations.

In Niagara, the NPCA is the Source Protection Authority under the Clean Water Act. The program is administered by the Source Protection Committee (SPC) and staff support from the NPCA. Through the SPC, municipalities work to identify, assess and address risks to drinking water within their municipal Intake Protection Zones (IPZs) and Wellhead Protection Areas (WPAs).

Once risks and threats are identified through the Source Protection Plan, municipalities are responsible to develop and implement policies to reduce risks posed by activities located in areas under their jurisdiction. This could include requiring individual property owners to take action on significant drinking water threats located within IPZs and WPAs. In Niagara, this work has been completed and source protection policies are included in Section 7.E of the existing Regional Official Plan (ROP, 2014). These policies were subsequently included in local zoning by-laws. Policies in the Regional Official Plan must be directly informed by the Niagara Source Protection Plan, including the identification of IPZs (there are no municipal well water supplies in Niagara, and therefore no WPAs have been identified).

Schedule H of the ROP, 2014 – Source Water Protection is included as **Appendix 6**.

Additional information regarding drinking water source protection in Niagara can be found here: <http://www.sourceprotection-niagara.ca/>

In general, source water protection planning is a process that is undertaken in regards to municipal drinking water systems. In Niagara, all municipal drinking water is from

surface/lake-based sources. Within the Clean Water Act and O. Reg. 287/07 there is a very limited ability for other (i.e. non-municipal) drinking water systems to be evaluated and considered as part of the program. These provisions apply in circumstances where:

- there is a cluster of six or more private wells or intakes,
- the system is located in a settlement area, or
- the private residence is a designated facility or public facility as defined in O. Reg. 170/03 of the Safe Drinking Water Act.

The geographic area of what constitutes a 'cluster' is not defined in the Clean Water Act or its regulations, however, it is interpreted to be a concentration of systems in a small geographic area. A resolution from the Local Municipality is required for the Source Protection Committee to initiate the process to add a system to the Source Protection Plan. A technical evaluation process is required to support that process. The Province is the decision-making authority for the Source Protection Plan and any proposed changes.

A document entitled "Drinking Water Source Protection Primer: For Municipal Councillors" is included as **Appendix 7**.

#### *A.9 - Provincial Direction Regarding the Implementation of Clean Water Act:*

The Province does not maintain a guidance document for adding 'other systems' to source protection plans through the use of municipal resolution. However, the Province has advised that this is possible, subject to the criteria set out in the Clean Water Act and its regulations (as outlined above).

In considering this approach, the Province encourages municipalities to first look at how they can use other tools such as the Planning Act, Municipal Act, and Ontario Building Code to protect vulnerable sources of drinking water.

The Province further recommends that municipalities should encourage landowners to take steps to protect their own private wells by ensuring that their septic systems are functioning properly, and any on-site sources of contamination such as fuel oil tanks and pesticides, are properly stored and managed.

#### *A.10 - Case Study – Trout Creek:*

Trout Creek is a community in the Municipality of Powassan, ON, located near North Bay. The entire community is served by private drinking water and septic systems. Trout

Creek is understood to be the only community in Ontario that has attempted to add a 'cluster' of private drinking water wells into their jurisdiction's Source Protection Plan (SPP).

The experience in Trout Creek began with the municipality passing a resolution for the cluster of private drinking water wells to be included in the SPP. A technical evaluation process was undertaken, the system characterized, and threats identified. Based on the threats identified, numerous mitigation measures and policies were recommended including the mandatory inspections of private septic systems, a comprehensive risk management program to be implemented by the municipality, and other prohibitions.

Once the scope of the restrictions, and associated costs were understood and realized by the cluster residents and the municipality, a resolution was passed revoking the earlier resolution, and the process to include the cluster of wells was abandoned. The process took over 5 years and the community was not added to the SPP.

#### *A.11 - Other Municipal Tools:*

As noted above, there are other tools that can be used to protect vulnerable sources of drinking water and other sensitive groundwater resources. Some of these are as follows.

- Site Alteration By-Laws – are enacted under the Municipal Act and regulate the removal of topsoil, the placing or dumping of fill and the alteration of the grade of land in areas of the municipality. A component of a site alteration by-law can be to ensure that surface and groundwater quality is maintained. Site alteration by-laws are an area of local municipal jurisdiction.
- Zoning By-Law – like official plans, zoning by-laws are enacted under the Planning Act. An official plan sets out a municipality's general policies for future land use. Zoning by-laws are legal instruments that regulate the use of land and day-to-day administration. They contain specific planning requirements and are law within the municipality where they are enacted. A zoning by-law controls how land may be used and where buildings and other structures can be located. Zoning by-laws are an area of local municipal jurisdiction.
- Development Approval Process - through implementing Regional Official Plan policies, conditions of approval may be requested by Regional staff requiring that a property owner submit a hydrogeological assessment for certain development



applications located in an HVA (e.g. plan of subdivision, multiple lot severances and/or proposed residential lot(s) under 1 ha, etc.)

- Building Permits – are issued under the Building Code Act. A building permit is necessary to construct, renovate, demolish or change the use of a building. A Building Permit under Part 8 of the Building Code is also required for work regarding the installation, alteration, extension or repair of an on-site sewage or septic system. Building Code enforcement, including issuing building permits, is generally carried out by municipal building departments. In Niagara, in the case of on-site sewage or septic systems under Part 8 of the Code, issuing permits and enforcement is the responsibility of the Region in most local municipalities, while others (Welland, Wainfleet and West Lincoln) carry out the program internally.

Rural and other homeowners with private sewage or septic systems are also wastewater treatment system operators and need to take this role seriously. A regular maintenance schedule along with proactive care is the best strategy to lifelong system functionality and optimizing the system's performance. A homeowner's guide to a healthy sewage (septic) system can be found at the Ontario Onsite Wastewater Association's website and at the following link:

<https://www.oowa.org/homeowner-resources/>

*A.13 - City of Port Colborne October 26, 2020 Resolution:*

On October 26, 2020 the City of Port Colborne passed a resolution stating:

*“That Council recognizes the Aquifer as identified in Schedule B3 of the Official Plan as a source water for the rural residents of the City; and*

*That the Director of Planning and Development be directed to amend the Official Plan to include the Aquifer such that the Aquifer receives the same consideration and protection from susceptible threats of contamination or adverse impact as the intake protection zones (IPZ-1 and IPZ-2); and*

*That the Region of Niagara, Township of Wainfleet, City of Welland, Town of Fort Erie and Niagara Peninsula Conservation Authority be notified of the City's action and be requested to pursue similar updates to their municipal planning documents in order to protect the aquifer.”*

Region staff understand the above-captioned resolution to be direction to Staff. Region staff do not interpret the resolution as being an official resolution from City of Port Colborne Council requesting an addition be made to the Source Protection Plan.

In response for the resolutions request for updates to be made to Regional planning document - Regional Planning staff note we are already developing a comprehensive WRS for the Region as part of the new Niagara Official Plan. The WRS will include specific policies in regards to the south Niagara HVA in accordance with the January 15, 2020 PEDC resolution.

A copy of the October 26, 2020 City of Port Colborne resolution is included as **Appendix 8**.

*A.14 - Ongoing City of Port Colborne Initiative:*

Region Planning staff understand the City of Port Colborne is considering a Local Official Plan Amendment and Zoning By-Law Amendment for additional protection of the aquifer and private drinking water systems in response to the October 26, 2020 resolution. Region Planning staff have had ongoing discussions with City Planning staff regarding that initiative in preparation of this report.

Part B - Analysis of Information Reviewed

The proceeding sections provide an overview of the protection of water resources, drinking water, and drinking water systems from the perspectives of the Planning Act and Clean Water Act, as follows:

*B.1 - Planning Act:*

- There are policies in the Provincial Policy Statement (PPS, 2020) and A Place to Grow: Growth Plan for the Greater Golden Horseshoe (Growth Plan, 2020) for the protection of water resources including key hydrologic features and key hydrologic areas. The policies are in effect now, and must be considered by Regional and Local Planning staff in making recommendations and Regional and Local Councils when making decisions. Regional planning policies will be brought into conformance through the ongoing work to prepare the new Niagara Official Plan.

- There are policies within the existing Regional Official Plan (ROP, 2014) that require the protection of water resources, including a restriction on site alteration and development that would cause a negative impact on water quality.
- On January 15, 2020, PEDC passed a resolution directing staff to include specific policies for the protection of the south Niagara aquifer. This direction is being incorporated as part of the Natural Environment Work Program, Niagara Watershed Plan, and Niagara Official Plan projects. The specific wording of the policies will be developed as Regional staff move these projects to completion.
- On October 26, 2020, the City of Port Colborne passed a resolution directing additional protection of the aquifer including official plan and zoning by-law policies that provide the same level of consideration and protection as Intake Protection Zones in the City. As a local planning document, the Port Colborne Official Plan may include more specific and detailed policies, provided that they do not conflict with Provincial or Regional policy. Similarly, zoning by-laws are a local document that provide for the day-to-day regulation of land use controls.
- Policies included in the Regional Official Plan related to drinking water systems, Intake Protection Zones, and Wellhead Protection Areas must be directly informed by the Source Protection Plan, and the work of the Source Protection Committee. The Regional Official Plan cannot designate an Intake Protection Zones or Wellhead Protection Areas without it first being identified in the Source Protection Plan following a technical evaluation process and acceptance by the Province.

#### *B.2 - Clean Water Act:*

- Intake Protection Zone (IPZs) is the terminology used to describe an area around a surface water intake. Wellhead Protection Area (WPAs) is the terminology used in regards to groundwater wells. IPZs and WPAs are identified through a technical evaluation process.
- The Clean Water Act generally applies to municipal drinking water systems, with a very limited ability to apply to other systems based on criteria set out in the Act and its regulations. Other systems generally apply to clusters of private wells or other private systems for designated facilities.
- Once a property has been identified as being within an IPZ or WPA there will be restriction on existing and proposed land uses or activities that are considered

“significant threats”, including potentially existing or new agricultural uses. Restrictions can range from risk management to outright prohibitions. The nature of the restrictions and associated land use planning policies would be identified based on the specific characteristics of the area, existing land uses, vulnerability of the system and potential threats. This work would be completed through the technical evaluation process.

- In Niagara, the NPCA is the Source Protection Authority. The responsibility for source water protection planning is that of the Source Protection Committee, with staff support from the NPCA. The Province is the approval authority for Source Protection Plans. Municipalities would be responsible for undertaking and funding technical evaluations in support of requested changes to the Source Protection Plans.

#### Part C - Summary of Options

- There are existing Provincial policies requiring the protection of key hydrologic features, key hydrologic areas, and other water resources. Provincial direction also requires the identification of a water resources systems (WRS). In addition, the January 15, 2020 staff direction requires the identification of specific policies for the south Niagara aquifer. All of these requirements are being considered as part of the Natural Environment Work Program and Niagara Watershed Plan projects, and will be addressed as part of the Niagara Official Plan. Additional direction to Regional Planning Staff to complete this work is not required.
- There are a range of other mechanisms and existing tools for the protection of groundwater resources that should be used as available and where appropriate such as zoning by-laws, site alteration by-laws, and the provisions of the Ontario Building Code. Regional Council should support and encourage the most appropriate mechanisms for the protection of ground water resources.
- Regional Council should continue to encourage private land owners to take all necessary steps to maintain and protect any private drinking water systems on their properties. Niagara Region Public Health has information on well maintenance for residential settings available on their website at:  
  
<https://www.niagararegion.ca/living/water/cistern-maintenance.aspx>
- Although an October 26, 2020 resolution was made by City of Port Colborne Council and was forwarded to the NPCA as the Source Protection Authority

under the Clean Water Act, Regional staff do not interpret this as being an official resolution to add a system to the Source Protection Plan. Should the City of Port Colborne, or other Local Council, pass a resolution requesting that private drinking water wells in south Niagara be considered as part of the Source Protection Planning program, Regional Council could choose to pass a resolution in support. As this would be a unique situation, it is expected that the Source Protection Committee would need to consult with the Province on resolution and the proposed approach. The completion of the required technical evaluation process, including costs, would be the responsibility of the municipality

Following a resolution by a Local Council and consultation with the Province, a technical evaluation process would be undertaken to accurately characterize the systems, identify the threats, and recommend appropriate mitigation and policies. A technical evaluation of this type would need to be completed by a comprehensive Consultant team. This type of technical evaluation is beyond the scope of the Region's Natural Environment Work Program or Niagara Watershed Plan projects. The completion of the technical studies that would need to be completed, including costs, would be the responsibility of the municipality.

However, Regional Planning staff are of the opinion that the provisions of the Clean Water Act are unlikely to apply to a number of private drinking water wells across a wide geographic area, and are not the appropriate mechanisms to achieve the desired outcome of protecting the Highly Vulnerable Aquifer in south Niagara.

There are more appropriate mechanisms and existing tools at the Local and Regional level for the protection of groundwater resources that should be used. These include official plan policies, zoning by-laws, site alteration by-laws, and Ontario Building Code regulations. The use of these tools should be prioritized and supported.

## **Alternatives Reviewed**

As this report is for information, alternatives are not applicable.

## **Relationship to Council Strategic Priorities**

This report was prepared in response to staff direction given at the December 9, 2020 Planning and Economic Development Committee.

## Other Pertinent Reports

- PDS 8-2020 Overview of Regional Involvement in Port Colborne Quarry Proposal

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**Prepared by:**

Sean Norman, PMP, MCIP, RPP  
Senior Planner  
Planning and Development Services

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**Recommended by:**

Doug Giles, BES, MUP  
Acting Commissioner  
Planning and Development Services

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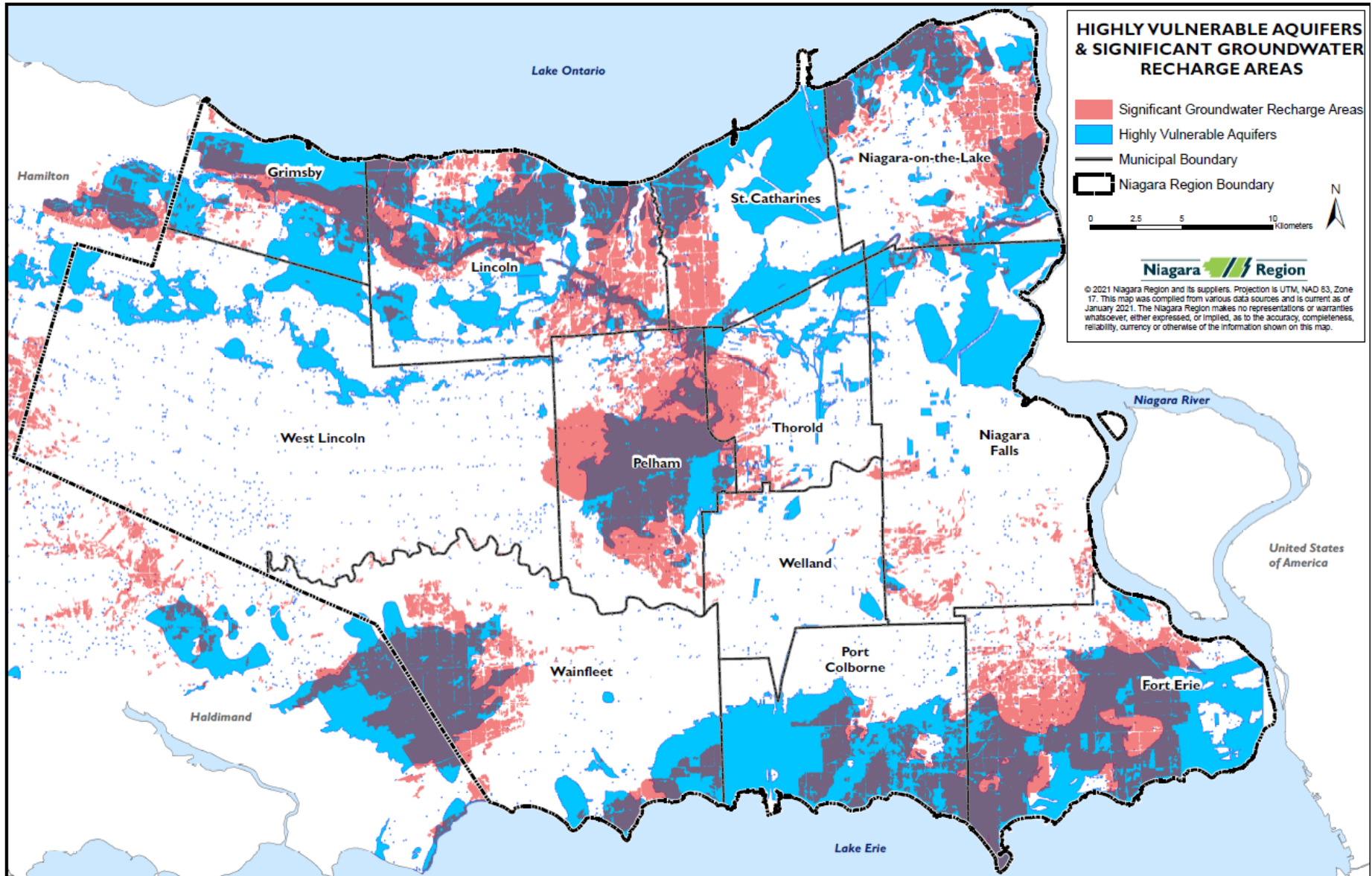
**Submitted by:**

Ron Tripp, P.Eng.  
Acting Chief Administrative Officer

*This report was prepared in consultation with Erik Acs, MCIP, RPP, Manager, Community Planning and Dan Aquilina, MCIP, RPP, CPT, Director of Planning and Development - City of Port Colborne, with input from Phill Lambert, P.Eng, Director of Infrastructure Planning & Development Engineering, Pat Busnello, MCIP, RPP, Acting Director of Development Planning, Thomas Proks, P.Geo, Source Water Protection Coordinator - Niagara Peninsula Conservation Authority, David Ellingwood, Supervisor, Source Water Protection - North Bay-Mattawa Conservation Authority, and reviewed by Isaiah Banach, Acting Director, Community and Long Range Planning.*

## **Appendices**

Appendix 1	Map showing the extent of HVAs and SGRAs in the Region
Appendix 2	PDS 8-2020 Overview of Regional Involvement in Port Colborne Quarry Proposal (March 11, 2020)
Appendix 3	Policies of the Provincial Policy Statement (PPS, 2020) related to Water Resources
Appendix 4	Policies of A Place to Grow: Growth Plan for the Greater Golden Horseshoe (Growth Plan, 2020) related to Water Resources
Appendix 5	Policies in the existing Regional Official Plan (ROP, 2014) related to Water Resources
Appendix 6	Schedule H of the Existing Regional Official Plan (ROP, 2014) – Source Water Protection
Appendix 7	Drinking Water Source Protection Primer: For Municipal Councillors
Appendix 8	October 26, 2020 City of Port Colborne Resolution





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**Subject:** Overview of Regional Involvement in Port Colborne Quarry Proposal

**Report to:** Planning and Economic Development Committee

**Report date:** Wednesday, March 11, 2020

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## Recommendations

1. That Report PDS 8-2020 **BE RECEIVED** for information

## Key Facts

- The purpose of this report is to respond to a request for information that was made at the Planning and Economic Development Committee meeting on January 15, 2020.
- Information was requested regarding the Region's involvement in the Port Colborne Quarry proposal and any action taken as part of the Region's obligations under Provincial policies.

## Financial Considerations

The cost of preparing this report was accommodated within the approved 2020 Operating Budget.

## Analysis

At the Planning and Economic Development Committee on January 15, 2020, Council requested information: *"respecting how much the Region has been engaged in the Port Colborne quarry proposal and any action taken as part of the Region's obligations under Provincial policies"*.

To date, Region staff's involvement has included providing information, advice, and formal comments related to a range of issues including:

1. Long-term planning/redevelopment of the quarry lands
2. Interpretation of aggregate definitions and policies
3. A provincial ANSI designation
4. The City of Port Colborne Site Alteration By-Law

5. The role of Regional Public Health in the protection of private drinking water systems
6. Source water protection planning
7. The implementation of O. Reg. 153/04
8. The identification of a water resource system in the new Niagara Official Plan

### 1. Long-Term Planning / Redevelopment of the Quarry Lands

Region planning staff have participated in periodic discussions over the past several years regarding the long-term redevelopment of the Port Colborne Quarry lands. This has included the potential for employment uses in the area and the need to ensure an appropriate interaction with surrounding land uses. Region planning staff provided comments on a proposed zoning by-law amendment and official plan amendment in December 2016. Discussions have included Port Colborne planning staff as well as the owner of the quarry lands. The position of Region planning staff continues to be that a secondary planning process would be the appropriate mechanism to ensure the development of a long-term comprehensive plan. To support the secondary planning process a range of environmental and water resource studies could potentially be required.

### 2. Interpretation of Aggregate Definitions and Policy

In March 2019, Region planning staff were contacted by planning staff at the City of Port Colborne to provide support in the interpretation of aggregate definitions and policy as it related to the City's zoning by-law and the Port Colborne Quarry Lands.

As the definitions were the implementation of provincial policy and direction, Region planning staff reached out to the Ministry and Municipal Affairs and Housing (MMAH) for support. A clarification on the definition was provided to the City as requested.

### 3. Provincial ANSI Designation

In March 2019, Region planning staff were contacted by planning staff at the City of Port Colborne regarding a provincially-identified ANSI (area of natural and scientific interest) within Pit 1 of the Port Colborne quarry.

Region planning staff completed research into the matter which lead to contacting staff at several provincial ministries, including the Senior Conservation Geologist at the

Province. The original earth science inventory checklist from 1980 was provided to Port Colborne planning staff to provide the requested information.

#### 4. City of Port Colborne Site Alteration By-Law

The Municipal Act identifies that the preparation and implementation of Site Alteration By-Laws are a local responsibility. It is Region planning staff's understanding that a site alteration permit application has been made to the City for the Pit 1 lands. The Ministry of Environment, Conservation, and Parks (MECP) provided comments related to that application. It is Region staff's understanding that discussion around this site alteration permit have triggered the City to consider updates to its Site Alteration By-Law. It is our understanding that a site alteration permit has not been granted, and that the City has not yet passed a new by-law.

The Region does not have a Site Alteration By-Law. Because the proposed filling of Pit 1 does not require Planning Act approval, the policies of the Regional Official Plan are not triggered.

#### 5. Role of Regional Public Health in the Protection of Private Drinking Water

Over the course of mid-2019, Niagara Region Public Health received several inquiries regarding the role of the department in the protection of groundwater as it related to private drinking water wells (in reference to the proposed filling of Pit 1). There were inquiries from both local residents and Councillors. It was advised that Niagara Region Public Health did not have a role in permitting and would only become involved if a contamination of groundwater was detected. Niagara Region Public Health will continue to provide support if there are questions on any potential health impacts.

#### 6. Source Water Protection Planning

Source water protection is a process for the protection of municipal drinking water sources (i.e. not individual private wells). In Niagara, all municipal drinking water is lake-based. In November 2019, Region planning staff met with Councillor Butters regarding the protection of drinking water in south Niagara. As a follow-up to that meeting, Region planning staff had a detailed discussion with Source Water Protection Coordinator (an NPCA staff person) to learn more. Councillor Butters was provided follow-up information and a point of contact for the source water protection program.

### 7. O. Reg. 153/04 – Environmental Protection Act: Records of Site Condition

In March 2019, Region planning staff had discussions with staff at the Ministry of Environment, Conservation, and Parks (MECP) regarding O. Reg 153/04 as it pertains to the proposed filling of Pit 1. At that time it was confirmed by MECP that O. Reg. 153/04 only applies if there is a change to a more sensitive use, which is not being triggered by the proposed filling of Pit 1. MECP staff advised that the Excess Soil Best Management Practices document should be followed, and that land owners need to ensure that filling does not cause adverse effects.

### 8. The New Niagara Official Plan

A relatively new direction from the Province is the requirement for Municipalities to identify and protect a water resource system. A water resource system, including groundwater resources will be identified in the new Niagara Official Plan. Over the past several months Region planning staff have had numerous discussion with Councillors and members of the public regarding ground water resources in south Niagara. This has included discussions at PEDC, public information centres, and other events attended by Region planning staff.

### **Alternatives Reviewed**

Not applicable – this report is in response to a request for information

### **Other Pertinent Reports**

None

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Senior Planner  
Planning and Development Services

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**Recommended by:**  
Rino Mostacci, MCIP, RPP  
Commissioner  
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**Submitted by:**

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Acting, Chief Administrative Officer

*This report was prepared in consultation with Erik Acs, MCIP, RPP, Manager, Community Planning, Pat Busnello, MCIP, RPP, Manager, Development Planning, Phill Lambert, P. Eng, Director, Infrastructure Planning & Development Engineering, and Anthony Habjan, MEd, B.A.,B.A.Sc., C.P.H.I.(C), Manager Environmental Health, and reviewed by Doug Giles, Director, Community and Long Range Planning.*

## Appendix 3 – PDS 9-2021

### Excerpt from Provincial Policy Statement (PPS, 2020)

#### 2.2 Water

2.2.1 Planning authorities shall protect, improve or restore the *quality and quantity of water* by:

- a) using the *watershed* as the ecologically meaningful scale for integrated and long-term planning, which can be a foundation for considering cumulative impacts of development;
- b) minimizing potential *negative impacts*, including cross-jurisdictional and cross-*watershed* impacts;
- c) evaluating and preparing for the *impacts of a changing climate* to water resource systems at the watershed level;
- d) 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*;
- e) maintaining linkages and related functions among *ground water features, hydrologic functions, natural heritage features and areas, and surface water features* including shoreline areas;
- f) implementing necessary restrictions on *development and site alteration* to:
  1. protect all municipal drinking water supplies and *designated vulnerable areas*; and
  2. protect, improve or restore *vulnerable* surface and ground water, *sensitive surface water features* and *sensitive ground water features*, and their *hydrologic functions*;
- g) planning for efficient and sustainable use of water resources, through practices for water conservation and sustaining water quality;
- h) ensuring consideration of environmental lake capacity, where applicable; and
- i) ensuring stormwater management practices minimize stormwater volumes and contaminant loads, and maintain or increase the extent of vegetative and pervious surfaces.

2.2.2 *Development and site alteration* shall be restricted in or near *sensitive surface water features* and *sensitive ground water features* such that these features and their related *hydrologic functions* will be protected, improved or restored.

Mitigative measures and/or alternative development approaches may be required in order to protect, improve or restore *sensitive surface water features, sensitive ground water features, and their hydrologic functions*.

## Appendix 4 – PDS 9-2021

### Excerpt from A Place to Grow: Growth Plan for the Greater Golden Horseshow (Growth Plan, 2020)

#### 4.2.1 Water Resource Systems

1. 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*.
2. *Water resource systems* will be identified to provide for the long-term protection of *key hydrologic features, key hydrologic areas*, and their functions.
3. *Watershed planning* or equivalent will inform:
  - a) the identification of *water resource systems*;
  - b) the protection, enhancement, or restoration of the *quality and quantity of water*;
  - c) decisions on allocation of growth; and
  - d) planning for water, wastewater, and stormwater *infrastructure*.
4. Planning for large-scale *development* in *designated greenfield areas*, including secondary plans, will be informed by a *subwatershed plan* or equivalent.
5. Municipalities will consider the Great Lakes Strategy, the targets and goals of the Great Lakes Protection Act, 2015, and any applicable Great Lakes agreements as part of *watershed planning* and coastal or waterfront planning initiatives.

#### 4.2.3 Key Hydrologic Features, Key Hydrologic Areas and Key Natural Heritage Features

1. Outside of *settlement areas, development* or *site alteration* is not permitted in *key natural heritage features* that are part of the *Natural Heritage System for the Growth Plan* or in *key hydrologic features*, except for:
  - a) forest, fish, and wildlife management;
  - b) conservation and flood or erosion control projects, but only if they have been demonstrated to be necessary in the public interest and after all alternatives have been considered;
  - c) activities that create or maintain infrastructure authorized under an environmental assessment process;
  - d) mineral aggregate operations and wayside pits and quarries;

- e) expansions to existing buildings and structures, accessory structures and uses, and conversions of legally existing uses which bring the use more into conformity with this Plan, subject to demonstration that the use does not expand into the *key hydrologic feature* or *key natural heritage feature* or *vegetative protection zone* unless there is no other alternative, in which case any expansion will be limited in scope and kept within close geographical proximity to the existing structure;
  - f) expansions or alterations to existing buildings and structures for *agricultural uses*, *agriculture-related uses*, or *on-farm diversified uses* and expansions to existing residential dwellings if it is demonstrated that:
    - i. there is no alternative, and the expansion or alteration in the feature is minimized and, in the *vegetation protection zone*, is directed away from the feature to the maximum extent possible; and
    - ii. the impact of the expansion or alteration on the feature and its functions is minimized and mitigated to the maximum extent possible; and
  - g) small-scale structures for recreational uses, including boardwalks, footbridges, fences, docks, and picnic facilities, if measures are taken to minimize the number of such structures and their *negative impacts*.
2. Outside of *settlement areas*, proposals for large-scale *development* proceeding by way of plan of subdivision, vacant land plan of condominium or site plan may be permitted within a *key hydrologic area* where it is demonstrated that the *hydrologic functions*, including the *quality and quantity of water*, of these areas will be protected and, where possible, enhanced or restored through:
- a) the identification of planning, design, and construction practices and techniques;
  - b) meeting other criteria and direction set out in the applicable *watershed planning or subwatershed plans*;
  - c) and meeting any applicable provincial standards, guidelines, and procedures.

#### **4.2.4 Lands Adjacent to Key Hydrologic Features and Key Natural Heritage Features**

1. Outside settlement areas, a proposal for new development or site alteration within 120 metres of a key natural heritage feature within the Natural Heritage System for the Growth Plan or a key hydrologic feature will require a natural heritage evaluation or hydrologic evaluation that identifies a vegetation protection zone, which:
  - a) is of sufficient width to protect the key natural heritage feature or key hydrologic feature and its functions from the impacts of the proposed change;
  - b) is established to achieve and be maintained as natural self-sustaining vegetation; and



- 
- c) for key hydrologic features, fish habitat, and significant woodlands, is no less than 30 metres measured from the outside boundary of the key natural heritage feature or key hydrologic feature.
    - 1.
  2. Evaluations undertaken in accordance with policy 4.2.4.1 will identify any additional restrictions to be applied before, during, and after *development* to protect the *hydrologic functions* and *ecological functions* of the feature.
  3. *Development* or *site alteration* is not permitted in the *vegetation protection zone*, with the exception of that described in policy 4.2.3.1 or shoreline *development* as permitted in accordance with policy 4.2.4.5.
  4. Notwithstanding policies 4.2.4.1, 4.2.4.2 and 4.2.4.3:
    - a) a natural heritage or hydrologic evaluation will not be required for a proposal for development or site alteration on a site where the only key natural heritage feature is the habitat of endangered species and threatened species;
    - b) new buildings and structures for agricultural uses, agriculture-related uses, or on-farm diversified uses will not be required to undertake a natural heritage or hydrologic evaluation if a minimum 30 metre vegetation protection zone is provided from a key natural heritage feature or key hydrologic feature; and
    - c) uses permitted in accordance with policy 4.2.4.4 b):
      - iii. are exempt from the requirement of establishing a condition of natural self-sustaining vegetation if the land is, and will continue to be, used for agricultural purposes; and
      - iv. will pursue best management practices to protect and restore key natural heritage features, key hydrologic features, and their functions.
  5. Outside of *settlement areas*, in developed shoreline areas of inland lakes that are designated or zoned for concentrations of *development* as of July 1, 2017, infill *development*, *redevelopment* and resort *development* is permitted, subject to municipal and agency planning and regulatory requirements, if the *development* will:
    - a) be integrated with existing or proposed parks and trails, and will not constrain ongoing or planned stewardship and remediation efforts;
    - b) restore, to the maximum extent possible, the ecological features and functions in developed shoreline areas; and
    - c) in the case of redevelopment and resort development:
      - i. establish, or increase the extent and width of, a *vegetation protection zone* along the shoreline to a minimum of 30 metres;
      - ii. increase the extent of fish habitat in the littoral zone;
      - iii. be planned, designed, and constructed to protect hydrologic functions, minimize erosion, and avoid or mitigate sedimentation and the introduction of nutrient or other pollutants into the lake;

- iv. exclude shoreline structures that will impede the natural flow of water or exacerbate algae concerns along the shoreline;
- v. enhance the ability of native plants and animals to use the shoreline as both wildlife habitat and a movement corridor;
- vi. use lot-level stormwater controls to reduce Stormwater runoff volumes and pollutant loadings;
- vii. use natural shoreline treatments, where practical, for shoreline stabilization, erosion control, or protection;
- viii. meet other criteria and direction set out in applicable watershed planning and subwatershed plans;
- ix. be serviced by sewage works which reduce nutrient inputs to groundwater and the lake from baseline levels; and
- x. demonstrate available capacity in the receiving water body based on inputs from existing and approved development.

## **Appendix 5 – PDS 9-2021**

### **Excerpt from the Existing Regional Official Plan (ROP, 2014)**

#### **7.A.2 Water Resources**

##### **Objectives**

Objective 7.A.2.A To protect, improve or restore the quantity and quality of ground and surface water resources.

Objective 7.A.2.B To maintain or restore natural stream form and flow characteristics in the region's watercourses.

##### **Policies**

Policy 7.A.2.1 Development and site alteration shall only be permitted if it will not have negative impacts, including cross-jurisdictional and cross-watershed impacts, on:

- a) The quantity and quality of surface and ground water;
- b) The functions of ground water recharge and discharge areas, aquifers and headwaters;
- c) The natural hydrologic characteristics of watercourses such as base flow;
- d) Surface or ground water resources adversely impacting on natural features or ecological functions of the Core Natural Heritage System or its components;
- e) Natural drainage systems, stream forms and shorelines; and
- f) Flooding or erosion.

Policy 7.A.2.2 Development and site alteration shall be restricted in the vicinity of vulnerable surface and ground water features of importance to municipal water supplies so that the safety and quality of municipal drinking water will be protected or improved.

Policy 7.A.2.3 As watershed and ground water studies identify surface and ground water features, hydrologic functions and natural heritage features and areas necessary for the ecological and hydrologic integrity of Niagara's watersheds, the Region shall consider appropriate amendments to this Plan.

Policy 7.A.2.4 Efficient and sustainable use of water resources shall be promoted, including practices to conserve water and protect or enhance water quality.

Policy 7.A.2.5 Combined sewer overflows and sewage treatment plant bypasses have significant environmental impacts. The elimination of sewer overflows and bypasses shall be a Regional priority.

Policy 7.A.2.6 A stormwater management plan and a sediment and erosion control plan prepared and signed by a qualified engineer may be required with a development application depending on:

- a) The scale and nature of the proposal; and
- b) Site-specific environmental conditions.

A stormwater management plan shall be required with an application for development or site alteration in the Unique Agricultural Areas.

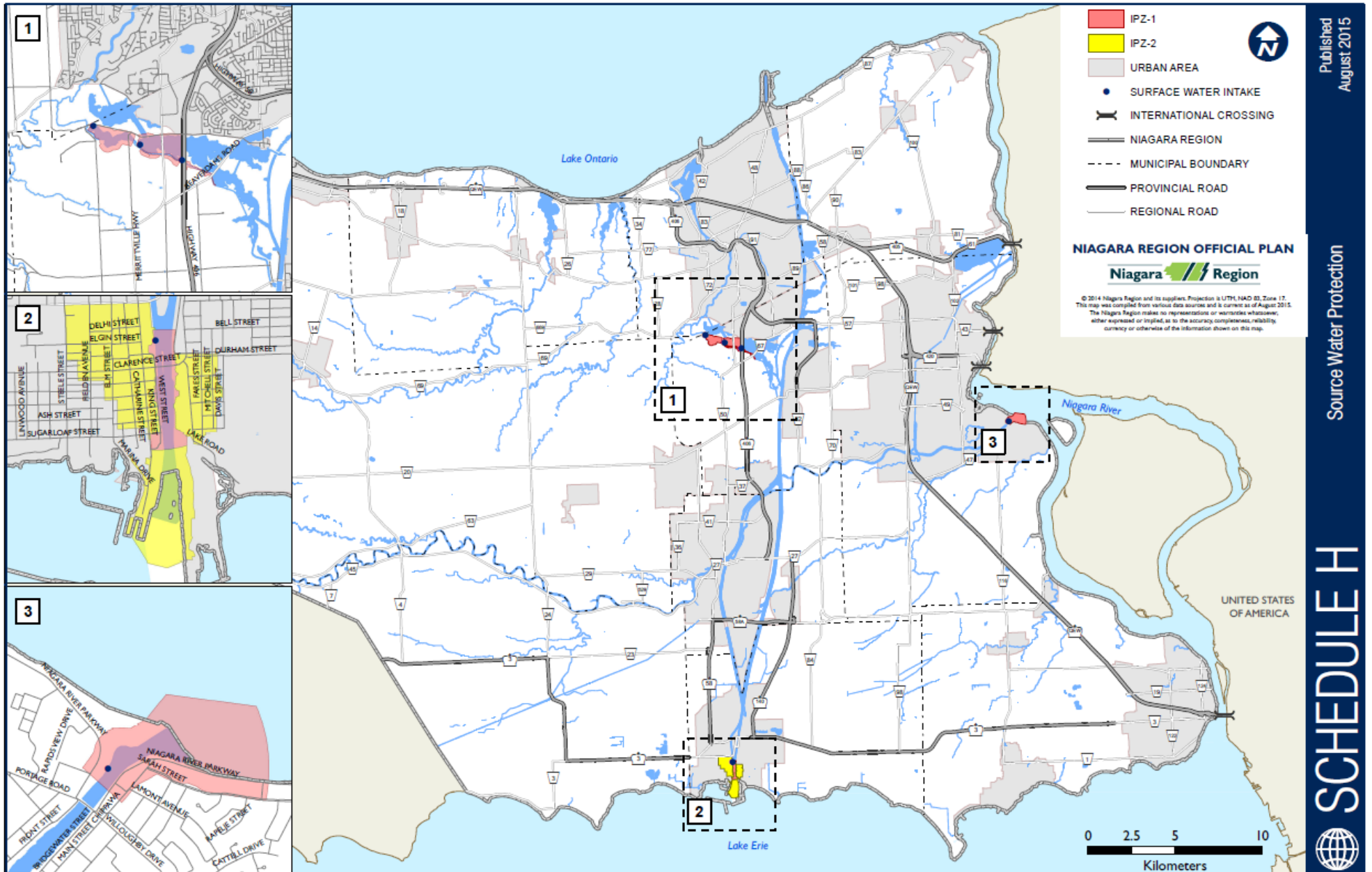
Stormwater management plans shall be prepared in accordance with Policy 7.A.2.1, with the Ontario Ministry of the Environment Stormwater Management Planning and Design Manual 2003 or its successor, and with watershed and/or environmental planning studies for the area.

A stormwater management plan and a sediment and erosion control plan shall not be required for a new mineral aggregate operation or an expansion to an existing operation where these matters are adequately addressed through studies prepared to meet the requirements of the Aggregate Resources Act.

Policy 7.A.2.7 A stormwater management plan submitted with an application for development shall demonstrate that the proposal will minimize vegetation removal, grading and soil compaction, erosion and sedimentation, and impervious services as well as meeting the requirements of Policy 7.A.2.6. Stormwater management facilities shall not be constructed in Core Natural Heritage Areas, Fish Habitat, key hydrologic features, or in required vegetation protection zones in the Unique Agricultural Areas unless permitted under Chapter 7.B of this Plan.

Policy 7.A.2.8 Prior to any planning approvals, new development applications requiring a Provincial Permit to Take Water shall satisfy the Region that the water taking will not have negative impacts on natural ecosystems or the quality and quantity of water to meet existing and planned uses.

- Policy 7.A.2.9      Development and site alteration shall not have significant adverse impacts on ground water quality or quantity. In areas where development and site alteration could significantly affect ground water quality or quantity the Region shall require further review of potential impacts.
- Policy 7.A.2.10     The Region shall oppose the transfer of water outside the Great Lakes Basin.
- Policy 7.A.2.11     The Region recognizes the importance of municipal drains for drainage of agricultural lands and, in some areas, for conveying irrigation water. The Region supports design, construction and maintenance of Requisition and Petition Drains authorized under the Drainage Act in accordance with Best Management Practices to avoid significant detrimental effects on farmland, water resources, natural areas and fish and wildlife habitat and encourages local municipalities to include policies in their official plans to achieve this.





# Drinking Water Source Protection Primer: For Municipal Councillors

Your community relies on safe, sustainable drinking water. Protecting the water at its source is an important first step in the drinking water safety net.

Ontario has a comprehensive Drinking Water Source Protection Program to ensure sources of municipal drinking water are protected now and into the future. Under this program, local source protection plans developed under the *Clean Water Act, 2006*, are in place. These plans contain policies that protect municipal drinking water sources (water found in lakes, rivers and groundwater aquifers) from contamination and overuse.

## Meet your statutory standard of care responsibilities

Source protection plans require municipalities to implement policies to protect the source water for their drinking water systems. The *Safe Drinking Water Act, 2002*, includes a statutory standard of care (section 19) for individuals with oversight responsibilities for municipal drinking water systems, including municipal councillors.

This standard ensures that you are practicing due diligence to protect public health when making decisions that could affect drinking water. This includes a consideration of the source water characteristics as well as the risks posed to it.



Learn more at: [ontario.ca/page/taking-care-your-drinking-water-guide-members-municipal-councils](https://ontario.ca/page/taking-care-your-drinking-water-guide-members-municipal-councils).

## Ensure source protection planning is in place

New regulation 205/18 has been established under the *Safe Drinking Water Act, 2002*, to ensure that source protection planning is in place for new and changing municipal systems, before treated drinking water is provided to the public. The



regulation came into effect on July 1, 2018. Municipal residential drinking water system owners are now responsible for ensuring that vulnerable areas are delineated and vulnerability scores are identified before they apply for a drinking water works permit. Source protection plans must also be amended and approved prior to the treated water being supplied to the public.

Notify your local conservation authority immediately, when planning changes to your drinking water systems, or planning for a new well/intake or a new system.

## Provincial Policy Statement

Municipalities and other planning authorities must follow the Provincial Policy Statement. Section 2.2.1 mandates planning authorities to protect, improve or restore the quality and quantity of water. This includes protecting vulnerable areas associated with drinking water sources.

## Be informed

- **Your constituents** may come to you with questions about the source of their drinking water supply. Find out how drinking water source protection benefits your region, and the cost of the protection. Know how many municipal wells/surface water intakes there are, where they are located, and who they serve in your municipality. Determine these with help from your municipal staff and local conservation authority.
- **Municipalities** are responsible for implementing more than half of the policies found in source protection plans. Many of these policies are legally binding.

Review the source protection plan for your area to find out what policies are to be implemented within your municipality and what actions are being taken to protect drinking water vulnerable areas.

- Understand how **source protection plan policies** can impact building requirements. Development applications and planning or building permits may be flagged at a municipality for land use planning policies. These applications or permits often need to be reviewed by the local risk management official (RMO) before they can be submitted to the municipality. Proposed activities may require a risk management plan, or in some cases are prohibited.
- When a **risk management plan** is needed, a risk management official works with the landowners/renters to develop a plan that contains measures to protect drinking water sources. A risk management plan is only required when a property is in a vulnerable area and the activity being undertaken poses a significant level risk to drinking water sources.
- **Sewage systems** identified under the *Clean Water Act* as causing significant level risks to drinking water sources, are subject to mandatory inspections through the *Building Code Act, 1992*.
- The Drinking Water Source Protection Program does not include **individual private wells**. A private well owner needs to regularly sample their water to test its quality, and properly maintain their well to protect water sources.

For more on source protection planning, visit [protectingwatermatters.ca](http://protectingwatermatters.ca).





## What's a vulnerable area?

Drinking water source protection is based on science. Local scientific data was used to create maps that show drinking water vulnerable areas. In these areas, we need to pay attention to activities causing contamination and overuse of our municipal drinking water sources.

To find out if a property is located in a drinking water vulnerable area, search the Source Protection Information Atlas at [ontario.ca/page/source-protection](https://ontario.ca/page/source-protection).

There are four types of vulnerable areas:

### 1. Wellhead protection areas (WHPAs)

are areas around municipal wells where the groundwater is travelling toward that well when the well is being pumped. These areas should be protected from risks to the quality and quantity of the drinking water source.

### 2. Intake protection zones (IPZs)

are areas of land and water around surface water intakes that should be protected from risks to the quality and quantity of the drinking water source.

### 3. Significant groundwater recharge areas (SGRAs)

are areas where a relatively high percentage of precipitation seeps into the ground to help maintain the water level in an aquifer that supplies a community or private residence with drinking water.

### 4. Highly vulnerable aquifers (HVAs)

are areas that are particularly susceptible to contamination based on factors such as the aquifer depth underground, the soil types, soil permeability and other characteristics of the surrounding soil or rock.

If a water quality issue is identified by source protection committees under the *Clean Water Act*, issue contributing areas (ICAs) can be delineated within the vulnerable areas. Examples of issues identified in Ontario include nitrate and sodium. Mandatory policies apply within issue contributing areas in order to ensure that the source water quality is protected or improved.

# Know the threats to drinking water sources

The *Clean Water Act* identifies activities that could pose a threat to drinking water sources under certain circumstances. These threat activities may be significant, moderate or low level risks. Identified threats include:

- Application, handling and storage of agricultural source material (such as manure), non-agricultural source material (such as biosolids), commercial fertilizer, and pesticides.
- Handling and storage of fuel, dense non-aqueous phase liquids (DNAPLs\*), and organic solvents.
- Management of aircraft de-icing chemical runoff.
- Land used for livestock grazing or pasturing, outdoor confinement areas, and farm-animal yards.
- Application, handling and storage of road salt, and storage of snow.
- The establishment, operation and maintenance of systems that collect, store, transmit, treat or dispose of sewage (such as septic systems and sewage treatment plants, stormwater management facilities).
- The establishment, operation and maintenance of waste disposal sites (such as landfills).
- Activities that take water from a water body without returning the water to the same water body.
- An activity that reduces the recharge of an aquifer.
- The establishment and operation of a liquid hydrocarbon pipeline (added in April 2018, through an amendment to the *Clean Water Act*).

*\*DNAPLs, or dense non-aqueous phase liquids, are a particularly hazardous group of substances that are heavier than water and are difficult to remove once they contaminate a water source.*



## Have you seen this Drinking Water Protection Zone sign?

These signs are appearing across Ontario to raise awareness about the vulnerability of our municipal drinking water sources. Governments at the local and provincial level are placing signs along roadways where a pollution spill could have a negative impact on our drinking water sources.



120 Bayview Pkwy  
Newmarket, ON L3Y 3W3  
**905-895-0716**

**DRINKING WATER**  
**SOURCE PROTECTION**  
Our Actions Matter



**CITY OF PORT COLBORNE**

Municipal Offices  
66 Charlotte Street  
Port Colborne, Ontario  
L3K 3C8  
[www.portcolborne.ca](http://www.portcolborne.ca)

Corporate Services Department, Clerk's Division

November 5, 2020

**Ann-Marie Norio**  
Regional Clerk, Niagara Region  
1815 Sir Isaac Brock Way  
Thorold, ON L2V 4T7

**Sent via E-mail**

Dear Ms. Norio:

**Re: Resolution – Designating the Vulnerable Aquifer Schedule B of Official Plan as a Source Water for Rural Residents of Port Colborne**

Please be advised that, at its meeting of October 26, 2020, the Council of The Corporation of the City of Port Colborne resolved as follows:

That Council recognizes the Aquifer as identified in Schedule B3 of the Official Plan as a source water for the rural residents of the City; and

That the Director of Planning and Development be directed to amend the Official Plan to include the Aquifer such that the Aquifer receives the same consideration and protection from susceptible threats of contamination or adverse impact as the intake protection zones (IPZ-1 and IPZ-2); and

That the Region of Niagara, Township of Wainfleet, City of Welland, Town of Fort Erie and Niagara Peninsula Conservation Authority be notified of the City's action and be requested to pursue similar updates to their municipal planning documents in order to protect the aquifer.

A copy of the above noted resolution is enclosed for your reference. Your favourable consideration of this request is respectfully requested.

Sincerely,

Amber LaPointe  
City Clerk

Encl.

ec: Township of Wainfleet, City of Welland, Town of Fort Erie, and Niagara Peninsula Conservation Authority



## Memorandum

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**To:** Mayor Steele and Members of Council

**From:** Councillor Harry Wells

**Date:** October 26, 2020

**Re:** **Designating the Vulnerable Aquifer Schedule B3 of Official Plan as a source water for rural residents of Port Colborne**

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The City has received a significant number of requests from citizens urging and pleading the decision makers for the City to protect the vulnerable aquifer identified in Schedule B3 of the City's Official Plan (OP). The rural community of Port Colborne and other settlements in Ontario and New York state depend on this same aquifer to supply them their everyday need for fresh consumable water.

We are surrounded by high quality fresh water and because of this many of us take it for granted until we turn on the tap and no water comes out or the water that does come out is not suitable for consumption. A mere 0.014% of all water on Earth is both fresh and easily accessible with 97% of the remaining water being saline, and a little less than 3% being difficult to access. We are so fortunate to have this quality and quantity of fresh water and we as decision makers for the City are accountable to make the appropriate decision to protect it. This Council has to take the lead in acknowledging that water is a scarce and precious resource and that protecting the quality of the aquifer is a necessity, not an option.

The Provincial Policy Statement (PPS) calls for the protection of resources, public health and safety, and the quality of the natural environment. The policies of the PPS represent minimum standards and the PPS recognizes and expects Planning authorities and decision-makers to go beyond these minimum standards to address matters of importance to their community, as long as doing so does not conflict with any policy of the PPS. The policies of the PPS are expected to be complemented by City generated policies and plans regarding matters of interest to the City such as protecting the Aquifer.

The Clean Water Act regulates the municipal drinking water system and addresses Intake Protection Zones and *recognizes that the people of Ontario are entitled to expect their drinking water to be safe*. The Niagara Peninsula Source Protection Plan, and the City's OP and Zoning By-law (ZBL) establish levels of protection for identified intake protection zones for the City's urban drinking water system but, presently there are no policies for private water supply for rural residents. The issue being the Aquifer is not

privately owned and is accessible to the public. The current Regional Official Plan calls on the City to develop and adopt Local Official Plans and Secondary Plans containing more detailed environmental policies in conformity with Provincial and Regional policies and Plans.

The City is responsible for its local water distribution network and local sewer collection system so it should also be responsible for protecting the City's rural source of water the Aquifer. The *Niagara Peninsula Conservation Authority's*, Niagara Drinking Water Source Protection Plan States "We all need and deserve safe drinking water and, in this regard, it is in everyone's interest to ensure that our drinking water is safe and secure".

**I am requesting that Council approve the following motion;**

*That Council recognizes the Aquifer as identified in Schedule B3 of the Official Plan as a source water for the rural residents of the City; and*

*That the Director of Planning and Development be directed to amend the Official Plan to include the Aquifer such that the Aquifer receives the same consideration and protection from susceptible threats of contamination or adverse impact as the intake protection zones (IPZ-1 and IPZ-2); and*

*That the Region of Niagara, Township of Wainfleet, and Town of Fort Erie be notified of the City's action and be requested to pursue similar updates to their municipal planning documents in order to protect the aquifer.*

Thank you for your consideration,

Harry Wells  
Ward 4 Councillor

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**MEMORANDUM**

**PDS-C 9-2021**

**Subject: Planning and Economic Development Committee Vice-Chair**

**Date: February 17, 2021**

**To: Planning and Economic Development Committee**

**From: Ann-Marie Norio, Regional Clerk**

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In accordance with Niagara Region's Procedural By-law, at its meeting held on January 13, 2021, the Planning and Economic Development Committee selected the Committee Chair and Vice-Chair for the remainder of this term of Council.

As Committee is aware, Councillor Darte was selected to continue as the Committee Vice-Chair. Following the meeting, Councillor Darte provided notice that, due to scheduling conflicts, he is unable to continue in the role of Vice-Chair.

As such, the Committee is required to select a new Vice-Chair. Nominations for Committee Vice-Chair will be held immediately following Committee's receipt of this memorandum. All nominations are required to be moved and seconded.

Respectfully submitted and signed by

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Ann-Marie Norio  
Regional Clerk

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**Subject:** Tourism Adaption and Recovery Fund Budget Adjustment

**Report to:** Planning and Economic Development Committee

**Report date:** Wednesday, February 17, 2021

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## Recommendations

1. That an operating budget adjustment in the amount of \$2,000,000 gross and \$0 net **BE APPROVED** (and **INITIATED**) for the Niagara Tourism Adaption and Recovery Fund and that the initiative **BE FUNDED** from a Fed Dev Ontario grant.

## Key Facts

- In accordance with By-law 2017-63 – Budget Control, budget adjustments greater than \$1 million require Council approval
- The Economic Rapid Response Team (ERRT) collaborated on an Expression of Interest, which was submitted in November, to the Tourism Adaption and Recovery Fund, provided by Fed Dev Ontario.
- This funding, which has now been approved, will provide financial assistance for tourism dependent businesses in Niagara to operate within Public Health protocols and thereby retain/create jobs, increase competitiveness and sustainability post COVID-19.
- Niagara Region is the funding applicant in the amount of \$2 million and will be managing the project with collaboration and support from the municipal economic development offices.
- Niagara Region has signed an agreement with Fed Dev Ontario for the funding project which will run from January to December 2021 and Council authorized the execution of the necessary documentation at the January 21<sup>st</sup> 2021 Council meeting.

## Financial Considerations

The gross budget adjustment of \$2 million has no net financial implications as the funding is being received by the Niagara Region as the applicant from Fed Dev Ontario which will then be granted to businesses via an application process. The Fed Dev funding of \$2 million includes the cost of program administration of \$30 thousand, through a project manager.

The funding and the related grants were not included in the approved 2021 Operating budget due uncertainty of confirmation of receipt of the funding at the time of budget preparation. Staff are now seeking to adjust the 2021 Levy Operating Budget to reflect the confirmed funding and related grants associated with the program in accordance with the Budget Control By-law.

## **Analysis**

This project would provide financial assistance in the form of 80% grants, to enable tourism-dependent businesses to equip themselves to meet Public Health guidelines and protocols and by doing so, continue to operate, particularly through the shoulder and off season in 2020/21. The funding can be applied to costs incurred from June 2020 when businesses first started to open up again until December 2020.

An application process has been developed and will be widely promoted to tourism-dependent businesses across Niagara. An adjudication committee has been formed to conduct the selection process using an evaluation matrix. The committee has representation from the municipalities. There will be a funding agreement between Niagara Region and the successful businesses, which will be signed by the Director Economic Development. Grants will be a minimum of \$2,500 and a maximum of \$20,000 with a matching contribution of 20% from the business. Claim forms and reporting procedures have also been created. There will be regular reporting back to Fed Dev Ontario throughout the project.

Due to the timing of provincial funding announcements and 2021 budget preparation, this amount could not be included in the approved 2021 Operating budget. In accordance with By-law 2017-63 – Budget Control, budget adjustments greater than \$1 million require Council approval. The gross adjustment of \$2 million has no net financial implications as the funding is being received by the Niagara Region, as the applicant, from Fed Dev Ontario, to be granted to businesses via an application process. Fed Dev will also cover the cost of program administration, through a project manager.

## **Alternatives Reviewed**

None applicable.



## **Relationship to Council Strategic Priorities**

This project will strategically enforce Regional Council's priority 'Supporting Businesses and Economic Growth'.

## **Other Pertinent Reports**

ED 2-2021 Tourism Adaption and Recovery Fund

ED 9-2020 COVID-19 Response and Business Continuity in Economic Development

ED 17-2020 COVID-19 Response and Business Continuity in Economic Development

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### **Prepared by:**

Valerie Kuhns  
Manager, Strategic Initiatives  
Economic Development

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### **Recommended by:**

George Spezza, Ec.D., CEcD  
Director  
Economic Development

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### **Submitted by:**

Ron Tripp, P.Eng.  
Acting Chief Administrative Officer

*This report was prepared in consultation with Lyndsey Ferrell, Program Financial Specialist, and reviewed by Dan Ane, Manager Program Financial Support.*

## **Appendices**

None.

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**Subject:** Municipal By-law Enforcement Appointments –  
Woodland Conservation By-law

**Report to:** Planning and Economic Development Committee

**Report date:** Wednesday, February 17, 2021

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## Recommendations

1. That the following Regional staff **BE APPOINTED** as Municipal By-law Enforcement Officers for the purpose of enforcing Niagara Region By-law No. 79-2020, being the Woodland Conservation By-law:
  - Cara Lampman, Manager, Environmental Planning
  - Daniel Root, Regional Forester
2. That the necessary by-law **BE PREPARED** and **PRESENTED** to Council for consideration.

## Key Facts

- On January 31, 2021, the Woodland Conservation By-law (79-2020) came into effect and the responsibility for administration of the Woodland Conservation By-law was transferred from the Niagara Peninsula Conservation Authority (NPCA) back to Niagara Region
- Niagara Region may appoint Municipal By-Law Enforcement Officers pursuant to the *Police Services Act, R.S.O. 1990, c. P.15, subsection 15 (1)* and when appointed are deemed Peace Officers pursuant to *subsection 15 (2)* of the same Act. Those appointees are further designated as Provincial Offences Officers under the *Provincial Offences Act, R.S.O 1990, c. P.33, subsection 1(1)(d)*.
- The appointments will allow staff to ensure compliance with the Woodland Conservation By-law and escalate enforcement options when deemed necessary.

## Financial Considerations

The 2021 Operating Budget for the Environmental Planning Division includes funds for staff wages, benefits and business operations.

## **Analysis**

Section 135 of the Municipal Act allows municipalities to prohibit and regulate the destruction or injuring of trees through enacting tree bylaws. Upper-tier municipalities may enact such a bylaw for trees in woodlands as defined in the Forestry Act that are greater than one hectare. Local municipalities may also enact such a bylaw for individual trees and trees within woodlands that are less than one hectare. The Act also provides upper-tier and local municipalities with the option to delegate all or part of their power to pass such by-laws to each other, with agreement.

Niagara Region's Tree and Forest Conservation Bylaw (30-2008) has been in place since 1981. The most recent update to the bylaw occurred in 2020, in order to modernize the document as well as to facilitate the transfer of responsibilities for enforcement of the bylaw back to the Region from the NPCA (see Reports PDS 13-2019 and PDS 16-2020). The bylaw came into effect on January 31, 2021 and the name has been updated to the Woodland Conservation Bylaw (79-2020).

The Environmental Planning Division will be administering the bylaw and have hired Daniel Root as the new Regional Forester.

Enforcement provisions shall only be used when all other methods of regulatory compliance have been exhausted including voluntary compliance, restoration and education

## **Alternatives Reviewed**

N/A

## **Relationship to Council Strategic Priorities**

"Advancing Organizational Excellence" is a strategic priority of Council. The appointments will ensure consistent service delivery and application of the bylaw across the Region.

## **Other Pertinent Reports**

- PDS 13-2019 Initiation of the Woodland Bylaw Review
- PDS 16-2020 Woodland Conservation By-law Review

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**Prepared by:**

Cara Lampman  
Manager, Environmental Planning  
Planning and Development Services

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**Recommended by:**

Doug Giles, BES, MUP  
Acting - Commissioner  
Planning and Development Services

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**Submitted by:**

Ron Tripp, P.Eng.  
Acting Chief Administrative Officer

*This report was reviewed by Pat Busnello, Acting Director, Development Approvals.*

**Appendices**

None

To: Ann-Marie Norio, Clerk, Region of Niagara  
From: Councillor Sendzik

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Motion for consideration at Planning and Economic Development Committee:

### **SUPPORT FOR WINE SECTOR**

Whereas the Ontario wine industry supports directly and indirectly over 18,000 full-time equivalent jobs; and Niagara is Ontario's largest wine growing region responsible for over 90% of Ontario's grape production;

WHEREAS, with 2.4 million annual visitors, Niagara's wine sector has developed unique experiential destination tourism, enhanced by the proximity to Niagara Falls;

WHEREAS COVID-19 has had significant impacts on Ontario's wine industry – a key contributor to Niagara's economy and tourism sector;

WHEREAS to build back a stronger, more sustainable economy, there is a need to unlock the potential of Ontario's grape and wine industry.

NOW THEREFORE BE IT RESOLVED:

1. That Niagara Region **CALLS** on the Province of Ontario to create a level playing field and to provide Ontario's entrepreneurial wine industry with opportunities to invest more into innovation and job creation while providing consumer choice and convenience for the purchase of Ontario wines;

2. That the Province **BE URGED** undertake the following:

- Eliminate the 6.1% tax applied to VQA (100% Ontario-grown) wines on sales in the 2021 Budget;
- Enable Ontario wines to offer direct delivery, with margin, to grocery stores;
- Establish long-term VQA wine support programs at the LCBO that would increase shelf space for VQA wines and;
- Eliminate import taxes on 100% Ontario VQA wines

3. That this motion **BE CIRCULATED** to municipalities in Niagara, Prince Edward County and Lake Erie North Shore and to the Premier, Minister of Finance and Minister of Agriculture, Food and Rural Affairs.

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**MEMORANDUM**

**ED 3-2021**

**Subject:** COVID-19 Response and Business Continuity in Economic Development

**Date:** February 17, 2021

**To:** Planning and Economic Development Committee

**From:** George Spezza, Director, Economic Development

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***Economic Development***

**Current Status of Operations**

This memo is the Economic Development Division's monthly update on our response to COVID-19 and business continuity. As previously reported, Economic Development's work on COVID-19 response is focused on leading planning for business recovery through the Economic Rapid Response Team (ERRT) and the implementation of the Economic Recovery Plan.

**Service/Operational Changes**

There have been no operational changes in the last month. Our work is a balance of COVID-19 response projects and business continuity.

**Significant Initiatives and Actions Taken**

*Marketing Support to Businesses*

- COVID Business Support Site has been updated to be more user friendly: <https://niagaracanada.com/covid-19-2/>
- Buy-local campaigns are underway in their municipalities being run by local Economic Development Officers (EDOs) with support from our office;
- Tourism Adoption and Recovery Fund grant advertising is underway;
- Website traffic in the last month: 7,114 which is +1,362 over last year;
- Tourism Adaption and Recovery Fund is the most visited site with 1,735 views in under three weeks;

- Developing a number of profiles of businesses that have successfully pivoted and/or innovated their products and services in the face of the pandemic.

<b>Website Analytics:</b>	<b>Last 30 days:</b>	<b>Vs. Same time last year:</b>
Visits	4,197	(+1,267)
Page views:	7,114	(+1,362)
Unique Visitors:	3,407	(+921)
Returning Visitors:	144	(+11)

<b>Most popular Pages:</b>	<b>Number of Views:</b>
Tourism Adaptation and Recovery Fund Grant Program	1,735
COVID-19 Business Support	978
COVID-19 News	789

### *Business Updates*

The biweekly calls to our EDO colleagues, BIAs, Chambers and Industry Associations are used as a communications channel to disseminate information to our local businesses. The calls are in partnership with Niagara Region Public Health and include the latest information on new government announcements and protocols. In the last month these have included lockdown and the provincial ‘Stay at Home’ Order. Information that is released between meetings is shared with the group by email. These calls are also an opportunity to provide an update on the progress of the Economic Recovery Plan.

### *Tourism Adaption and Recovery Funding*

The ERRT Expression of Interest submitted by Niagara Economic Development was accepted, although at the time of writing this report there has been no official Minister’s

announcement. Funding is available to tourism-dependent businesses for the costs of equipping them to meet Public Health guidelines and protocols including: purchase of PPE, cleaning supplies etc. for workers; accommodating social distancing (expansion of restaurant patio space, pick up windows or curbside pickups for retailers, secondary entry/exit to allow physical distancing, equipment to extend the outdoor dining season e.g. purchase of patio heaters); implementation of technology, digital tools etc. for tourism operators to enable for example, virtual queuing, time ticket entry.

A communications and marketing plan has been implemented to promote the funding opportunity. An application and evaluation process has also been developed to process applications through an adjudication committee. Applications for the first round of funding were accepted until January 31<sup>st</sup>. Retrospective costs are eligible back to June 2020 and the project will run until December 31<sup>st</sup> 2021.

#### *Business and Economic Research and Analysis*

Due to the current lockdown and 'Stay at Home' Order, the launch of the third Business Impact Survey has been delayed. An Economic Update will be provided to Planning and Economic Development Committee (PEDC) in March/April depending on when the data is available.

Ongoing projects include:

- Niagara Community Observatory (NCO): Niagara Active Economy policy brief with Julie Stevens;
- NCO: Information Communications Technology (ICT) Policy Brief (February 2021);
- Niagara Workforce Planning Board (NWPB) Scenario Planning Prioritization Committee (drafting a report on Niagara for the Province that looks at potential scenarios and possible outcomes over the next 2 years);
- NWPB Economic Impact Analysis from Students Not Returning Due to COVID-19;
- Niagara Region COVID-19 Recovery Measurement Indicators (providing advice and information);
- Airport Economic Impact Assessment Project (providing advice and assistance);
- Students going digital - the economic impact on Niagara (providing advice and assistance to NWPB).

#### *Business Development*



Niagara Economic Development has been actively involved in two site selection exercises. One was submitted by the Province of Ontario and a second was received directly from an industrial/commercial broker. This resulted in a number of sites from across the region being put forward for consideration. We have received one Industrial Development Charge Grant that is currently under review.

### *Trade and Investment*

Since the last PEDC report, Niagara Economic Development has organized three meetings and a focus group with representatives from the Niagara Industrial Association to analyze the regional Supply Chain and identify opportunities for business collaboration and development moving forward.

Successfully applied to the Global Affairs Canada, Can Export Program for funding to support foreign direct investment (FDi) programming in 2021. The funding also supports the joint Hamilton Niagara Partnership activities.

Contracts for lead generation work in the U.S. have been extended into 2021 due to the effects of COVID-19. At the end of December there was one virtual client meeting.

The Coordinator for the Foreign Trade Zone (FTZ) received 8 client inquiries and meetings to leverage the benefits of Niagara's FTZ designation and respond to regional trade opportunities.

### *Sector Support and Economic Development Support to Local Area Municipalities without Economic Development resources*

Local campaigns; Broadband projects, Rural Economic Development (RED) applications; lockdown support to the tourism sector; workforce engagement in the tourism sector and Niagara Cycling support.

### *Economic Recovery Plan*

A separate report to PEDC this month, ED 5-2021 Economic Recovery Plan Update 3, describes the progress and implementation of the Plan.

## **Operational Outlook**

1 month

- Contribution agreements in place for grants to tourism-dependent businesses from the Tourism Adaption and Recovery Fund.
- COVID-19 third Business Impact Survey released.
- 'Open in Niagara' website expanded into permanent online regional business directory.
- Implementation of Economic Recovery Plan on-going.
- Review work practices depending on Niagara Region recommendations and Public Health advice.

### 3 months

- Implementation of Economic Recovery Plan completed.
- Initial work started on development of a 10 year Economic Development Strategy.
- Continue to monitor economic indicators to better understand the impact of COVID-19 on the local economy compared to previous years and determine where resources could be best utilized to maximize ongoing economic development programming.

### 6 months

- Longer term strategic economic development planning underway.
- Review work practices depending on Niagara Region recommendations and Public Health advice.

Respectfully submitted and signed by

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George Spezza, Ec.D., CEcD  
Director, Economic Development

**MEMORANDUM**

**PDS-C 5-2021**

**Subject:** COVID-19 Response and Business Continuity – Planning and Development Services

**Date:** February 17, 2021

**To:** Planning and Economic Development Committee

**From:** Doug Giles, Acting Commissioner

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**Community and Long Range Planning**

**Current Status of Operations**

Significant work is ongoing to advance the Region’s Official Plan this year. It remains the department’s largest project and is proceeding in a work-from-home setting with regular group meetings. Without a modern Official Plan, the Region is at a competitive disadvantage to other municipalities in the Greater Toronto Area.

In April, Community and Long Range Planning Staff will deliver a significant report on all matters relating to the Official Plan. That will include Natural Heritage System options and the Regions’ land needs assessment (i.e. population and employment forecasts), among other things. Draft Official Plan policies will be provided for many sections. In the months that follow, the Region will seek feedback on these matters from the public, LAMs, and interests’ groups.

Prior to April, staff are hosting dozens of meetings with local staff, local councilors and Regional Councilors. This is to provide a preview of what to expect in April. The work that is being advanced now is a culmination of years of input from stakeholders, local staff and others.

## Development Planning & Approval Services

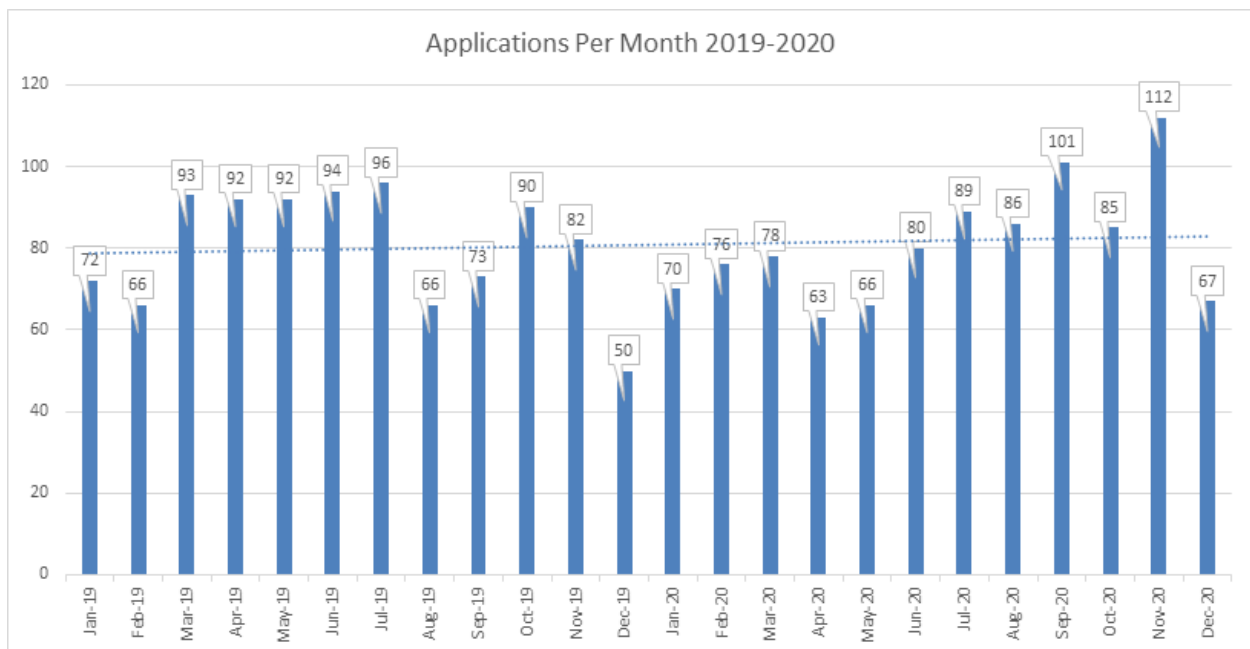
### Current Status of Operations

Development Planning & Approval Services continues to adapt to ensure the delivery of 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.

The following development volumes were received by the department during December:

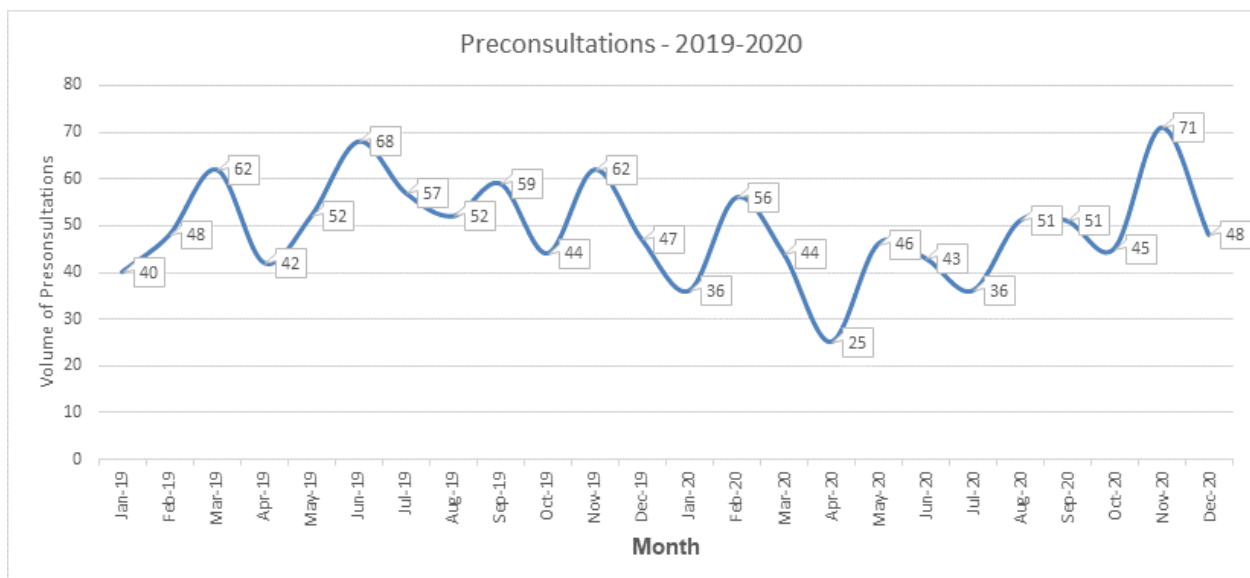
- Planning Applications (includes zonings, subdivisions, site plans, etc.) - **31**
- Engineering Applications (includes servicing reviews, site plans, etc.) - **13**
- Private Septic Applications - **23**
- Pre-consultations – **48**

The total volume of applications (67 excluding pre-consultations) represents a 40% decrease compared to November 2020 (112 applications). Decreases leading up to the Christmas holidays, however, is typical. Nevertheless, the December 2020 volume exceeded the December 2019 volume (50) by 25% as shown in the graph below.



Pre-consultations experienced a 32% decrease from the November volume (71 development proposals). Similar to formal development application volumes the decline is partly due to holiday schedules. Also, as previously reported, while there was a decline in pre-consultations at the early stages of the pandemic due to the shutdown, with the lowest volume for 2020 of 25 proposals received in April, volumes have continuously increased to similar levels as 2019. Overall, however, the impact of the pandemic is evident as the final volume for 2020 (552 pre-consultations) was below the 2019 volume (633), which represents an approximate 13% decrease.

It is also noted that the declines in application and pre-consultation volumes experienced following the shutdown in March 2020 is not anticipated to re-occur as local municipalities are now fully prepared for remote application intake and virtual meetings.



Q4 and 2020 Total Development Volumes

The final 2020 development application volume received was 917 applications (planning, engineering and septic) compared to 964 in 2019, an increase of seven applications overall or approximately 1%. Accordingly, despite the initial reduction in the early stages of the pandemic the total overall development volume was not adversely affected. As discussed, a short term reduction initially experienced following the shutdown was addressed as local area municipalities as well as the Niagara Escarpment Commission geared up to process applications and schedule pre-consultation and public meetings remotely.

It is noted, however, that planning applications and engineering applications in 2020 declined by 4% and 8%, respectively (17 applications each). Early declines in the first two quarters where, however, offset in the latter part of the year such as a 25% increased planning applications volume in Q4.

The Regional Woodland By-law came into effect on February 1<sup>st</sup>, 2021, and the Region has assumed administration of the By-law from the Niagara Peninsula Conservation Authority. Recruitment for a Regional Forester has been completed, and a separate report is being presented to the PEDC for appointment by Council of the Regional Forester to administer the By-law.

## **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 Environmental Compliance Approvals (ECA) 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 Water & Wastewater (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. We are participating in the MECP sessions on the proposed changes to the Consolidated Linear Infrastructure ECA Process for the entire sanitary or stormwater management system. Once fully implemented this will result in changes and new processes for all local municipalities and the Region for the two-tiered sanitary (wastewater) system and stormwater management system in Niagara.

### **Infrastructure Planning**

We are commencing the 2021 W&WW Master Servicing Plan (MSP) Update project with GM Blue Plan in consultation with W&WW team and Local Municipalities. This is an important project for the Region and all local municipalities with urban water and sanitary sewer services. It will require significant effort, analysis, and consultation with the majority of work to be completed by end of 2021/early 2022. The resulting growth capital water and wastewater projects are an essential input for the Development

Charges Background Study and By-law update.

Collectively, there are ongoing corporate wide-efforts to coordinate long range planning/growth with infrastructure planning projects (2021 W&WW MSP update) and the upcoming Development Charges Background Study & By-law update.

### **Development Industry Liaison**

We are continuing with the review of the potential build out scenarios for the urban areas in collaboration with planning group. This is necessary for the 2021 W&WW MSP update to evaluate servicing implications and supporting infrastructure. We are leading the development application process for the Linhaven and Gilmore Long Term Care (LTC) Redevelopment Projects and coordinating with St. Catharines and Fort Erie, respectively, as well as the MTO, and other review agencies 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

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Doug Giles, BES, MUP  
Acting Commissioner  
Planning and Development Services

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**Subject:** Economic Recovery Plan Update 3

**Report to:** Planning and Economic Development Committee

**Report date:** Wednesday, February 17, 2021

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## Recommendations

1. That Report ED 5-2021 **BE RECEIVED** for information.

## Key Facts

- The purpose of this report is to provide Planning and Economic Development Committee (PEDC) with an update on the progress of the implementation of the Economic Recovery Plan.
- Information on individual actions is included regularly in the monthly COVID-19 Response and Business Continuity in Economic Development reports to PEDC.
- This report provides an overview of the progress of the Plan using shading to visually represent the stages of the implementation.
- Niagara Economic Development project manages the implementation of the plan in collaboration with the Economic Rapid Response Team (ERRT).
- The action items within the Plan are owned by the ERRT and require support from these members and business stakeholders across the region to complete.

## Financial Considerations

All financial implications of implementing the Economic Recovery Plan are being funded by the operational budget of the Economic Development division or through applications to granting programs made available by the Provincial or Federal government.

## Analysis

The Economic Recovery Plan was developed in collaboration with the ERRT and external stakeholders across the region. Although, Niagara Economic Development is providing leadership for its implementation and project management, support is required from the ERRT and business stakeholders across the region to advance and complete.

The actions in the Plan are organized under three pillars: Research and Information; Advocacy and Resilience. Each pillar has Immediate, Mid-Term and Long-Term



actions. This time-line is intended to progress in alignment with the Province's Framework for Business Re-opening.

The first actions to be initiated were the Immediate and Mid-Term. Some of these actions are now completed but the majority, once started, are ongoing to continue to support Niagara's businesses. The Long Term actions were intended to be initiated when the Province provided direction that we are entering Stage 3. In July 2020 we reached Stage 2 Phase 3 but for now the Province has halted re-opening to control the increasing COVID-19 numbers.

This chart indicates actions that have progressed or been initiated since the last report ED 15-2020 Economic Recovery Plan Update 2 in November 2020.

Actions	Status/Progress	Notes
Engagement with stakeholders representing tourism, manufacturing, agribusiness and the Taskforce	On-going	A third Business Impact Survey has been developed. It is sector specific focused on manufacturing, agribusiness, tourism and non-profit/charities. The launch of the survey has been delayed due to the current lockdown.
ERRT website updates	On-going	COVID-19 Business Support Site has been updated to be more user friendly: <a href="https://niagaracanada.com/covid-19-2/Information%20on%20government%20programs%20and%20protocols">https://niagaracanada.com/covid-19-2/Information on government programs and protocols</a> is added on an ongoing basis.  Profiles of resilient businesses in Niagara are also being developed to be showcased on the website.
Buy Local Campaigns	Completed/On-going	NED supported existing municipal Buy Local campaigns by amplifying their marketing and where appropriate helping with the development of a campaign. Although aimed at the Holiday Season, these campaigns

Actions	Status/Progress	Notes
		continue and are being run by local Economic Development Offices.
PPE Directory	Completed/On-going maintenance	The directory is developed and on the website. New companies are added on an ongoing basis.
Transition the OpeninNiagara.com tool into a regional online business directory	In-progress	The Economic Recovery Plan identifies the need to transition this tool into a permanent online business directory to encourage buying-local and for local supply chain inquiries. NED is working with Niagara Region Planning and IT to develop this directory using the Niagara Employment Inventory database.
Fed Dev Ontario – Tourism Adaption and Recovery Fund	On-going	Fed Dev approved an application to this grant fund to assist tourism dependent businesses with the impacts of COVID-19. An application and evaluation process was developed with the ERRT members. Applications are currently being approved for the first round of funding. NED developed and implemented a communications plan to promote the funding opportunity.
ERRT Update calls to the Taskforce in partnership with Public Health	Bi-weekly calls	NED facilitates biweekly calls with the expanded ERRT Taskforce as a communications channel to get information to businesses on Public Health protocols and government announcements. To date we have had 10 calls with an average attendance of 30 stakeholders. As new information becomes available between calls, it is circulated to the Taskforce members.

Actions	Status/Progress	Notes
Training and education for businesses, hosting online webinars	Pilot project to be completed in February 2021	NED invested in the expansion of the Small Business Enterprise Centre services in Niagara. They are providing outreach to businesses through one on one consultations as well as webinars on topics to support businesses. NED assists in the marketing of the webinars.
Supply Chain replacement project	In-progress	To date three meetings and a focus group have been held with manufacturers and representatives from the Niagara Industrial Association to analyze the regional supply chain and identify opportunities for businesses to collaborate on local opportunities and build a more resilient supply chain.
Monitor and Assess the impact of remote education on Niagara's economy and employment needs	Due to be completed February 2021	NED has partnered with the Niagara Workforce Planning Board to conduct an analysis of the economic impact of students studying online. The analysis includes impacts on labour market, discretionary spending, the housing market and public transportation.
Provide regular research updates to stakeholders on general market conditions.	On-going	Economic Update report was provided to PEDC in November, including data on the effect of COVID-19 on the economy. Next update is due in March/April depending on the availability of data.

Below is a high level overview of the action items from the Economic Recovery Plan. Actions in the Plan have been coded as to whether they are **Finished**, **Ongoing** or **Underway** illustrating the progress of its implementation. Actions that are not shaded have not yet been started.

RESEARCH AND INFORMATION PILLAR	IMMEDIATE	MID-TERM	LONG-TERM
<b>RESEARCH AND INFORMATION PILLAR</b>	<p>Conduct a second COVID-19 economic impact (Business Impact) survey</p> <p>Maintain a strong base of data on the local economy and businesses, available to stakeholders to inform decision making</p> <p>Promote and post new Federal and Provincial initiatives and announcements on the ERRT website page</p> <p>Promote Provincial and Federal aid programs, including the Resiliency Help Desk at 1-866-989-1080 where businesses can access accountants or financial advisors</p> <p>Monitor and assess the impact of remote (online) education at Brock/Niagara College on Niagara's economy and business's employment needs</p>	<p>Prepare a report on the second regional COVID-19 Business Impact survey results</p> <p>Identify vulnerable companies and sectors from the survey as a focus for municipal BR+E efforts</p> <p>Prepare and circulate sector- and municipal-specific reports from second COVID Business Impact survey</p> <p>Monitor development application activity upon re-opening of economy, including year over year analysis as indicator of economic growth post-pandemic</p> <p>Recognize and showcase businesses that are successfully pivoting through the ERRT website and other channels</p>	<p>On-going: Provide regular research updates to stakeholders on general market conditions, including local workforce changes, large expansion investments, business closures, etc. as available/released</p> <p>Conduct a third COVID-19 Business Impact Survey in phase 3 to determine the status of recovery of businesses</p>

		<p>Provide regular/on-going updates to Regional Council on COVID-19 impact related activities, issues and efforts</p>
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RESEARCH AND INFORMATION PILLAR	IMMEDIATE	MID-TERM	LONG-TERM
<b>RESEARCH AND INFORMATION PILLAR</b>		<p>Monitor activities and impacts in other comparable municipalities to benchmark Niagara and learn from best practices</p> <p>Host online webinars on topics relevant to supporting business</p> <p>With Emergency Management and Public Health, support businesses in re-opening in a safe and responsible way by sharing guidelines and protocols through update calls, as needed</p> <p>Survey businesses for commonalities in supply demand locally. Identify essential supplies and support companies in</p>	

sourcing Niagara/Canada  
 suppliers

ADVOCACY PILLAR	IMMEDIATE	MID-TERM	LONG-TERM
ADVOCACY PILLAR	<p>Continued alignment between Regional and LAMs' Government Relations strategies and advocacy efforts.</p> <p>Advocate for alignment and longer-term repayment schedules for all deferral programs to allow businesses reopening to generate sufficient cash-flow</p> <p>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</p> <p>Continue participating in the GTA and provincial recovery planning efforts to identify best practices and synergies across</p>	<p>Strive for consistent application of bylaw enforcement across LAMs and the Region</p> <p>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</p> <p>Advocate to keep COVID-19 relief programs in place for employees while they are in re-training or re-skilling process</p> <p>Advocate for expedited planning approvals at the Provincial level including MTO, Greenbelt, Niagara Escarpment Commission, etc.</p>	<p>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)</p> <p>Immediate and longer term: Advocate for accelerated broadband infrastructure investment in areas with limited/no service, working with SWIFT and other available programs</p> <p>Immediate and longer term: Continued advocacy for infrastructure investments for major/regionally significant projects and expediting those already in process</p>

<b>RESILIENCE PILLAR</b>	<p>communities in recovery efforts</p> <p>Monitor Provincial direction and decisions on childcare services through communication with Niagara Region Children’s Services department and communicate to ERRT for assessment on local impact</p>		<p>Support Planning departments in review of red-tape reduction efforts to increase speed for development to re-start</p> <p>Advocate for digitization of Region permits and applications, where possible, to assist business cost savings</p>
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RESILIENCE PILLAR	IMMEDIATE	MID-TERM	LONG-TERM
<b>RESILIENCE PILLAR</b>	<p>Conduct significant engagement with stakeholders representing tourism, manufacturing and agribusiness and Task Force members.</p> <p>Expedite approval and coordination of use of public realm spaces by businesses to allow for distancing while supporting business resiliency</p> <p>Execute targeted business retention efforts (BR&amp;E) led by the EDOs in the local area municipalities with specific strategies to assist businesses in distress</p>	<p>Work with Public Health to provide clear guidance on public safety and appropriate PPE for businesses</p> <p>Assist businesses in procurement of PPE by maintaining database on ERRT website and other tools</p> <p>Work with partners in workforce development – helping displaced workers find employment and deploy talent attraction initiatives to fill gaps</p>	<p>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.</p> <p>Supply chains have been strained. Seek opportunities for import replacement – sourcing new domestic suppliers, or</p>

	<p>Encourage “buy-local” promotion via Social Media, particularly Linked-In &amp; <a href="http://www.openinniagara.com">www.openinniagara.com</a>. and amplify existing or complementary buy-local initiatives across Niagara</p> <p>Strive for 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.</p> <p>Assist businesses that need access to capital by partnering on the promotion of the Regional Recovery &amp; Relief fund at Venture Niagara</p> <p>Maintain a listing of Niagara PPE suppliers on the ERRT website.</p>	<p>Identify programs/funds for workforce training/re-training/re-skilling for a more flexible and adaptive workforce and assist employers in accessing them</p> <p>Assist businesses in increasing their online presence – promotion of Digital Main Street and/or other resources to get gain virtual presence</p> <p>Review decision-making process to allow for expedited approvals on development initiatives to support business re-opening</p> <p>Monitor any future wave of business closures or bankruptcies that may occur when relief programs end.</p>	<p>supporting repatriation of manufacturing.</p> <p>Re-focus FDI strategies and messaging to opportunities post-COVID. Develop new tools to undertake investment attraction, including site selection virtually</p> <p>Retain and develop OpenInNiagara tool to be a comprehensive online, regional business directory tool with input from municipalities</p> <p>Include a portion in the Long Term Economic Strategy that addresses mitigation plans for future pandemic impact.</p>
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### Alternatives Reviewed

No alternatives.



## **Relationship to Council Strategic Priorities**

The ERRT Economic Recovery Plan supports Council Strategic Priority “Supporting Businesses and Economic Growth”.

## **Other Pertinent Reports**

- ED 11-2020 Economic Recovery Plan Update
- ED 15-2020 Economic Recovery Plan Update 2

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### **Prepared by:**

Valerie Kuhns  
Manager, Strategic Initiatives  
Economic Development

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### **Recommended by:**

George Spezza, Ec.D., CEcD  
Director  
Economic Development

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### **Submitted by:**

Ron Tripp, P.Eng.  
Acting Chief Administrative Officer

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**Subject:** Niagara Official Plan Process and Local Municipal Conformity

**Report to:** Planning and Economic Development Committee

**Report date:** Wednesday, February 17, 2021

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## Recommendations

1. That Report PDS 7-2021 **BE RECEIVED** for information; and
2. That Report PDS 7-2021 **BE CIRCULATED** to the Local Area Municipalities, Niagara Peninsula Conservation Authority (NPCA), and Niagara Home Builders Association.

## Key Facts

- The purpose of this report is to provide Committee with an overview of the Niagara Official Plan (“NOP”) process and the subsequent conformity requirements of local municipalities.
- The NOP is the planning document that guides land use and development over the long term. Its requirements are set out in the *Planning Act, 1990* and it is foundational for the management of growth and the social, economic and environmental resources across the region.
- The Niagara Official Plan must be adopted by July 1, 2022 to meet the conformity deadline set by the Province.
- The policies of the NOP are prepared in the Regional context but must also consider their applicability to each community and must be balanced and implementable for Local Councils.
- Each local municipality has its own Official Plan and Zoning By-law that will require amendments to be brought into conformity with the NOP, once approved.
- Section 27 of the *Planning Act, 1990* requires local area municipalities to initiate conformity amendments to implement the policy direction of the NOP. Local municipalities have one year to bring the local Official Plan and Zoning By-laws into conformity once the NOP comes into effect.

- Public consultation is an important part of the planning process. In a two-tier system, the regulatory responsibilities between upper and lower tier municipalities is not always clear. This has been evident during consultation for the NOP.
- Consultation at the local level will occur, and may be supplemented by consultation from the NOP, as local municipalities will be required to initiate public and stakeholder consultation programs in conjunction with their Local Official Plan and Zoning By-law update programs.
- As required by the *Planning Act, 1990*, local planning documents are required to be brought into conformity quite expeditiously and doing so will require adequate resource allocation by local municipalities.
- This report was discussed with Area Planners on Friday January 22, 2021, and the direction and objective of this report was supported.

## **Financial Considerations**

There is no financial impact directly associated with this report.

Local municipalities should be prepared to commit funding to their own Official Plan and Zoning By-law update programs upon adoption of the NOP. The funding commitment for conformity work could commence as early as 2022-2023.

Funding for Official Plans and Zoning By-laws are recoverable, in part, through Development Charge and Building Permit revenues. Local municipalities presently or intending to update their Development Charges By-law or Building Permit fee structure should ensure these items are captured accordingly.

## **Analysis**

An Official Plan is the planning document that guides land use and development over the long term. Its requirements are set out in the *Planning Act, 1990* and is foundational for the management of growth and the social, economic, and environmental resources across the region.

Regional Planning staff have been working towards the preparation of NOP since 2017, following the completion of the Province's Coordinated Plan Review (CPR). Through the CPR, the Region consulted area planners and prepared joint submissions to the

Province on comments related to the review and update of *A Place to Grow – Growth Plan for the Greater Golden Horseshoe*, the *Greenbelt Plan* and the *Niagara Escarpment Plan*. These submissions demonstrated the alignment of Regional and local municipal interest in how Provincial policy is applied in Niagara.

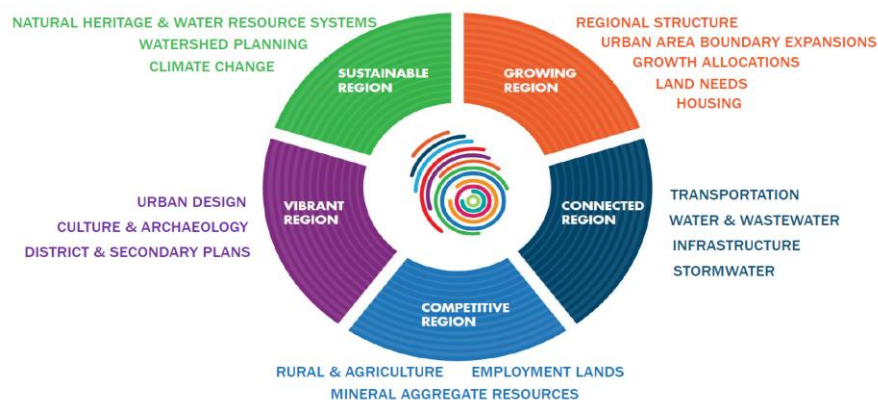
The *Planning Act, 1990* requires all municipal Council decisions to be consistent with, conform to, or not conflict with the applicable Provincial policy. Regional and local planning staff must provide planning advice and make recommendations under the same requirements.

The NOP program has a number of background studies that are informing the NOP, including Growth Management, Natural Heritage Systems, Employment Strategy, Housing Strategy, Land Needs Assessment and Settlement Area Boundary Review, Agricultural Systems Review and climate change considerations. This work is completed at a Regional scale and in the context of the Region’s mandate.

Throughout the NOP work plan and the preparation of the background studies, the Region has maintained a consistent level of engagement with area planners, stakeholders, special interest groups, Regional and Local committees and Council, and the public. General input and specific input on key milestones has been consolidated and reflected in the work going forward. Consultation is further detailed later in the report.

Regional Planning staff will continue to finalize these background studies, collect data and prepare draft policies to present a complete draft of the NOP for the end of 2021. Timing for conformity with the *Growth Plan* is July 1, 2022.

The NOP has five components, as shown in the graphic below:



The following sections highlights some of the NOP topic areas that may require additional study work by local municipalities to implement the direction of the NOP. Other areas of the NOP will need to be implemented through the local municipal conformity exercises and this implementation will be done in the context of conformity with Provincial policy.

The policies of the NOP are prepared in the Regional context but must also consider their applicability to each community and must be balanced and implementable for Local Councils.

### Growth Management

Growth is coming to Niagara and the governments must proactively prepare for and manage this growth. Within the NOP, the Regional Structure will identify strategic growth areas where a significant portion of growth and intensification should be directed.

As discussed with area planners, the NOP will allocate the Niagara's population and employment growth forecasts to local municipalities to 2051. This growth will be accommodated through specific density targets in strategic growth areas, designated greenfield areas for new development and intensification rates in built-up areas.

Through conformity exercises, local municipalities will define the boundaries for strategic growth areas (where applicable), prepare secondary plans or district plans for new or evolving areas and identify areas for potential redevelopment through intensification strategies.

Within the context of the local official plan, municipalities will have the ability to balance and manage growth and development at the local level.

### Employment

The employment strategy will identify and map employment areas to protect clusters of employment land across the Region. The employment areas will be mapped in a schedule of the NOP and policies will set a framework to maintain and protect existing employment areas to meet forecasted need.

Protecting employment areas will contribute to a complete community structure and ensure a full spectrum of employment job options is available to support the local economy.

Through the conformity exercise, local municipalities will update mapping to designate employment areas at the local level and include policy that supports the long-term retention of these areas.

In addition, population related employment growth will need to be provided through commercial and mixed use development. This type of employment is typically more compatible with and serves residential needs. Local municipalities will be encouraged to incorporate mixed-use area policies to support population-related employment and the creation of a complete community.

### Housing Strategy

Niagara is in need of more diverse housing options in order to remain affordable. A diverse range of housing will ensure choice and provide the opportunity for residents to stay within their neighbourhood as housing needs change over time and provide the ability to age in place.

The Housing Strategy suggests Niagara will require more mid to higher density development than has traditionally occurred. This means development of townhouses, apartments and mixed-use building to meet the needs of current and future residents. Compact, denser development will enhance the community structure, support transit, and make efficient use of services and public facilities.

Forecasted population growth allocations together with demographic analysis will inform the housing mix (i.e. the ratio of types of housing) and affordability targets for the Region.

Local Official Plans will implement the recommendations of the Housing Strategy to ensure an appropriate housing mix and affordability. Not all municipalities will plan for the same housing mix. For this reason, the local municipality may wish to use local data to complete their own detailed housing analysis to identify their housing needs.

Secondary planning and intensification strategies will also assist local municipalities to prepare plans for a strong, healthy, balanced and complete community, as well as

address development and redevelopment pressure, to ensure growth aligns with the context of the surrounding neighbourhood.

### Natural Heritage System/Watershed Study

The NOP will have policies that identify and protect the natural heritage system and the water resource system. Together, these will form the Region's environment system.

The natural environmental system approach must be balanced and designed with consideration of the unique attributes of each geographic area of the Region. The preferred approach to implement is still under review. The final direction will require detailed policies and other implementation tools.

Each local municipality will implement the preferred approach through their conformity exercise. This conformity will provide a level of protection of the natural heritage system. Through future planning applications/projects, more detailed environmental planning studies or environmental impact statements may be undertaken to support the proposal. These studies/statements would be reviewed and approved by the local municipality through development application process.

### **Niagara Official Plan Completion and Local Implementation Programs**

Once adopted by Council, the NOP will require approval from the Ministry of Municipal Affairs and Housing (MMAH). The Ministry will review the policy content, post to the ERO for public comment and confirm consistency, conformity, or no conflict, with Provincial Plans. MMAH may modify the NOP as a result of this review.

Following approval on the NOP, under Section 27 of the *Planning Act, 1990*, local municipalities are required to initiate conformity amendments and have one year to update their Official Plans to bring them into conformity with the NOP.

The amount of work to be done by local municipalities to conform to the NOP will depend on a number of factors, including how recently the local Official Plan was updated, if the municipality chooses to undertake more localized study work, and if the local Official Plan has already completed amendments to implement changes made through coordinated Provincial plan review.

Potential tools and options to assist with conformity are discussed below.

### District Planning / Regional Strategic Growth Areas

District Plans are prepared by the Region, with input and involvement of the local municipality, as an intermediate step for more detailed planning analysis between Regional growth planning and local planning instruments. District Plans provide proactive planning strategies that focus on growth, the development of complete communities, and support economic prosperity. These Plans are prepared in collaboration with a variety of stakeholders and with input from the public.

Existing District Plan locations were selected for their ability to accommodate a significant amount of the future growth. The Region continue to engage the local municipalities and key stakeholders to implement and monitor these Plans.

### Secondary Plans

Secondary Plans are prepared and implemented by the local municipality for areas that require detailed land use planning direction. They follow a statutory process and involve significant community and stakeholder consultation at the local level. The Region's role is to participate in the process and act as the approval authority, where required.

Secondary Plans are intended to implement the Regional Structure at the local level and will be prerequisite for strategic growth areas, new designated greenfield areas and to implement District Plans. They may also be required for detailed land use direction for existing greenfield areas and built-up areas that are facing development pressure.

Proactive Secondary Planning is essential to manage growth and to set expectations for the community. The Region will continue to work collaboratively with the local municipalities on these plans to proactively guide development. This process will also ensure efficient land use, appropriate mix of built form, consider infrastructure and transportation requirements, natural and cultural heritage protection, urban design, and similar matters beyond general policy.

Secondary Plans are prepared based on community input. No two Secondary Plans are the same; each plan is different and dependent on the surrounding neighbourhood context and input from the public.

### Zoning

In addition to local Official Plan conformity, local municipalities must update their Zoning By-law to conform with the NOP. This is where *"the rubber hits the road"* – when



individual property owners are explicitly informed of land use changes affecting their property. This process is the responsibility of the local municipality and provides another opportunity to engage local area residents, businesses and stakeholders on changes required for conformity.

Zoning can be the most volatile phase as this process targets properties that will see land use permissions change. It also provides for opportunities for representation to local Council. For this reason, it is important for the Regional policies to allow for some discretion, as the Region is only a commenting authority on zoning by-law updates and amendments.

### Consultation and engagement

Local area planners have been included throughout the NOP process. The Region has connected with area planners regularly since 2016, including monthly or bi-monthly scheduled area planners meetings, one-on-one meetings to discuss topic-specific content, information sharing and joint report submissions on changes to provincial policy, and information and discussion on policy direction. This consultation will continue with regular area planners meetings already scheduled for the balance of 2021. Additional meetings will be added as required or desired.

Other consultations undertaken to date include presentations to Regional and local councils, regular Planning Advisory Committee meetings, in-person and virtual public information centres, online surveys and meetings with stakeholder groups.

Consultation efforts will continue throughout the preparation of the NOP. Engagement with Regional Councillors, local area municipal staff and Council members, as well as future public information centres and stakeholder meetings will help collect a broad spectrum of input to inform the NOP policies and mapping. Ongoing consultation will continue leading up to the release of the NOP in late 2021.

As robust as the NOP engagement strategy is, consultation and involvement does not stop there. Local municipalities will engage their communities through their own Official Plan and Zoning By-law conformity exercises. Engagement through this process is often more targeted to local landowners as specific property changes can be identified.

### Development Application Portal

The Region and local municipalities are working together to create a development portal that will standardize development applications and track performance of allocations, intensification and density assignments. Some local governments have already moved to digital submission, but the first step in Niagara is to establish uniformity in planning applications, submission requirements and key performance indicators for monitoring.

### **Conclusion**

Regional Planning staff have provided this report for information and awareness of the importance of the NOP process and the subsequent responsibility of local municipalities to bring planning documents into conformity with the NOP.

Local planning documents are required to be brought into conformity quite expeditiously. Doing so will require adequate resource allocation by local municipalities. Local municipalities may wish to start identifying staffing resources and budget allocation early to accommodate a timely conformity exercise.

As noted above, local municipal Councils will have the opportunity to further refine planning policy/mapping through detailed planning analysis in the local context. In addition, there will be many opportunities to consult and engage local residents through the NOP, local Official Plan conformity exercises, zoning updates, future Secondary Plans/planning studies and development applications.

This report was discussed with the Area Planners on Friday January 22, 2021, and the direction and objective of this report was supported.

### **Alternatives Reviewed**

This report is for information purposes and to note the requirement under Section 27 of the *Planning Act, 1990* to bring local Official Plans and Zoning By-laws into conformity following the approval of the NOP.

No alternatives are available.

### **Relationship to Council Strategic Priorities**

The Niagara Official Plan is important to address Council's priorities, being:

- Supporting Businesses and Economic Growth;
- Healthy and Vibrant Community; and
- Responsible Growth and Infrastructure Planning.

Implementation of the Niagara Official Plan will help support these priorities and serve to provide local municipalities the policy guidance needed during the own Official Plan conformity exercises.

### **Other Pertinent Reports**

<b>PDS 4-2021</b>	Niagara Official Plan – Steps and Directions Moving Forward
<b>PDS 35-2020</b>	Niagara Official Plan - Consultation Update
<b>PDS 28-2020</b>	Regional Structure Background Report
<b>PDS 1-2020</b>	New Niagara Official Plan - Public Consultation Summary
<b>PDS 33-2019</b>	Growth Management Program Update for New Official Plan
<b>PDS 9-2019</b>	New Official Plan Consultation Timeline Framework
<b>CWCD 421-2019</b>	New Niagara Official Plan Updates

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**Prepared by:**  
Kirsten McCauley, MCIP, RPP  
Acting Manager, Long Range Planning  
Planning and Development Services

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**Recommended by:**  
Doug Giles, MES, BUP  
Acting Commissioner  
Planning and Development Services

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

*This report was reviewed by Isaiah Banach, Acting Director of Community and Long Range Planning.*

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**MEMORANDUM**

**PDS-C 8-2021**

**Subject:** 2021 Public Realm Investment Program Launch

**Date:** February 17, 2021

**To:** Planning and Economic Development Committee

**From:** Vanessa Aykroyd, Landscape Architect

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The purpose of this memorandum is to inform the Planning and Economic Development Committee that on February 1, 2021, staff launched the 2021 Public Realm Investment Program (PRIP).

**At this time, local area municipalities are invited to submit applications for funding requests to the 2021 PRIP program.**

This year, the PRIP will seek to award up to \$350,000 of matching funding to local area municipalities for public realm enhancement projects along regional roads and in areas of significant Regional capital investments. The 2021 PRIP builds on the program success of the past five years delivering impactful and transformative projects across the region. Through the program, funding for 27 public realm enhancement projects has been committed across nine of Niagara's communities. Since 2016, close to \$1,250,000 of funding has been committed to municipal projects worth over \$6.4 Million dollars in total capital investment in the public realm in Niagara.

**Highlights of the 2021 Program**

- Minimum funding request of \$25,000;
- Maximum funding per project has been increased to \$150,000;
- Matching municipal funding is required;
- Local roads which feature significant Regional capital investments will be included in the program; and
- Eligible projects must have a local funding commitment and be in an advanced stage of design.

To guide municipalities through the preparation of submissions, a 2021 PRIP Application Package has been provided to local area municipalities. The program package covers: eligibility requirements, a table of eligible capital improvements, updated evaluation criteria, and payment process. The package also includes a

reference glossary of capital improvement items and streetscape treatments that can be covered through the program.

Submissions for funding through the program must include a completed application form and maintenance commitment by the municipality, and relevant detailed information such as design drawings and technical specifications a proposed enhancement.

In order to ensure that the work meets applicable operational and technical criteria, a team of Regional staff experts in urban design, landscape architecture, transportation engineering, and operations will review and evaluate eligible projects in accordance with the evaluation criteria provided in the application and Regional policies.

**Key Dates:**

February 1, 2021	Call for submissions – Application period opens
April 2, 2021	Application deadline
May 3, 2021	Funding notifications to applicants issued (subject to change based on quantity and quality of applications)
July 14, 2021	Funding Commitment update Memorandum to PEDC

Staff will report to the Planning and Economic Development Committee in the fall of 2021 with an update showcasing the PRIP projects completed within the past year.

Respectfully submitted and signed by

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Vanessa Aykroyd, OALA, CSLA  
Landscape Architect



# Public Realm Investment Program 2021 Application Guide



Urban Design and Landscape Architecture  
Planning and Development Services

Niagara  Region

# PUBLIC REALM INVESTMENT PROGRAM

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- Purpose
- Funding
- Eligibility

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- Design Collaboration
- Project Construction
- Project Completion

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**Appendix 1 Application Form**

**Appendix 2 Project Completion Report**

Cover photo: Downtown Beamsville, Alley Mural - 2020 PRIP Award

# PUBLIC REALM INVESTMENT PROGRAM

## FOREWARD

2020 has been a year of great realizations. Throughout the pandemic, we have realized that outdoor public spaces have been at a premium. As we followed public health orders to limit the spread of Covid-19, such as ‘stay at home’ and physical distancing orders, we have realized that our public spaces are *more important to our civic, economic, social, and personal health and well-being* than we could have ever anticipated. We realize that our public spaces have incredible potential to contribute to revitalizing our economies and allowing social and civic participation in activities that enliven and enrich ourselves, our families, and our communities.

This past year, we’ve seen the prioritization of people over vehicles in our downtown streets. We’ve seen the importance of making space for people to physically distance from others while enabling participation in our civic, economic, and community life. As 2021 progresses, many communities are considering additional ways in which to invest in and enhance the value of these critical public spaces to ensure community and economic resiliency in the long term.

Established in 2016, the Public Realm Investment Program (PRIP) enables Niagara Region to partner and support local municipalities on capital projects that provide important public realm enhancements on over 250 kms of Regional Roads and areas of significant Regional investment in urban and core areas.

Through PRIP, Niagara Region looks forward to partnering and supporting your public realm projects with enthusiasm and in anticipation of a time in our near future when life returns to “better than normal”. Our recovery will happen in the public realm.

## PART A PROGRAM OVERVIEW

“Public space has emerged as a critical lifeline for cities and their residents.”

- LAURA PETRELLA  
Chief of Planning, Finance,  
and Economy, UN-Habitat

“Cities should treat public spaces as what they are: fundamental building blocks of our health, social resilience, and democracy.”

- PHIL MYRICK, PPS





# PUBLIC REALM INVESTMENT PROGRAM

## PROGRAM PURPOSE

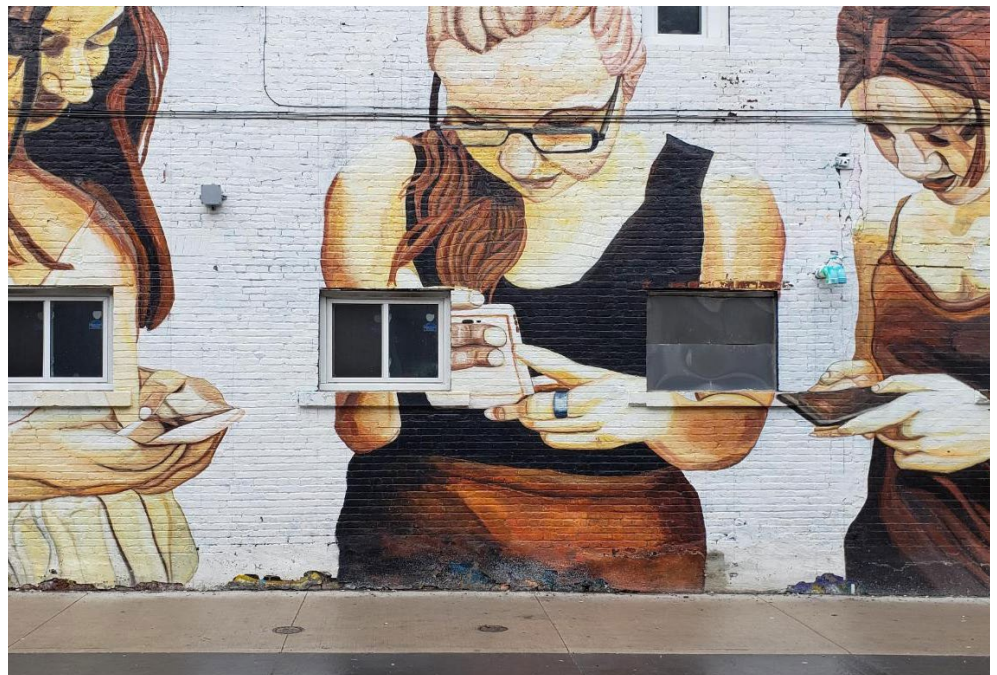
The purpose of the program is to encourage investment in the urban and core area public realms along Regional roads by providing matching funding to local municipal partners for upgrades to existing capital projects.

This contributes to attractive public realms that enrich and enliven Niagara's communities by:

- Creating a sense of place by integrating architectural features, public art, street furniture, enhanced paving, and generous planting design through the inclusion of enhanced elements in their projects, beyond the standard products and treatments;
- Leveraging regional and municipal capital funding to achieve design excellence and provide a funding option that promotes community pride and contributes to community identity projects;
- Responding to the unique challenges within our local municipalities with innovative and unique design solutions that will address the diverse needs and character of the Region's built environments;
- Supporting treatments and measures along Regional roads that include design for optimal tree health, sustainable storm water management strategies, and resilient and beautiful landscapes; and,
- Prioritizing universal accessibility with a focus on pedestrian comfort and safety by clearly defining sidewalks, crosswalks, bicycle lanes and roadways to effectively support walking, cycling, and alternative means of transportation.

“Cultures and climates differ all over the world, but people are the same. They'll gather in public if you give them a good place to do it.”

- JAN GEHL



2020 Niagara Biennial  
Award of Excellence winner  
“Is This Modern Society?”  
Artist: Jupiterfab  
239 St Paul Street & Garden Park  
St Catharines

# PUBLIC REALM INVESTMENT PROGRAM

## PROGRAM FUNDING

The Public Realm Investment Program provides *matching* funding to *eligible* local municipal projects that are initiated and constructed by either the local municipality or Niagara Region in consultation or collaboration with the local municipality. Minimum funding requests of at least **\$25,000** will be considered. The maximum Regional funding contribution is limited to an amount of up to **\$150,000**.

Partnerships with local associations and community groups are encouraged, however the Region will only match the contribution made by the municipality.

Through the PRIP, municipalities may apply for funding that may be applied to a wide variety of streetscape enhancements and upgrades to project standards or typical installations, including (but not limited to):

- **HARDSCAPING:** Sidewalks, decorative boulevard treatments, street furniture (benches, bike racks, litter receptacles), decorative lighting, etc.
- **LANDSCAPING:** Native trees, planting beds, pollinator gardens, rain gardens or bioswales, roundabouts, etc.
- **COMMUNITY IDENTITY:** Gateway features, public art (sculpture, publicly accessible murals, etc), seasonal decoration, as well as basket arms and wayfinding.

“Great cities know streets are places to linger & enjoy, not just move through.”

- BRENT TODERIAN



Smithville Parkette  
St Catharines St, Smithville, ON  
2019 PRIP

# PUBLIC REALM INVESTMENT PROGRAM

## ELIGIBILITY

This program is available to all of Niagara's local municipalities and the Niagara Peninsula Conservation Authority (NPCA).

- Projects must be within or directly adjacent to a Regional Road right-of-way; OR be proposed along local streets that are directly adjacent to significant recent, ongoing, or committed Regional capital investment.
- Projects must be completed by the end of the year following the award. For example, projects receiving funding in 2021 must be completed prior to the end of 2022.
- Projects must have committed budgets in place.
- Maintenance agreements are required.

Applications for funding will be reviewed by Regional staff using the eligibility criteria listed as (Part C) of this package.

Municipalities are encouraged to submit projects that deliver the greatest value for their communities (i.e. social, economic, and environmental). The Region specifically encourages the submission of projects located: within downtowns, employment areas or community gateways; close to public buildings or public parks; along the Regional bicycle network, transit routes, tourist areas, the wine route, and multi-use paths.

Municipalities must provide at a minimum, matching funding amount equal to the requested Regional contribution. Municipalities are invited to apply by completing the Application Submission Form provided as (Appendix 1) of this package.



Bioswale and raingardens at  
Niagara Region Headquarters  
Thorold, ON

# PUBLIC REALM INVESTMENT PROGRAM

## APPLICATION PROCESS

Applications to the Program will be processed in the following manner:

### CALL FOR SUBMISSIONS - February 1, 2021

#### Step 1 Submission (**DEADLINE: APRIL 2, 2021**)

Applications are received by the Region and checked for completeness (additional information may be requested)

#### Step 2 Submission Evaluation Region Staff (**Week of April 12, 2021**)

Complete Applications are evaluated by the Region's Program Selection Team and prioritized.

#### Step 3 Meetings with Local Municipalities (**Week of April 19, 2021**)

Meetings with municipalities to formalize scope, scheduling, and funding.

#### Step 4 Award (**by May 3, 2021\***)

Funding awarded to prioritized projects

\*date is subject to complexity and quantity of applications

#### Step 5 Implementation (**2021/2022**)

Region or local municipality constructs approved works.

#### Step 6 Completion (**Prior to end of 2022**)

Project Completion Report submitted with invoice.



## PART B APPLICATION OVERVIEW

**SUBMISSION  
DEADLINE:**

**APRIL**

**2**

# PUBLIC REALM INVESTMENT PROGRAM

## SUBMISSION REQUIREMENTS

Project submissions must demonstrate the public benefits of the investment for the local municipality and to the Region. Submissions must include a completed application form (Appendix 1), and include the following supporting information:

1. Explanation of how the project supports Niagara Region's plans/policies/practices as well as local planning documents/master plans.
2. Digital photographs showing the current condition of the project site;
3. Technical drawings of the project such as plans, and details;
4. Detailed itemized costs of the work;
5. Schedule of Key project milestones; and,
6. Maintenance commitment (included on application form).

Municipalities wishing to submit more than one project must make separate submissions. Project submissions will be reviewed to ensure compliance with program requirements and alignment with Regional objectives.

### Submit applications to:

Program Coordinator: Vanessa Aykroyd, OALA, CSLA

Email: [vanessa.aykroyd@niagararegion.ca](mailto:vanessa.aykroyd@niagararegion.ca)

Mail: Public Realm Investment Program  
c/o Vanessa Aykroyd, Landscape Architect  
Urban Design and Landscape Architecture Section  
Planning and Development Services Department  
Niagara Regional Headquarters, Campbell West  
1815 Sir Isaac Brock Way, PO Box 1042  
Thorold, Ontario L2V 4TZ

## WITHDRAWAL OF APPLICATION

If a municipality must withdraw from an approved PRIP funding commitment, a letter to that effect must be submitted to Region's PRIP Coordinator as soon as possible via email or regular mail.

Depending on the amount of the forfeited funding commitment, and if a withdrawal occurs before October 1st of the same PRIP year, the funding may be reassigned to another municipality already awarded or through a new call for PRIP applications. At such time, other municipalities will be informed of the available funding and will be encouraged to submit a PRIP application. Applications will be evaluated and available funding assigned through a process that is similar to that of the initial (PART C) process.

# PUBLIC REALM INVESTMENT PROGRAM

## EVALUATING THE APPLICATION

All applications will be reviewed and evaluated by the Region to ensure the proposed works align with the objectives of the program.

The evaluation process is divided into 3 steps:

**Step 1** Review of the application and supporting documentation for completeness

**Step 2** Evaluate the application against the Evaluation Criteria (Pg. 9)

**Step 3** Determine Regional funding contribution

### APPLICATION and SUPPORTING DOCUMENT CHECKLIST

\*ensure this information is included either on the application or is attached

#### 1.0 Application

Completed PRIP Application (Appendix 1)	Y/N
Required plans, drawings and images provided for review	Y/N
Current Condition Photos (.jpg or .tif)	Y/N
Other required supporting studies/documentation	Y/N
Functional, operational, safety requirements have been addressed by the local municipality (provide supporting documentation from a P.Eng or other qualified professional where required)	Y/N

#### 2.0 Aligns and Supports Niagara Region's Policies and Practices

Regional Official Plan	Y/N
Model Urban Design Guidelines	Y/N
Complete Streets Model Policies	Y/N
Relates to an Environmental Assessment (if yes then specify)	Y/N
Relates to the 10 Year Regional Capital Forecast (if yes, then which project and year)	Y/N

#### 3.0 Support of Local Area Councils

Local Council Resolution to submit application (If applicable)	Y/N
Demonstrated compliance with local planning documents or master plans (if applicable)	Y/N

*When all items have been addressed, proceed to Step 2*

## PART C EVALUATION PROCESS

### STEP 1: APPLICATION AND SUPPORTING DOCUMENTATION CHECKLIST

The complete application requirements listed below are for information purposes and should be consulted when preparing an application. Niagara Region will use this chart to determine the eligibility and completeness of the application.

# PUBLIC REALM INVESTMENT PROGRAM

## STEP 2: EVALUATION CRITERIA

The Evaluation Criteria below is used by the Region to evaluate the merits of the project and prioritize projects requiring a funding contribution by the Region. Projects must score above 80 points to receive funding priority. Criteria are worth multiple points and should be addressed to ensure the benefit of projects is well-presented.

\* Points of interest include, but are not limited to tourist destinations, employment areas, transit hubs and stops, public buildings, schools, colleges, universities, parks, other publicly accessible spaces and locations that are culturally and/or naturally significant.

<b>APPLICATION EVALUATION CRITERIA</b>	
<b>PREREQUISITE</b>	
Projects must be within or directly adjacent to a Regional Road right-of-way; OR be proposed along local roads that are directly adjacent to significant recent, ongoing, or committed future Regional capital investment.	Y/N
<b>1.0 Timing</b>	
Construction to commence within current program year (projects may extend into the next program year for completion)	5
<b>2.0 Location</b>	
Within 500m of an urban core area	4
Within 500m of 5 <i>points of interest</i> *	4
Within a Community Improvement Area / Business Improvement Area / Secondary or District Plan Area	4
Along or adjacent to a public transit route	3
Along a bicycle route, multi-use path, or the wine route	3
Within 1km walking distance to a tourism point of interest	3
Within visual proximity to a landmark (gateway, heritage site, public building)	3
<b>3.0 Community Benefit</b>	
Promotes higher use of the Regional Road and connectivity with other networks	5
Incorporates Heritage and Artistic Elements (e.g. Public Art)	5
Promotes Transit and/or Active Transportation	5
Promotes an inclusive streetscape (i.e. all ages and abilities)	3
Attracts people and promotes opportunities for social interaction	3
<b>4.0 Design Goals</b>	
Addresses a prevalent negative condition or issue	5
Recognizes and leverages local character	4
Contributes to planned improvements/developments in the vicinity	4
Durability and attractiveness of the materials/elements	3
<b>5.0 Environmental Resiliency</b>	
Grows the Urban Forest (Tree planting at least at a 3:1 planted:removed ratio)	5
Includes 60% or greater native plant species (no invasive species permitted)	5
Includes Low Impact Development stormwater management infrastructure	5
Includes other innovative materials, products, or practices	4
Includes recycled or sustainable products (e.g. Recycled plastic or FSC Certified products)	3
<b>6.0 Community Partnerships</b>	
Partnership with a Local BIA or local community group or organization	5
Partnership with post-secondary institutions for skills training or innovation development	4
Uses finished products manufactured or created in Niagara	3
<b>Greater than 80 Receives Funding Priority</b>	<b>Total 100</b>

# PUBLIC REALM INVESTMENT PROGRAM

## REGIONAL CONTRIBUTION FUNDING LIMITS

### 1.0 Hardscape Materials and Treatments

Strategic sidewalk connections or sidewalk widening (to a minimum 2.0m)	\$30,000
Decorative concrete paving, banding, and unit paving	
Decorative crosswalks (also refer to Section 3.0)	
Decorative on-road pavement (non-asphalt)	
Off-road trail connection areas connecting to Regional Road or Bikeway	
Off-road multi-use trails and associated treatments	

### 2.0 Complete Streets Infrastructure

Cycling facilities (funding possible in collaboration with Bicycle Facilities Grants for Regional Bikeways)	\$25,000
Traffic Calming Measures (including curb extensions, bump outs, and medians not associated with pedestrian crossings)*	
Line painting associated with traffic calming and pedestrian crossing facilities	
Burial of overhead utilities ( <i>The Regional contribution by this program will be determined on a case-by-case basis with cost estimates prepared by the public utilities.</i> )	

### 3.0 Road Crossing Facilities

Sidewalk extensions or bump-outs at intersections	\$15,000
Decorative concrete crosswalks	\$20,000
Decorative painted pedestrian crosswalks	\$8,000
Parklets (Reusable sidewalk extensions where on-street parking is located)	\$10,000

### 4.0 Site Furniture

Benches	\$12,000
Bicycle parking (rings, racks, shelters)	\$10,000
Decorative Bollards	\$5,000
Low seat walls and planters	\$12,000
Pedestrian shade structures	\$10,000
Litter and Recycling Receptacles (funding limit increased for streams that include organics, accompanied by a plan for collection)	\$5,000 - \$10,000
Drinking fountains/Bottle fillers/Pet watering stations	\$5,000
Transit Shelters	\$10,000

### 5.0 Landscaping

Tree Planting (including irrigation bags)	\$25,000
Innovative planting technologies (e.g structural soil cells)	\$30,000
Hanging baskets and/or planters (installed cost)	\$15,000
Planting beds	\$10,000
Rain gardens/bio-swales*	\$20,000 - \$30,000
Plants - Native, drought and salt tolerant species only	\$5,000

...continued on Page 12

## STEP 3: REGIONAL FUNDING CONTRIBUTION LIMITS

Please contact the PRIP Coordinator if there are any questions about project or component eligibility.

\*Traffic calming measures on Regional Roads or installations that affect Regional Infrastructure require coordination and approval by the Regional Commissioner of Public Works.

\* LID bioswales and rain gardens must capture and infiltrate the design storm to qualify for specific funding.



# PUBLIC REALM INVESTMENT PROGRAM

**STEP 3:  
REGIONAL FUNDING  
CONTRIBUTION LIMITS  
...continued**

<b>REGIONAL CONTRIBUTION FUNDING LIMITS Continued</b>	
<b>6.0 Community Identity Features</b>	
Banner arms and banners	\$5,000
Basket arms	\$5,000
Gateway features	\$50,000
Seasonal decorations	\$8,000
Decorative street name blades	\$6,000
Information kiosks	\$15,000
Public art	\$25,000
Interpretive panels/signs	\$7,000
School related Active Transportation initiatives	\$4,000
Wayfinding initiatives	\$10,000
Anti-graffiti wraps and coatings	\$5,000



# PUBLIC REALM INVESTMENT PROGRAM

## REGIONAL COORDINATION/APPROVALS

After the project has received an initial funding approval, Municipal and Regional staff will work together to determine construction and installation details as they pertain to Regional infrastructure.

To ensure clarity and consistency for the project and involved staff, the point of contact at the Region for the project will be the PRIP Program Coordinator. The PRIP Program Coordinator will provide collective comments, communication, and any necessary approvals from the required Regional staff.

## DESIGN COLLABORATION

Regional staff are pleased to work together with our municipal partners and provide assistance and guidance at various stages of the project, especially where the local municipality may not have staff resources that could influence the success of the project. The expertise of the Region's urban designers and landscape architects are available as needed.

## PROJECT CONSTRUCTION

Once construction and installation details affecting Regional infrastructure are confirmed, a final sign-off from key stakeholders at the Region (or otherwise) will be coordinated by the PRIP Program Coordinator. As construction begins, brief project updates should be shared with the PRIP Program Coordinator at project milestones, or upon request.

## PROJECT COMPLETION

Once the construction and/or installation of the works defined in the submission has been completed, payment can be requested. Municipalities must inform the PRIP Program Coordinator and provide the following:

- Project Completion Report (See Appendix 2)
- Digital photographs of the built condition; and
- Other supporting documents as required

The Project Completion Report requires the municipality to summarize the project, provide important details, and review project successes. The PRIP Program Coordinator will review the Project Completion documents, and advise that an invoice from the municipality can be issued to the Region. A PO# will be provided and the invoice will be paid Net 30.

## PART D PROJECT IMPLEMENTATION

# PUBLIC REALM INVESTMENT PROGRAM

## PART E GLOSSARY OF STREETScape ELEMENTS

### Standard Surface Treatments

Surfacing can include brushed concrete sidewalks, or asphalt pathway paving.



### Upgraded Surface Treatments

Upgraded surfacing can include materials such as stone, concrete unit pavers, coloured concrete, impressed concrete, and exposed aggregate concrete, etc.

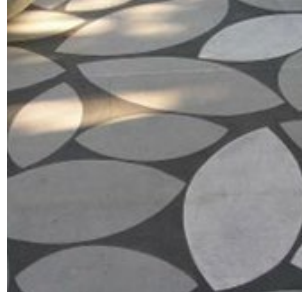
## HARDSCAPES



# PUBLIC REALM INVESTMENT PROGRAM

## Decorative Surface Treatments

Decorative surfacing can include concrete etching, grinding, sandblasting, acid staining, metallic tinting, decorative stamping, decorative unit paving.



## HARDSCAPES

# PUBLIC REALM INVESTMENT PROGRAM

## Cycling Facilities

Cycling facilities and surface treatments may be funded in collaboration with the Bicycle Facilities Grants for Regional Bikeways.



## COMPLETE STREETS

## Traffic Calming Measures

Curb extensions, bump outs, and medians provide visual cues to slow traffic.



# PUBLIC REALM INVESTMENT PROGRAM

## Sidewalk Extensions and Bump Outs

Used to reduce the pedestrian crossing distances of roads, bump-outs can provide additional room for street enhancements, such as, seating or public art.



## Decorative Crosswalks

Limited to high tonal contrast and pavers, decorative crosswalks can be used to visually indicate a crossing to motorists and pedestrians alike.



**COMPLETE  
STREETS**

# PUBLIC REALM INVESTMENT PROGRAM

## COMPLETE STREETS

### Pedestrian Crossing Islands

Pedestrian crossing islands provide refuge from traffic in wide crossing situations.



### Parklets/Pop-Up Patios

These are temporary commercial patios or landscape/park installations located in on-street parking spaces, and range from practical to whimsical.



# PUBLIC REALM INVESTMENT PROGRAM

## Trees and Installation Infrastructure

Grow the urban forest in a sustainable way by providing opportunities for proper soil volumes, drainage, and irrigation as necessary, using traditional or innovative measures, such as structural soil cells.



## LANDSCAPES



# PUBLIC REALM INVESTMENT PROGRAM

## LANDSCAPES

### Hanging Baskets and Planters

Add seasonal colour to the streetscape using hanging baskets and planters.



### Planting Beds

Both flush and raised planting beds can add colour and curb appeal to the street.



# PUBLIC REALM INVESTMENT PROGRAM

## Bioswales and Rain Gardens

Bioswales and rain gardens serve dual purposes - they enhance the aesthetic of the streetscape, while treating quantity and quality of stormwater. This increases the resiliency of the streetscape and relieves pressure on grey infrastructure.



## LANDSCAPES

# PUBLIC REALM INVESTMENT PROGRAM

## SITE FURNITURE

### Seating Options

The style and design of seating should positively contribute to the aesthetic value of the streetscape, and respond appropriately to the installation location and expected user of the seating.



### Seating and Retaining Walls

Retaining walls provide valuable functions, but can also serve dual purpose along pedestrian walkways.



# PUBLIC REALM INVESTMENT PROGRAM

## Litter and Recycling Receptacles

Refuse containers for handling single and multiple streams can include automated systems such as Big Belly Solar Compactors or similar. Three stream (waste, plastic, organics) receptacles are encouraged where possible.



## Bicycle Parking

Encouraging active transportation via bicycle requires space to park. Bike racks can be open or covered, and range from purely functional to public art.



## SITE FURNITURE

# PUBLIC REALM INVESTMENT PROGRAM

## SITE FURNITURE

### Bollards

Bollards provide protection for pedestrians and can be purely functional, or serve a dual purpose as public art.



### Bus Shelters and Shade Structures

Protecting pedestrians and transit riders from the sun and elements.



# PUBLIC REALM INVESTMENT PROGRAM

## Decorative Fencing

When fencing is required, an upgrade to the standard can create a statement.



## SITE FURNITURE

## Drinking Fountains/Bottle Fillers

Classic or whimsical, making clean water readily to pedestrians and their pets available helps to reduce plastic waste from landfills and oceans.



# PUBLIC REALM INVESTMENT PROGRAM

## COMMUNITY IDENTITY

### Banners and Banner Arms

Banners (and banner arms) with a demonstrated community benefit are an safe and easy way to create a 'Main Street' identity, and can be tailored year after year.



### Gateway or Prominent Place Features

These features can help to create community identity, and establish a sense of arrival at a community or landmark.



### Seasonal or Festive Decorations

This includes pole mounted wreaths, lights, bows, etc, as well as string lights, accent lighting, or audio and visual projection.



# PUBLIC REALM INVESTMENT PROGRAM

## Decorative Street Name Blade and Plates

Create community or neighbourhood identity with decorative blades and plates.



## COMMUNITY IDENTITY

## Information Kiosks, Wayfinding, and Interpretive Signs

Connect your community with kiosks that allow citizens to stay up to date with activities and events, or share history or information with interpretive signs





# PUBLIC REALM INVESTMENT PROGRAM

## COMMUNITY IDENTITY

### School Active Transportation Initiatives

This includes walking audits, walking promotion, wayfinding, and the addressing of immediate barriers to walking or cycling to and from school.



### Anti-Graffiti Wraps and Coatings

Encourage less 'tagging' on municipal infrastructure. Wraps may be used on infrastructure, and coatings can be used to protect surfaces or permitted artwork..



### Tactical Urbanism Initiatives

Enabling change through endorsed temporary installations of elements not mentioned in other categories.



# PUBLIC REALM INVESTMENT PROGRAM

## Public Art

Celebrate and enliven the community and neighbourhood identity with murals, sculpture, and more.



**COMMUNITY  
IDENTITY**



# 2021 PUBLIC REALM INVESTMENT PROGRAM APPLICATION

Municipality:		Project Location or Address:	
Project Name:			Submission Date:
Estimated Total Project Value:	Requested Regional Contribution Amount:	Estimated Construction Start Date:	Estimated Construction Completion Date:

**Project Description**  
*Describe the project, and how it contributes to the enhancement of the public realm. Address how the project supports Niagara Region's plans/policies/practices as well as local planning document/master plans. See Part C - Evaluation Criteria (p.10 in the PRIP Application Guide) to aid in demonstrating the value of this project. If additional space is required, please feel free to attach this section separately.*

**Application Check List**  
*Attach additional documentation to the application form separately*

<input type="checkbox"/> Itemized Cost Breakdown	<input type="checkbox"/> Project Dates and/or Milestones	<input type="checkbox"/> Detailed/Tender Ready Drawings	<input type="checkbox"/> Current Condition Photos
<input type="checkbox"/> We acknowledge that if this application is approved, the municipality will be responsible for maintenance of the works under the application. Maintenance or Encroachment Agreements may be required.			
<input type="checkbox"/> We acknowledge that if this application is approved, the Regional Funding Contribution commitment expires at the end of the year following the approval*			
<input type="checkbox"/> We commit to provide a <u>Project Completion Report</u> which is to include a final project cost, project date of completion, copies of invoices paid with funding of this program, digital photographs of completed work, or other items as required.			

Municipal Project Lead		Municipal Head of Public Works	
Name:	Date:	Name:	Date:
Signature:		Signature:	

*\*If the project cannot be completed prior to the end of the prescribed time frame, please contact the PRIP Program Coordinator*



# 2021 PRIP PROJECT COMPLETION REPORT

Municipality:	Project Location or Address:	
Project Name:		Date Submitted:
Original Project Cost:	Actual Project Cost:	
Regional Funding Contribution (Award Amount):	Municipal Funding Contribution:	
Identify other Funding Sources and Amounts:		
Project Construction Start Date:	Substantial Completion Date:	

## Project Performance:

*Describe the final project and list quantity of items included. Describe how the PRIP has impacted the project's success in the public realm.*

Hardscape Materials and Treatments; Facilities that Promote Complete Streets; Road Crossing Facilities; Street Furniture; Landscaping; Community Identity, etc.

## Supporting Documentation:

*Attach additional documentation to the Project Completion form separately*

<input type="checkbox"/> Itemized Cost Breakdown	<input type="checkbox"/> Project Dates and/or Milestones	<input type="checkbox"/> Tender/As Built Drawings	<input type="checkbox"/> Post-Construction Photos
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## Qualitative Feedback from Project Stakeholders (property owners, businesses, visitors, tourists, patrons, or "in the news")

Municipal Project Lead:		Municipal Head of Public Works:	
Name:	Date:	Name:	Date:
Signature:		Signature:	

---

**Subject:** Natural Environment Work Program – 2<sup>nd</sup> Point of Engagement

**Report to:** Planning and Economic Development Committee

**Report date:** Wednesday, February 17, 2021

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## **Recommendations**

1. That Report PDS 1-2021 **BE RECEIVED** for information; and
2. That Report PDS 1-2021 **BE CIRCULATED** to the Local Area Municipalities and the Niagara Peninsula Conservation Authority (NPCA)

## **Key Facts**

- The purpose of this report is to present a summary of the 2<sup>nd</sup> Point of Engagement for the Natural Environment Work Program, including input received, which has recently been completed in support of the new Niagara Official Plan.
- A decision on the final preferred option for the Natural Heritage System (NHS) and Water Resource System (WRS) is not being requested at this time. That will be requested from Committee and Council as part of the Joint Consolidated Official Plan Report to be considered in April 2021.
- Based on the input received – additional analysis of each of the NHS and WRS options in each of the urban areas of the Region is currently being undertaken by Staff with the support of the Consultant team. The results of this additional analysis will be used to inform the decision on the final preferred options.
- The full report entitled “*Natural Environment Work Program: Consultation Summary Report – 2nd Point of Engagement*” prepared by the Consultant team is attached to this report as Appendix 1.

## **Financial Considerations**

The ongoing costs associated with the current Natural Environment Work Program are accommodated within the Council approved project budget for the Niagara Official Plan.

## Analysis

The 2<sup>nd</sup> Point of Engagement is Phase 5 of the Natural Environment Work Program - Consultation on Options for the Natural Systems. The following is an overview of the activities undertaken and a summary of the input received.

### *List of Consultation Activities Conducted*

The following activities were undertaken as part of the 2<sup>nd</sup> Point of Engagement:

<b>Date</b>	<b>Activity</b>
July 15, 2020	Presentation to Planning and Economic Development Committee (PEDC) (PDS 26-2020)
August 28, 2020	Introduction Presentation to Area Planners
September 11, 2020	Meeting with Port Colborne Planning Staff
September 14, 2020	Meeting with Niagara Falls Planning Staff
September 15, 2020	Meeting with St. Catharines Planning Staff
September 16, 2020	Presentation to Provincial Planning Staff (MMAH, MNRF, & MECP)
September 16, 2020	Presentation to Niagara Escarpment Commission (NEC) Staff
September 16, 2020	Presentation to Planning Advisory Committee (PAC)
September 17, 2020	Presentation to Niagara Peninsula Conservation Authority (NPCA) Board
September 18, 2020	Meeting with Lincoln Planning Staff
September 18, 2020	Stakeholder Workshop – Development Community & Planning and Ecological Consultants
September 21, 2020	Meeting with Wainfleet Planning Staff
September 21, 2020	Meeting with Fort Erie Planning Staff
September 21, 2020	Stakeholder Workshop – Agricultural Community



<b>Date</b>	<b>Activity</b>
September 22, 2020	Meeting with West Lincoln Planning Staff
September 22, 2020	Stakeholder Workshop – Environmental Stakeholder Groups
September 23, 2020	Meeting with Grimsby Planning Staff
September 23, 2020	Virtual Public Information Centre 1 (Natural Heritage System)
September 24, 2020	Presentation to NPCA Public Advisory Committee
September 24, 2020	Virtual Public Information Centre 2 (Water Resource System and Watershed Planning)
September 25, 2020	Meeting with Pelham Planning Staff
September 25, 2020	Presentation to the Agricultural Policy and Action Committee (APAC)
September 28, 2020	Meeting with Welland Planning Staff
September 29, 2020	Presentation to NPCA Staff
September 29, 2020	Presentation to Niagara Parks Commission (NPC) Staff
September 29, 2020	Meeting with Thorold Planning Staff
September 30, 2020	Participate in Trout's Unlimited 12 Mile Creek Subwatershed Study Meeting
October 1, 2020	Meeting with Niagara-on-the-Lake Planning Staff
November 19, 2020	Presentation to Team Niagara
December 11, 2020	Meeting with Mississauga of the Credit First Nation Staff

In addition to formal planned activities – numerous other submission were made by members of the public and other stakeholders through e-mail, the Region's website, and delegations and submissions to Committee and Council. Several formal letters were also received from industry groups in the Region. A copy of all submissions and other correspondence received is included as part of the attached Consultation Summary Report.

### *Summary of What We Heard*

Through the 2<sup>nd</sup> Point of Engagement there were a range of opinions expressed and comments made related to the options for the NHS and WRS to be implemented as part of the new Niagara Official Plan.

It is clear that there is no consensus on which option best meets the needs of all stakeholders in the Region over the long-term. There are differing land use planning priorities among the range of stakeholders engaged and consulted. There was a general understanding amongst most participants on the interconnectedness of policy sections of the new Official Plan and that natural environment protection plays an important role in outlining where growth can and cannot occur.

What we heard can be briefly summarized as follows. For complete details, please see the attached Consultation Summary Report.

#### Local Planning Departments:

- No consensus on what is the preferred option in Niagara. Range of opinions and input received is reflective of the diversity of communities and priorities across Niagara.
- Generally speaking, prefer an approach that recognizes the inherent balance between a range of land uses.
- Request that additional analysis of options be undertaken in urban areas to inform decision-making on preferred option.

#### Agricultural Community:

- Prefer an option that reflects the primacy of the agricultural system over the natural heritage and water resource systems.
- Request that agricultural drainage and irrigation systems be excluded from the natural heritage and water resource systems.

#### Development Community:

- Concerns expressed with options that go beyond minimum provincial standards, including decreasing housing affordability in the Region and reducing the amount of developable land within urban areas.

- Reinforced the need for flexibility, site specific analysis, and local decision-making.
- Suggestion for additional analysis in urban areas to inform decision-making on preferred option.

Environmental Stakeholder Groups:

- Prefer an approach which prioritizes natural heritage and environmental protection in the Region.
- Prefer an approach where natural environment planning in the Region is primarily a science-based exercise.

Public:

- A range of comments received, but generally speaking, prefer an approach with the highest number of optional features and areas to be included in the NHS and WRS.
- Request for goals and objectives to be included as part of the final NHS and WRS.
- Biodiversity loss and climate change were identified as highly important issues.

*Key Themes and Discussion*

The attached Consultation Summary Report prepared by the Consultant team identifies six key themes that emerged through the 2<sup>nd</sup> Point of Engagement. Three of the themes are related to the identification of the preferred option for the NHS and WRS and three of the themes are more generally related to the overall Natural Environment Work Program. These themes are summarized in the tables below.

**To Inform the Identification of the Preferred NHS and WRS Option**

<b>Key Theme:</b>	<b>Discussion and Implications:</b>
1. Balanced Land use Planning: Protection of the Natural Environment and Opportunities for Growth	<ul style="list-style-type: none"> <li>• A range of opinions and comments were received – from increased environmental protection to concerns regarding the ability to accommodate growth, and affordability in the Region.</li> <li>• The range of opinions and comments speak to the need for a natural environment system</li> </ul>

Key Theme:	Discussion and Implications:
	<p>that goes beyond the minimum provincial standard, with a policy framework that allows for growth and development.</p> <ul style="list-style-type: none"> <li>• A shift in mindset and approach to natural environment planning that makes both the protection of the natural environment and potential for growth simultaneously achievable is required – the goal is for a balanced approach to land use planning.</li> </ul>
<p>2. Recognize and Protect Agricultural Uses</p>	<ul style="list-style-type: none"> <li>• Exemptions for a full range of agricultural uses should be clearly articulated in policy, including those policies and exemptions already provided through the PPS and Provincial Plans.</li> <li>• Additional consideration is required regarding how watercourses that are also agricultural infrastructure should be recognized in the NHS and WRS.</li> </ul>
<p>3. Informed by Science and Guided by Goals and Objectives with Numerical Targets</p>	<ul style="list-style-type: none"> <li>• Numerous comments were received reinforcing the need for goals, objectives, and numerical targets to be part of the Region’s natural systems.</li> <li>• Goals, objectives, and targets will be included as part of the NHS and WRS and will be developed to be specific, measurable, achievable, and informed by science to the extent possible.</li> </ul>

**To Inform the Overall Natural Environment Work Program**

Key Theme:	Implication:
<p>1. Accurate and Comprehensive Mapping of the Natural Environment Systems</p>	<ul style="list-style-type: none"> <li>• Mapping needs to be consistent with provincial requirements, be easily available and user-friendly, and be updated on a regular basis.</li> </ul>

Key Theme:	Implication:
	<ul style="list-style-type: none"> <li>• Features that are not mapped, but where some data exists, should be used as internal screening tools, as part of pre-consultation, and for review of studies.</li> <li>• Policies need to allow for site-specific studies to refine mapping, through studies approved by the Region.</li> </ul>
<p>2. Clear, Consistent Policies and Guidance for Implementation</p>	<ul style="list-style-type: none"> <li>• Need to ensure consistency with the policies of other agencies to the extent possible.</li> <li>• To support implementation, clear definitions, criteria, and guidance documents (e.g. updated EIS Guidelines, WRS Guidelines, etc.) will be required.</li> <li>• If included as part of the natural environment systems, there will be a need to provide more clarity on how linkages and buffers will be identified, refined, and mapped through site-specific studies.</li> </ul>
<p>3. Build Trust Through Continued Engagement, Collaboration and Education</p>	<ul style="list-style-type: none"> <li>• The public and other stakeholders have been actively engaged with the Natural Environment Work Program.</li> <li>• Compared with other municipalities, the consultation and engagement undertaken as part of the Natural Environment Work Program is extensive and exceeds typical consultation undertaken as part of municipal natural environment planning.</li> <li>• Niagara should continue with this enhanced level of consultation and engagement.</li> </ul>

*Next Steps*

As the 2<sup>nd</sup> Point of Engagement was being completed it became clear that Council and other stakeholders were seeking additional details on each of the options to assist with the decision-making process.

To satisfy this request, as first reported in CWCD 314-2020 (November 20, 2020), Region staff have engaged our Consultant team to assist in completing additional analysis on each of the options for the NHS and WRS in the urban areas of the Region.

This additional work will include establishing a preliminary methodology and criteria for each feature-type and providing detailed statistics and comparison of each option. The comparison will be completed on both a quantitative and qualitative basis. To accompany these detailed statistics, our Consultant team will also be preparing preliminary information on the policy intent of each option on a feature by feature basis.

This additional analysis has begun and will be presented to Committee and Council in April 2021 (as part of the Joint Consolidated Official Plan Report) to assist with the selection of the preferred NHS and WRS options.

### **Alternatives Reviewed**

No alternatives have been considered.

### **Relationship to Council Strategic Priorities**

This report is being brought forward as part of the ongoing reporting on the 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
- PDS 26-2020 Natural Environment Work Program – Phase 4: Identification and Evaluation of Options
- CWCD 314-2020 Update Natural Environment Work Program
- PDS 35-2020 Niagara Official Plan Consultation Update
- PDS 4-2021 Niagara Official Plan – Steps and Direction Moving Forward

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**Prepared by:**  
Sean Norman, PMP, MCIP, RPP  
Senior Planner  
Planning and Development Services

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**Recommended by:**  
Doug Giles, BES, MUP  
Acting Commissioner  
Planning and Development Services

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

*This report was reviewed by Erik Acs, MCIP, RPP, Manager, Community Planning, Dave Heyworth, MCIP, RPP, Official Plan-Policy Consultant, and Isaiah Banach, Acting Director, Community and Long Range Planning.*

## **Appendices**

- Appendix 1: Consultation Summary Report - 2nd POE
- Appendix A: Regional Planning and Economic Development Committee Presentation
- Appendix B: Presentation to Local Planning Staff
- Appendix C: Virtual Stakeholder Workshops
- Appendix D: Virtual Public Information Centres
- Appendix E: Additional Feedback
- Appendix F: Planning Advisory Committee Presentation
- Appendix G: Agricultural Policy and Action Committee Presentation
- Appendix H: Niagara Peninsula Conservation Authority Consultation
- Appendix I: Provincial Planning Staff
- Appendix J: Niagara Escarpment Commission Staff Consultation
- Appendix K: Niagara Parks Commission Staff Consultation



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## MEMORANDUM

**PDS-C 4-2021**

**Subject:** Response to Town of Pelham Motion on Cannabis Appeals

**Date:** February 17, 2021

**To:** Planning and Economic Development Committee

**From:** Pat Busnello, Acting Director of Development Approvals

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The purpose of this memorandum is to provide an update on a motion from Town of Pelham Council regarding cannabis related litigation. At its meeting on October 5, 2020, Pelham Council passed a motion ([see Town Motion here](#)) that, in part, requested that the Region seek Party status in the various Local Planning Appeal Tribunal (LPAT) appeals that were initiated by cannabis producers against decisions of the Town of Pelham on cannabis-related planning amendments. The Town's position was that, as a Party, the Region could offer direct evidence, planning expertise and testimony in support of the Town's recently amended Official Plan and Zoning By-law, which were modified, in part, with the input of Regional staff.

### Background

In October 2018, Pelham Council directed Town staff to undertake a review of planning policies and regulations pertaining to cannabis related uses and to develop appropriate policies and regulations to manage and control these uses. An Interim Control By-law (ICBL) was passed and subsequently extended to restrict all cannabis related uses in the Town in order to complete the review. RedeCan Pharm has appealed the extension to the ICBL. Accordingly, town staff initiated an Official Plan (OPA) and Zoning By-law Amendment (ZBA) process for cannabis production and processing policies in July 2019. The Region provided comments to the Town on a draft OPA and ZBA in August 2019. The Town held a Public Meeting in October 2019 but the OPA and ZBA were not passed at that time.

Subsequently, in April 2020, the Region received a request for comments from the Town on a revised OPA and ZBA for cannabis policies and regulations. Following a meeting with Regional and Town staff, the Chair of the Town's Cannabis Control Committee and their planning consultant to discuss Regional concerns, the

amendments were revised to ensure conformity with Provincial and Regional policies. As a result of the revisions, the OPA was exempted from Regional Council approval in accordance with the *Planning Act*, the Memorandum of Understanding with the local area municipalities, and exemption Policy 14.E.7 of the ROP.

The final OPA and ZBA no longer prohibited cannabis as an agricultural use; however, included policies that Regional staff noted may distinguish cannabis from other crop types and Regional staff suggested modifications to ensure all commodity groups are treated equally.

Town Council approved the final OPA and ZBA on July 13, 2020 without the suggested modifications by Regional staff. Cann Trust Inc., RedeCan Pharm and Woodstock Biomed Inc. appealed the OPA and ZBA in August 2020.

### **Party Status**

A summary of the civil proceedings against the Town pertaining to cannabis related matters can be found at the following link: [Town Report - Summary of Civil Proceedings](#). The Region was requested to seek Party status in the various proceedings to offer evidence in support of the amendments. The Town initiated the amendments and Regional staff determined that the amendments were exempt from Regional approval. The Town is the approval authority and there is no Regional mandate to warrant the Region seeking Party status. The Town has the ability to request that Regional staff appear before the LPAT to provide evidence. For these reasons it is recommended that the Region does not seek party status.

Respectfully submitted and signed by

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Pat Busnello, MCIP, RPP  
Acting Director, Development Approvals



Niagara Parks Commission, Regional Institute - University of Buffalo; University of New York (SUNY), Great Lakes Center - Buffalo State; University of New York (SUNY), the Environmental Sustainability Research Unit (Brock University), Niagara College, Western New York Land Conservancy, the Niagara Restoration Council, Buffalo Niagara Waterkeeper, Kerry Mitchel and Jocelyn Baker (unaffiliated)

February 12, 2021

Planning and Economic Development Committee  
Niagara Region  
1815 Sir Isaac Brock Way, P.O. Box 1042  
Thorold, ON L2V 4T7

Dear Chair Huson:

**RE: Request for Public Disclosure of Niagara River Ramsar Report PDS 2-2021**

On behalf of the Niagara River Ramsar Binational Steering Committee, we strongly request report PDS 2-2021, *A review of implications of a Ramsar designation for the Niagara Region* **be made publicly available**. The entirely open and transparent pursuit of a Ramsar designation for the Niagara River has been underway with strong Indigenous, public, political and partnership backing since 2013. With heightened community interest, we believe public disclosure of the report aligns with the current Council's platform of transparency and accountability. Given your review looked at designation implications, what is the specific property or identifiable individual concern that would trigger a closed session, denying the public from what should be a participatory and inclusive process. We find this to be a superfluous recommendation forwarded by staff, especially in light of a recent investigation by the Ombudsman regarding a Ramsar closed door session held by the City of Niagara Falls on October 6, 2020.

Members of the Ramsar Canadian committee have recently published a review of [Governance and Management in Canadian Ramsar Sites](#), the link is embedded for your reference. The research is clear; communities should be afforded transparent opportunities to fully engage in conservation governance structures. Niagara community taxpayers should not be denied the opportunity to understand the result of their contributions, especially when they have overwhelmingly believed they shared the same commitment and goal of Council's endorsement of this internationally important designation.

We request this letter be included on the PEDC agenda, and in the spirit of transparency and accountability, we would be pleased to address Committee, if requested. Please let us know if we can be of further assistance, we look forward to achieving this globally significant designation together.

Sincerely,

**Jocelyn Baker** Canadian Co-Chair, Niagara River Ramsar Binational Steering Committee  
Email: [jbaker@ramsar-niagara.ca](mailto:jbaker@ramsar-niagara.ca) Phone: 905.328.5213

**Jajean Rose-Burney** U.S. Co-Chair, Niagara River Ramsar Binational Steering Committee  
Email: [jajean.rose@wnylc.org](mailto:jajean.rose@wnylc.org) Phone: 716.247.1255

Cc: Ann-Marie Norio, Niagara Regional Clerk  
Chair Bradley, Niagara Region  
All members of Regional Council  
Local media

**Minute Item No. 6.1**

**CAORC-C 4-2021**

**Overview of Executive Search Firm Modified Single Source Procurement Process**

That Correspondence Item CAORC-C 4-2021, being a memorandum from F. Meffe, Director, Human Resources, dated February 23, 2021, respecting Overview of Executive Search Firm Modified Single Source Procurement Process, **BE RECEIVED** for information.

**Minute Item No. 9.1**

**Confidential Appendices to CAORC-C 4-2021**

That the Confidential Appendices to Correspondence Item CAORC-C 4-2021 respecting Executive Search Firm Responses, **BE RECEIVED**; and

That staff **PROCEED** as directed in closed session.

**THE REGIONAL MUNICIPALITY OF NIAGARA  
CHIEF ADMINISTRATIVE OFFICER RECRUITMENT COMMITTEE  
MINUTES - OPEN SESSION**

**CAORC 3-2021  
Tuesday, February 23, 2021  
Economic Development Boardroom/Video Conference  
Niagara Region Headquarters, Campbell West  
1815 Sir Isaac Brock Way, Thorold, ON**

Committee Members Present in the Boardroom: Regional Chair Bradley (Committee Chair)

Committee Members Present via Video Conference: Foster, Huson, Redekop, Witteveen

Staff Members Present in the Boardroom: D. Gibbs, Director, Legal & Court Services, F. Meffe, Director, Human Resources, A.-M. Norio, Regional Clerk

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**1. CALL TO ORDER**

Regional Chair Bradley called the meeting to order at 3:37 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**

There were no items for consideration.

**6. CONSENT ITEMS FOR INFORMATION**

6.1 CAORC-C 4-2021

Overview of Executive Search Firm Modified Single Source Procurement Process

Moved by Councillor Huson  
Seconded by Councillor Witteveen

That Correspondence Item CAORC-C 4-2021, being a memorandum from F. Meffe, Director, Human Resources, dated February 23, 2021, respecting Overview of Executive Search Firm Modified Single Source Procurement Process, **BE RECEIVED** for information.

**Carried**

**7. OTHER BUSINESS**

There were no items of other business.

**8. CLOSED SESSION**

Moved by Councillor Foster  
Seconded by Councillor Redekop

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

A trade secret or scientific, technical, commercial, financial or labour relations information, supplied in confidence to the municipality or local board, 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 - Executive Search Firm Responses

**Carried**

Committee resolved into closed session at 3:40 p.m.

**9. BUSINESS ARISING FROM CLOSED SESSION ITEMS**

Committee resolved into open session at 4:56 p.m. with the following individuals in attendance:

Committee Members Present in the Boardroom: Regional Chair Bradley (Committee Chair)

Committee Members Present via Video Conference: Foster, Huson, Redekop, Witteveen

Staff Members Present in the Boardroom: D. Gibbs, Director, Legal & Court Services, F. Meffe, Director, Human Resources, A.-M. Norio, Regional Clerk

9.1 Confidential Appendices to CAORC-C 4-2021

Moved by Councillor Redekop  
Seconded by Councillor Foster

That the Confidential Appendices to Correspondence Item CAORC-C 4-2021 respecting Executive Search Firm Responses, **BE RECEIVED**; and

That staff **PROCEED** as directed in closed session.

**Carried**

**10. NEXT MEETING**

The next meeting will be at the call of the Chair.

**11. ADJOURNMENT**

There being no further business, the meeting adjourned at 4:57 p.m.

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Jim Bradley  
Regional Chair

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Ann-Marie Norio  
Regional Clerk

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**MEMORANDUM**

**CAORC-C 4-2021**

**Subject:** Overview of Executive Search Firm Modified Single Source Procurement Process

**Date:** February 23, 2021

**To:** Chief Administrative Officer Recruitment Committee

**From:** Franco Meffe, Director Human Resources

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At the January 26, 2021 meeting of the CAORC, staff provided the CAORC with procurement options related to the selection of an Executive Search Firm (ESF). The CAORC selected the Modified Single-Source procurement option for the selection of an ESF and directed staff to proceed accordingly.

As a result, Human Resources issued an Invitation for Submission; attached as Appendix 1, to a total of six ESF's to provide their services for the recruitment of the role of Chief Administrative Officer. The invitation for submission was issued on February 1, 2021 with submission responses due by no later than 11:59pm on February 15, 2021.

Human Resources received five ESF submissions by the deadline noted above. Staff have summarized the ESF responses in Confidential Appendix 2 and have also provided copies of the five individual ESF submissions, including any attachments that were submitted, for the CAORC to review and cross reference against the summary document. The confidential appendices are provided in the Closed Session portion of the Chief Administrative Officer Recruitment Committee agenda for its meeting being held on Tuesday, February 23, 2021.

In accordance with the Chief Administrative Officer Recruitment, Selection, Offer of Employment, and Performance Management Policy, along with the corresponding Chief Administrative Officer Recruitment, Selection, and Offer of Employment Procedure, the CAORC next steps are to select an ESF based on the attached submission summary and provide direction to staff to enter into and conclude negotiations with the selected ESF, in accordance with the Procurement By-law.



Respectfully submitted and signed by

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Franco Meffe  
Director, Human Resources

### **Appendices**

Appendix 1 – Invitation for Submission - Chief Administrative Officer - February 1, 2021

Appendix 2 Confidential – Confidential Summary of Executive Search Firm Responses  
and Submission Proposals



# Niagara Region Request for Submission

Executive Search Firm Services for Recruitment of Position:

## **Chief Administrative Officer**

February 1, 2021

## INTRODUCTION

The Niagara Region is in the process of recruiting a Chief Administrative Officer (“CAO”).

The Niagara Region is a regional municipality that works in partnership with twelve local area municipalities to build economic prosperity in Niagara. For more information on our organization, please visit: [www.niagararegion.ca](http://www.niagararegion.ca)

The CAO is a critical leadership role who reports to and is accountable to Regional Council. The CAO provides strategic direction at the Niagara Region, as per responsibilities outlined in the *Municipal Act, 2001*, the attached CAO job description and Regional By-law No. 2020-09 outlining the roles and responsibilities of the CAO. The annual salary range for this position is currently \$211,870 to \$264,840.

Niagara Region is seeking an Executive Search Firm (“ESF”) to carry out the recruitment of a new CAO. It is a requirement that the successful ESF would work closely with the CAO Recruitment Committee (“CAORC”) ensuring alignment to the CAO Recruitment, Selection, and Offer of Employment Policy and Procedure.

## BACKGROUND

Reporting to Regional Council, the CAO is responsible for exercising general control and management of the affairs of the municipality for the purposes of ensuring the efficient and effective operation of the municipality. As the most senior appointed official of the regional municipality, the CAO leads and directs the members of the Corporate Leadership Team in carrying out the responsibilities of the Region, in accordance with the policies, plans and by-laws approved and established by Regional Council, including the aforementioned CAO By-law.

Niagara Region operates under a strategic plan created with the direction of Regional Council known as our Council Strategic Plan. This plan addresses a broad spectrum of projects crossing our multiple lines of business. The projects within the Council Strategic Plan are expected to produce significant, positive benefits to Niagara. Past and future success of the Council Strategic Plan is enabled by guidance and leadership of Council and the talent and efforts of our employees who drive these projects, and execute against the day-to-day Department accountabilities and operations of our business.

Niagara Region employs a dynamic workforce of approximately 3,500 union and non-union staff, working in multiple locations, jobs and shifts.

The ESF will work with the CAORC to confirm the CAO profile and position competencies, including supporting the full recruitment process including a

comprehensive search for potential qualified candidates, applicant screening, short listing candidates, interviewing, referencing, selection and offer.

A CAORC with five members of Regional Council, including the Regional Chair as Chair of the Committee, has been established and will be actively involved in the full recruitment process. Niagara Region staff resources have been identified to support this work. The mandate of the CAORC is to facilitate the recruitment process and recommend to Regional Council a preferred candidate for the role of CAO.

## **SERVICE REQUIREMENTS**

The ESF will be required to work closely with the CAORC. As mentioned above, there is also staff who support the CAORC; day-to-day contact with the ESF will be with these staff who have been approved by the CAORC to support this work.

In support of a transparent, competitive, and comprehensive recruitment process, and in alignment with Niagara Region policies and procedures, we are seeking the professional services of an ESF. The services that may be required over the course of this recruitment include, but may not be necessary limited to, the following:

- Creating and executing a recruitment strategy targeting active and passive candidates.
- Working with the CAORC, members of Regional Council, and any other agreed upon stakeholders to develop a candidate profile leveraging our attached Executive Level Competencies and job description, and any other information deemed relevant to the profiling of ideal candidates for the role.
- Leveraging national networks of private and public sector contacts to identify passive candidates and conduct personal outreach recruiting.
- Ensure alignment to our Recruitment Policies and Procedures including our Confidentiality and Conflict of Interest and Code of Ethics standards.
- Posting the position through appropriate channels including but not limited to industry specific platforms in all mediums. The focus of the search should be within Canada.
- Review all applicant resumes and follow up to clarify applicant experience for short listing purposes.
- Prepare a written summary of a specific number of candidates as agreed to with the CAORC for consideration for short listing.
- Coordinate and lead selection process on short listed candidates.
- Facilitate and attend any testing and/or evaluations and leadership assessments, along with multiple rounds of interviews.
- Verify selected candidates education, work experience, background checks as outlined in job description as well as conduct references.
- Notification to all applicants not selected.
- Assist CAORC and staff as required with negotiations of employment terms and offer process.

- Prepare and provide background material for the CAORC and assist in reports to Regional Council as required.
- Attend CAORC meetings, and meetings of Regional Council as scheduled, including provide detailed updates and present as required, including providing candid responses to any inquiries from members of the CAORC and Regional Council.
- Hold in strict confidence all confidential information concerning matters dealt with by the CAORC and Regional Council.
- Provide a guarantee that the successful candidate will remain with Niagara Region for a minimum of one year. In the event that the successful candidate does not complete one year of service, the ESF will be expected to undertake a second search under the same terms and conditions of the original contract, without any additional fee.

## **PROJECT SCHEDULE**

Below is the approximate schedule that is expected to be followed:

- Preferred work start date: March 1, 2021
- Preferred work completion date: June 30, 2021

## **SUBMISSION CONTENTS**

In your response to this request, please include the following information:

1. Provide any relevant information on your firm.
2. Confirm that your firm can provide the service requirements.
3. Describe in detail your firm's experience in providing executive search services overall and in particular in a municipal environment.
4. Describe your experience within the last three years conducting searches in either the private or public sector at the Senior Executive level, in particular at the CAO level. Please provide an outline of roles and dates of recruitment.
5. Describe your experience in conducting a consultation process you have undertaken to identify executive level character traits and competencies?
6. Outline the proposed consultation methodology to create a candidate profile.
7. Describe the individuals who would be assigned to this recruit and identify the main point of contact including contact information and outline of qualifications.
8. Describe the methodology that would be used to conduct a recruit for a CAO.
9. Provide an overall proposed schedule of recruitment activities and timeline.
10. Describe your guarantee provided for hire that would be included.
11. Describe your fee structure.
12. Outline conditions for termination of contract before hire is completed, if required.
13. Provide three references from organizations where you have recruited CAO and/or senior level ("C Suite") positions in the past three years - and that we have permission to contact in order to discuss their experience with your firm. Please include the contact person and the telephone number where they can be reached.

14. Provide any additional information that addresses the service requirements as listed in this document.

## **SUBMISSION LOCATION AND TIMELINES**

All submissions are to be sent via confidential email to Franco Meffe, Director, Human Resources at [franco.meffe@niagararegion.ca](mailto:franco.meffe@niagararegion.ca) by no later than **Monday, February 15, 2021 by 11:59 p.m.**

Please note the Region makes no guarantee of any assignment or volume of work to be assigned to any of the ESFs we are contacting concerning this assignment.

## **PRE-CONDITIONS OF AWARD**

It is our intention to complete a Signed Agreement on a form provided by the selected ESF, satisfactory to Niagara Region signing authorities. The selected ESF must satisfy the following conditions and provide the following information within 14 days of the notice of award:

### **1. Certificate of Insurance**

The selected ESF must provide Niagara Region with a Certificate of Insurance acceptable to Niagara Region and, if requested by Niagara Region, certified copies of the insurance policies. The Certificate of Insurance must comply with the insurance requirements of Niagara Region and must be on [Niagara Region's form of Certificate of Insurance](#) which can be found on Niagara Region's website – ([www.niagararegion.ca/business/fpr/cert-insurance.aspx](http://www.niagararegion.ca/business/fpr/cert-insurance.aspx)). If the Certificate of Insurance is provided in a non-original form (e.g. a facsimile, photocopy or scanned electronic copy), the ESF acknowledges and agrees that Niagara Region is fully entitled to treat any such Certificate as an original and that the ESF will be responsible for the accuracy and validity of the information contained therein. If required by Niagara Region, certified copies of all the above-mentioned policies shall be delivered to Niagara Region. All subsequent policy renewals and certificates of insurance thereafter, during the time that the Contract is in force, shall be forwarded to Niagara Region within fifteen (15) days of their renewal date.

### Insurance Requirements

#### a) Commercial General Liability Insurance

Commercial General Liability insurance for all Deliverables to a limit of not less than five million dollars (\$5,000,000) per occurrence.

The policy will be extended to include:

- Bodily injury, death and property damage

- Cross liability and severability of interest
- Blanket contractual
- Premises and operations
- Personal and advertising injury
- Broad form property damage
- Products and completed operations
- Owner's and contractors protective
- Non-owned Automobile to a limit of not less than two million dollars (\$2,000,000)

The policy shall be endorsed to:

- Include Niagara Region as an additional insured; and
- Contain an undertaking by the insurers to give thirty (30) days prior written notice in the event that there is a material change in the foregoing policies or coverage affecting the Additional Insured(s) or cancellation of coverage before the expiration date of any of the foregoing policies.

b) Automobile Insurance

Automobile Insurance (OAP1) for both owned and leased vehicles with inclusive limits of not less than two million dollars (\$2,000,000). Coverage must also apply in the event the operations of the insured resulted in a pollution condition including remediation costs.

Proof of automobile insurance will not be required if the Supplier provides a signed letter stating that they do not own or lease vehicles.

## 2. Workplace Safety and Insurance Board Clearance

The selected ESF shall provide:

- a) A valid, current Clearance Certificate declaring that the selected ESF is registered with Workplace Safety and Insurance Board ("WSIB"), and has an account in good standing; or
- b) A Letter of Good Standing issued by WSIB.

If WSIB coverage is not required by law to be carried by the selected ESF, the selected ESF shall be required to provide one of the following (as the case may be):

- a) An Exemption Letter from WSIB, satisfactory to Niagara Region's Director of Legal and Court Services;
- b) An Independent Operators Status Certificate issued by WSIB; or
- c) Such further and other evidence as may be satisfactory to Niagara Region's Director of Legal and Court Services.

In addition to the indemnification provided by the selected ESF elsewhere in this submission, the selected ESF agrees to indemnify Niagara Region and its respective elected officials, directors, officers, agents, employees, and volunteers, successors and assigns for all losses, claims, expenses (including reasonable legal fees) or other charges related to the selected ESF's status with WSIB.

Please reach out to the undersigned if clarification is needed or questions arise. If questions or clarification requests are received, I will advise firms of both the question and the response.

On behalf of the CAORC and supporting staff, thank you in advance for your consideration.

Yours truly,

Franco Meffe  
Director, Human Resources

## **ATTACHMENTS**

- CAO Recruitment, Selection, and Offer of Employment Policy
- CAO Recruitment, Selection, and Offer of Employment Procedure
- CAO Job Description
- Executive Competency Library
- Regional Municipality of Niagara By-Law No. 2020-09



**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 Sendzik a motion to be brought forward for consideration at the February 25, 2021 Council meeting respecting Bill 197, COVID-19 Economic Recovery Act, 2020.**

Whereas Schedule 6 of Bill 197, COVID-19 Economic Recovery Act, 2020 considers amendments to the Environmental Assessment Act relating to municipal autonomy and the principle that municipalities can veto a development outside their municipal boundary in an adjacent municipality;

Whereas Bill 197 empowers multiple municipalities to ‘veto’ development of a landfilling site within a 3.5 km zone inside the boundary of an adjacent municipality;

Whereas Bill 197 establishes a dangerous precedent that could be expanded to other types of development;

Whereas Bill 197 compromises municipal autonomy and the authority of municipal councils to make informed decisions in the best interest of their communities and municipal taxpayers; and

Whereas amendments in Schedule 6 could cause conflict in the effective management of landfill sites, put significant pressure on existing landfill capacity, and threaten the economic activity associated with these sites.

**NOW THEREFORE BE IT RESOLVED:**

1. That while the Region of Niagara supports the Act’s open-for-business approach, the municipality **CALLS** upon the Government of Ontario (Ministry of the Environment, Conservation & Parks (MOECP) to amend Bill 197, COVID-19 Economic Recovery Act, 2020, to eliminate the development approval requirement provisions from adjacent municipalities and that the ‘host’ municipality be empowered to render final approval for landfills within their jurisdiction;
2. That a copy of this motion **BE FORWARDED** to Premier Doug Ford, Jeff Yurek, Minister of Environment, Conservation and Parks, Steve Clark, Minister of Municipal Affairs and Housing, local M.P.Ps., and the Association of Ontario Municipalities (AMO) and;
3. That a copy of this resolution **BE FORWARDED** to all Ontario municipalities with a request for supporting motions to be passed by respective Councils and copies of the supporting motion be forwarded to Premier Doug Ford, Jeff Yurek, Minister of Environment, Conservation and Parks, Steve Clark, Minister of Municipal Affairs and Housing, local Members of Provincial Parliament, and the Association of Ontario Municipalities (AMO).

## THE REGIONAL MUNICIPALITY OF NIAGARA

## BY-LAW NO.

A BY-LAW TO APPOINT BY-LAW ENFORCEMENT OFFICERS FOR THE PURPOSE  
OF ENFORCING THE WOODLAND CONSERVATION BY-LAW NO. 2020-79

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WHEREAS subsection 15(1) of the *Police Services Act, R.S.O. 1990, c.P.15*, states that a municipal council may appoint persons to enforce the by-laws of the municipality;

WHEREAS subsection 15(2) of the *Police Services Act, R.S.O. 1990, c.P. 15*, states that municipal by-law enforcement officers are peace officers for the purpose of enforcing municipal by-laws;

WHEREAS subsection 1(1) (d) of the *Provincial Offences Act, R.S.O. 1990, c. P33*, states that a provincial offences officer means a by-law enforcement officer of any municipality or of any local board of any municipality, while in the discharge of his or her duties;

WHEREAS on October 22, 2020, the Council of the Regional Municipality of Niagara passed By-law No. 2020-79, being a by-law to regulate the destruction or injuring of trees in woodlands in The Regional Municipality of Niagara; and

WHEREAS it is necessary to appoint certain Regional staff as by-law enforcement officers for the purposes of enforcement of By-law No. 2020-79, as may be amended from time to time.

NOW THEREFORE the Council of The Regional Municipality of Niagara enacts as follows:

1. That the following persons be hereby appointed as By-law Enforcement Officers for the purposes of enforcing By-law No. 2020-79 being a by-law to regulate the destruction or injuring of trees in woodlands in The Regional Municipality of Niagara:

Cara Lampman, Manager, Environmental Planning  
Daniel Root, Regional Forester

2. That this by-law shall come into force and effect on the day upon which it is passed.

THE REGIONAL MUNICIPALITY OF NIAGARA

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James Bradley, Regional Chair

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Ann-Marie Norio, Regional Clerk

Passed: <date>

THE REGIONAL MUNICIPALITY OF NIAGARA

BY-LAW NO.

A BY-LAW TO AMEND BY-LAW 89-2000 TO PROVIDE FOR THE REGULATION OF TRAFFIC ON REGIONAL HIGHWAYS, (SPEED LIMIT REDUCTION REGIONAL ROAD 70 (THOROLD TOWNLINE ROAD) IN THE CITY OF THOROLD)

WHEREAS on the 20th day of April, 1989 the Council of The Regional Municipality of Niagara did pass By-law No. 89-2000, which is a by-law to provide for the regulation of traffic on Regional Highways;

WHEREAS it is necessary from time to time to amend the said by-law,

WHEREAS on the 23<sup>rd</sup> day of July, 2020, Council of The Regional Municipality of Niagara passed By-law 2020-47 being a by-law to delegate authority to the Director of Transportation Services 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 in accordance with the Delegation of Authority Respecting Traffic and Parking By-law 89-2000 Matters Policy;

WHEREAS a memorandum dated February 19, 2021, has been received from the Director of Transportation Services in accordance with said Policy requesting the Clerk to prepare and present to Council an amending by-law to amend By-law 89-2000 for purposes of a speed limit reduction on Regional Road 70 in the City of Thorold.

NOW THEREFORE the Council of The Regional Municipality of Niagara enacts as follows:

1. That Schedule “W” of the said By-law No. 89-2000 be and the same is hereby amended by **deleting** the following:

Schedule “W”  
Speed Limits

HIGHWAY	FROM	TO	MAXIMUM SPEED KM/H
Regional Road 70 (Thorold Townline Road)	Regional Road 57 (Thorold Stone Road)	Regional Road 63 (Chippawa Creek Road)	80

2. That Schedule “W” of the said By-law No. 89-2000 be and the same is hereby amended by **adding** the following:

Schedule “W”  
Speed Limits

HIGHWAY	FROM	TO	MAXIMUM SPEED KM/H
Regional Road 70 (Thorold Townline Road)	Regional Road 57 (Thorold Stone Road)	Beaverdams Road	60
Regional Road 70 (Thorold Townline Road)	Beaverdams Road	Regional Road 63 (Chippawa Creek Road)	80

3. That this by-law shall come into force and effect on the day upon which it is passed and signs are installed.

THE REGIONAL MUNICIPALITY OF NIAGARA

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James Bradley, Regional Chair

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Ann-Marie Norio, Regional Clerk

Passed: <date>

THE REGIONAL MUNICIPALITY OF NIAGARA

BY-LAW NO.

A BY-LAW TO AMEND BY-LAW 89-2000 TO PROVIDE FOR THE REGULATION OF TRAFFIC ON REGIONAL HIGHWAYS, (PARKING PROHIBITION REGIONAL ROAD 81 (KING STREET) IN THE TOWN OF LINCOLN)

WHEREAS on the 20th day of April, 1989 the Council of The Regional Municipality of Niagara did pass By-law No. 89-2000, which is a by-law to provide for the regulation of traffic on Regional Highways;

WHEREAS it is necessary from time to time to amend the said by-law,

WHEREAS on the 23<sup>rd</sup> day of July, 2020, Council of The Regional Municipality of Niagara passed By-law 2020-47 being a by-law to delegate authority to the Director of Transportation Services 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 in accordance with the Delegation of Authority Respecting Traffic and Parking By-law 89-2000 Matters Policy;

WHEREAS a memorandum dated February 19, 2021, has been received from the Director of Transportation Services in accordance with said Policy requesting the Clerk to prepare and present to Council an amending by-law to amend By-law 89-2000 for purposes of a parking prohibition on Regional Road 81 in the Town of Lincoln.

NOW THEREFORE the Council of The Regional Municipality of Niagara enacts as follows:

1. That Schedule “C” of the said By-law No. 89-2000 be and the same is hereby amended by **adding** the following:

Schedule “C”  
Parking Prohibitions

HIGHWAY	SIDE	FROM	TO	TIMES /DAYS
Regional Road 81 (King Street)	Both	Martin Road	Magnolia Drive	Anytime

2. That this by-law shall come into force and effect on the day upon which it is passed and signs are installed.

THE REGIONAL MUNICIPALITY OF NIAGARA

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James Bradley, Regional Chair

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Ann-Marie Norio, Regional Clerk

Passed: <date>

THE REGIONAL MUNICIPALITY OF NIAGARA

BY-LAW NO. <>

A BY-LAW TO APPOINT BY-LAW ENFORCEMENT OFFICERS  
FOR THE PURPOSE OF ENFORCING THE SEWER USE BY-LAW NO. 27-2014  
AS AMENDED, AND TO REPEAL BY-LAW 2019-93

WHEREAS subsection 15 (1) of the *Police Services Act, R.S.O. 1990, c.P.15*, states that a municipal council may appoint persons to enforce the by-laws of the municipality;

WHEREAS subsection 15 (2) of the *Police Services Act, R.S.O. 1990, c.P. 15*, states that municipal by-law enforcement officers are peace officers for the purpose of enforcing municipal by-laws;

WHEREAS subsection 1 (1)(d) of the *Provincial Offences Act, R.S.O. 1990, c. P33*, states that a provincial offences officer means a by-law enforcement officer of any municipality or of any local board of any municipality, while in the discharge of his or her duties.

WHEREAS on February 27, 2014, the Council of the Regional Municipality of Niagara passed By-law No. 27-2014, being a by-law to regulate discharges to the sanitary and storm sewer systems of The Regional Municipality of Niagara;

WHEREAS it is necessary to appoint certain Regional staff as by-law enforcement officers for the purposes of enforcement of By-law No. 27-2014, as may be amended from time to time;

NOW THEREFORE the Council of The Regional Municipality of Niagara enacts as follows:

1. That the following persons be hereby appointed as By-law Enforcement Officers for the purposes of enforcing By-law No. 27-2014, as amended, being the Sewer Use By-law:

Jason Oatley, Manager, Quality and Compliance (Wastewater)

Dominic Valentini, Environmental Enforcement Officer

Craig Burns, Environmental Enforcement Officer

Ashley Marshall, Environmental Enforcement Officer

Chris Brylinski, Environmental Enforcement Officer

Jasson Villeneuve, Environmental Enforcement Officer



2. That By-law No. 2019-93 is hereby repealed.
3. That this by-law shall come into force and effect on the day upon which it is passed.

THE REGIONAL MUNICIPALITY OF NIAGARA

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James Bradley, Regional Chair

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Ann-Marie Norio, Regional Clerk

Passed: <date>

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 FEBRUARY 25, 2021

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 February 25, 2021, 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

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James Bradley, Regional Chair

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Ann-Marie Norio, Regional Clerk

Passed: < >