



THE REGIONAL MUNICIPALITY OF NIAGARA
CORPORATE SERVICES COMMITTEE
AGENDA

CSC 7-2021

Wednesday, July 14, 2021

9:30 a.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 efforts to contain the spread of COVID-19 and to protect all individuals, the Council Chamber at Regional Headquarters will not be open to the public to attend Committee meetings until further notice. To view live stream meeting proceedings, visit:
[niagararegion.ca/government/council](https://www.niagararegion.ca/government/council/)

Pages

1. CALL TO ORDER

2. DISCLOSURES OF PECUNIARY INTEREST

3. PUBLIC PARTICIPATION MEETING PURSUANT TO THE MUNICIPAL ACT, 2001 AND REGIONAL POLICY

Stop Up and Close a Portion of Regional Road 1 (Dominion Road) in the Town of Fort Erie

3.1. Registered Speakers

3.1.1. Procedure for Providing Comments

3.2. Report for Consideration

3.2.1. CSD 44-2021

Stop Up and Close a Portion of Regional Road 1 (Dominion Road) in the Town of Fort Erie

3.3. Adjournment of the Public Participation Meeting Pursuant to the Municipal Act, 2001 and Regional Policy

4 - 7

4. PUBLIC PARTICIPATION MEETING PURSUANT TO THE RETAIL BUSINESS HOLIDAYS ACT

Application for Tourism Exemption under the Retail Business Holidays Act -
Home Depot Store, 7190 Morrison Street in the City of Niagara Falls

4.1. Registered Speakers

4.2. Report for Consideration

4.2.1. CLK 8-2021

8 - 34

Application for Tourism Exemption for Holiday Openings under
the Retail Business Holidays Act - Home Depot Store - 7190
Morrison Street, City of Niagara Falls

4.3. Adjournment of the Public Participation Meeting under the Retail Business Holidays Act

5. PRESENTATIONS

6. DELEGATIONS

7. ITEMS FOR CONSIDERATION

7.1. CSD 37-2021

35 - 44

Development Charge Demolition Credit Extension Request – Brownfield
Redevelopment, Grimsby

7.2. CSD 45-2021

45 - 49

2018-RFP-33 Architectural Services for Two Long Term Care Homes in
the City of St. Catharines and the Town of Fort Erie

7.3. CSD 46-2021

50 - 54

Engineering Roster Extension - Water, Wastewater, Transportation,
Waste Management and Facilities

7.4. CSC-C 19-2021

55 - 72

Deferred Motion Respecting Hospice Niagara Request for Funding

8. CONSENT ITEMS FOR INFORMATION

8.1. CSD 48-2021

73 - 82

Councillor Information Request – Niagara-on-the-Lake Wastewater
Treatment Plant Update

9. OTHER BUSINESS**10. CLOSED SESSION****10.1. Confidential CSD 38-2021**

A Matter Respecting Litigation and A Matter of Advice that is Subject to Solicitor-Client privilege under s. 239(2) of the Municipal Act, 2001 – Update Regarding Niagara-on-the-Lake Wastewater Treatment Plant (“NOTL WWTP”), Niagara-on-the-Lake Sewage Pumping Station (“NOTL SPS”), and Welland Wastewater Treatment Plant Upgrades (“Welland WWTP”)

10.2. Confidential CSD 43-2021

A Matter Respecting a Proposed Acquisition of Land by the Municipality under s. 239(2) of the Municipal Act, 2001 – Emergency Medical Services (EMS) Lease Agreement

11. BUSINESS ARISING FROM CLOSED SESSION ITEMS**12. NEXT MEETING**

The next meeting will be held on Wednesday, August 11, 2021 at 9:30 a.m.

13. ADJOURNMENT

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

Subject: Stop Up and Close a Portion of Regional Road 1 (Dominion Road) in the Town of Fort Erie

Report to: Corporate Services Committee

Report date: Wednesday, July 14, 2021

Recommendations

1. That a portion of Regional Road 1 (Dominion Road), described as Part of Lot 18, Plan 424, former Township of Bertie, now Town of Fort Erie, designated as part 1 on Plan 59R-8808, being part of PIN 64470-0002, and containing approximately 1,791 square feet as shown in Appendix 1 to Report CSD 44-2021 (the "Lands") **BE APPROVED** to be stopped up and closed; and
2. That the necessary by-laws **BE PREPARED** and **PRESENTED** to Council for consideration.

Key Facts

- The purpose of this report is to seek Council's approval to stop up and close a portion of the untravelled road allowance of a Regional road
- Transportation staff have reviewed this request and have determined the Lands are not required for road purposes

Financial Considerations

An in-house appraisal was undertaken for the Lands and the market value is estimated to be below \$25,000, therefore, the Manager of Real Estate has authority to declare the Lands surplus and to approve the intended manner or process for disposal in accordance with Section 4 of Niagara Region's Disposal of Land By-law 26-2011.

Analysis

An abutting property owner contacted Real Estate staff regarding the possibility of purchasing the Lands to increase the square footage of their property and provide a safe play area for their children as their home is in close proximity to Regional Road 1 (Dominion Road).

The legal description for the Lands indicates the Lands are part of Regional Road 1 (Dominion Road) in the Town of Fort Erie, however, this is believed to be an error as no record of the Lands being dedicated as part of Regional Road 1 can be found other than consolidation by-laws which are by their nature vague as to specific boundaries of Niagara Region roads. Inclusion of the Lands as part of the PIN abstract for Dominion Road found at the Land Titles office may lead to further enquiries by lawyers for future purchases of the Lands and as a result it is recommended by Niagara Region's Legal Counsel to stop up and close the Lands so that title is correct for the transfer of ownership.

Niagara Region also owns vacant land, being abandoned rail line, abutting and north of the Lands. Niagara Region and the Town of Fort Erie have previously discussed developing the former rail line therefore, the Town of Fort Erie was consulted regarding the stopping up, closing, and disposal of the Lands. The Town of Fort Erie approved a recommendation at their Council meeting of May 17, 2021, that "The Land Committee advises the Region of Niagara that they have no interest in the surplus lands described as part of PIN 64470-0002 and being part 1 on reference plan 59R-8808, Regional Road 1 (Dominion Road)."

Regional departments and utility companies were notified of this intended disposal of Lands and no interested was expressed. Regional Councillors were notified of this intended disposal by CWCD 2021-88 on April 16, 2021.

It is also necessary to advise the public that the Lands will be stopped up and closed, therefore, a Public Notice is being posted on Niagara Region's website in accordance with Public Notice Policy C-RC-005 and a Public Meeting is scheduled at Corporate Services Committee on July 14, 2021. The recommendations in this report are subject to approval of the oral report resulting from the Public Meeting.

Alternatives Reviewed

A possible alternative to not stopping up and closing the Lands and subsequent disposal is to enter into an encroachment agreement with the abutting property owner. The encroachment agreement would address annual fees, insurance requirements, indemnities, and termination rights for Niagara Region.

Relationship to Council Strategic Priorities

This report was brought forward as a result of the abutting property owner's request to purchase the Lands. The recommendations in this report will support Council's strategic priority of Healthy and Vibrant Communities.

Other Pertinent Reports

No other reports.

Prepared by:

Pamela Salvatore, SR/WA
Real Estate Coordinator
Corporate Services

Recommended by:

Todd Harrison, CPA, CMA
Commissioner/Treasurer
Corporate Services

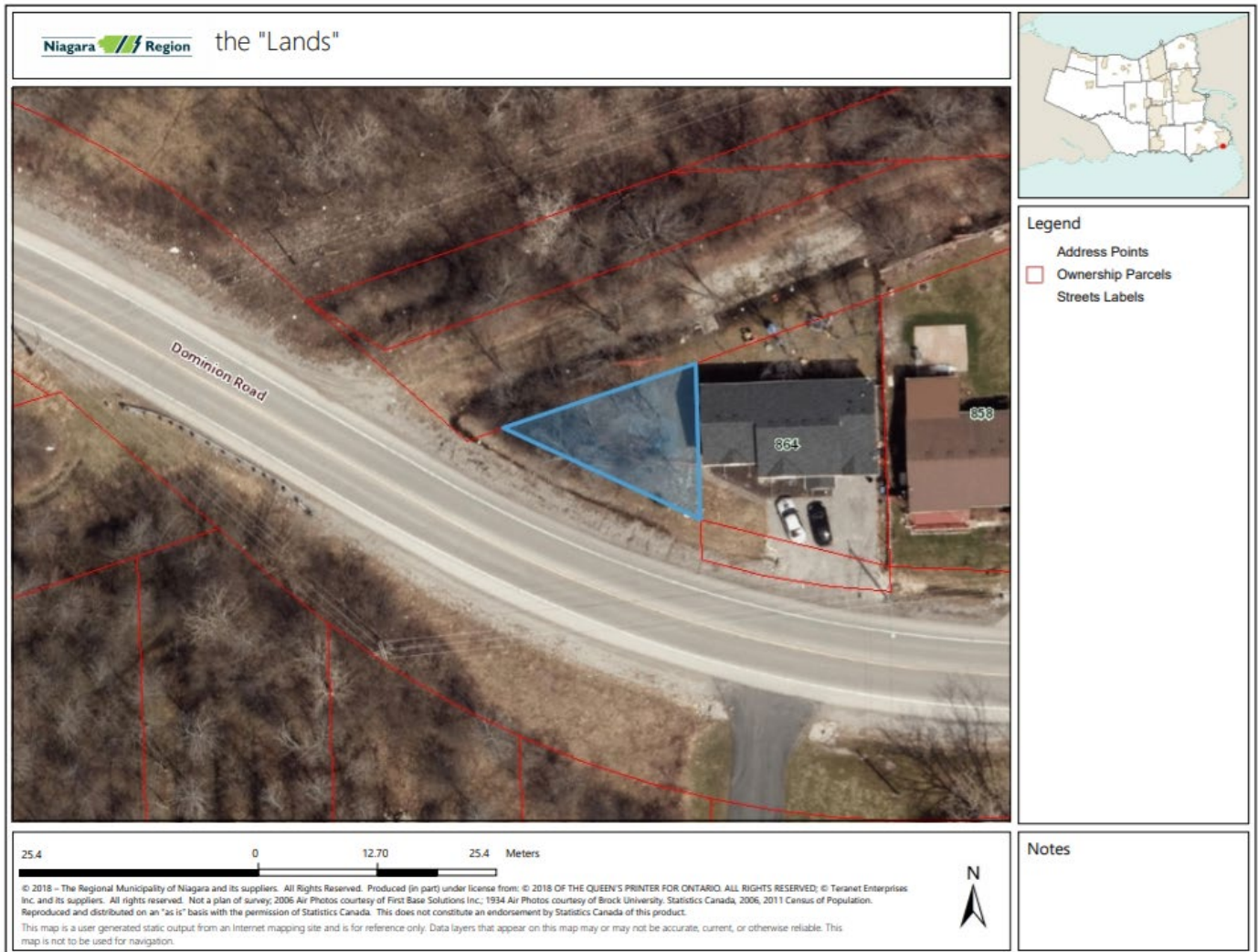
Submitted by:

Ron Tripp, P.Eng.
Acting Chief Administrative Officer

This report was reviewed by Frank Fucile, Manager, Real Estate; Sterling Wood, Legal Counsel; and Bart Menage, Director, Procurement and Strategic Acquisitions.

Appendices

Appendix 1 – the "Lands"



Subject: Application for Tourism Exemption for Holiday Openings under the Retail Business Holidays Act – Home Depot Store, City of Niagara Falls

Report to: Corporate Services Committee

Report date: Wednesday, July 14, 2021

Recommendations

1. That Report CLK 8-2021, respecting Application for Tourism Exemption for Holiday Openings under the *Retail Business Holidays Act* – Home Depot – 7190 Morrison Street, City of Niagara Falls, **BE RECEIVED**;
2. That the application from Home Depot, requesting a tourism exemption under the *Retail Business Holidays Act*, to permit the store located at 7190 Morrison Street, in the City of Niagara Falls, to open on all statutory holidays, with the exception of Christmas Day, from 7:00 a.m. to 9:00 p.m., **BE APPROVED**; and
3. That the necessary by-law **BE PREPARED** and **PRESENTED** to Regional Council for consideration.

Key Facts

- The purpose of this report is to seek Committee's approval for the application for tourism exemption, under the *Retail Business Holidays Act*, to permit the Home Depot store located at 7190 Morrison Street, in the City of Niagara Falls, to open on all statutory holidays, with the exception of Christmas Day, from 7:00 a.m. to 9:00 p.m.
- Documentation supporting this application, received from the City of Niagara Falls, in response to the Region's request for comments, is attached as Appendix 2.

Financial Considerations

There are no financial considerations.

Analysis

An application received from the Home Depot Store, 7190 Morrison Street, Niagara Falls, requests a tourism exemption under the *Retail Business Holidays Act* to permit

the store to open on all statutory holidays, except Christmas Day, from 7:00 a.m. to 9:00 p.m.

This application has been processed in accordance with By-law No. 6728-92, being a by-law to establish procedures and fees for the processing of applications for holiday openings for tourism under the *Retail Business Holidays Act* and related Ontario Regulation 711/91. The application is available as Appendix 1 to this report.

By-law 6728-92 requires that a public meeting be held in order that any interested persons have the opportunity to comment on the application. A notice of the public meeting respecting this application was posted on Niagara Region's website on June 7, 2021, and in the Niagara Falls Review on June 5 and June 8, 2021.

On May 27, 2021, a letter was sent to the Clerk of the City of Niagara Falls, requesting comments regarding this application. Correspondence dated June 4, 2021, received from the City of Niagara Falls, in support of this request for the tourism exemption for Home Depot, is attached as Appendix 2 to this report.

The following two requirements of "Tourism Criteria" in O. Reg. 711/91. s. 2, must both be met by the applicant:

- a) The tourist attractions which the retail establishment must be "within 2 km" of are "natural", "outdoor recreational", "historical", "cultural, multi-cultural or educational" as defined in s. 2 of O. Reg. 711/91. The applicant has stated that the Home Depot Store is located near many Niagara Falls tourist attractions, including Lundy's Lane historical district, Canada One Factory Outlets, Oakes Park and other nearby dining, accommodation, shopping, recreational and entertainment venues.
- b) The applicant may be exempted from closing on holidays if "it is directly associated with the tourist attraction or relies on tourists visiting the attraction for business on a holiday." The applicant has stated that Niagara Falls Home Depot store supports the Niagara Falls community as a year-round tourist destination. In particular, they retail seasonal and event products that help customers create and celebrate the many aspects of travel tourism to the Niagara region. They offer many quality products and services upon which tourists rely. In addition, the store provides important support to the operation of tourist attractions by offering a direct destination for local businesses' essential repair, maintenance and décor needs to ensure these businesses can continue to serve tourism in the region. The store's Pro-grade offering of products and accessories supports many local

PRO (professional) companies (i.e. plumbing, electrical, building) that support the tourism industry.

Alternatives Reviewed

Council could decide not to approve this application for a Tourism Exemption for Holiday Openings for this store.

Relationship to Council Strategic Priorities

This report aligns with Council's Strategic Priority of Supporting Businesses and Economic Growth, specifically Economic Growth and Development (Strategic Objective 1.1).

Other Pertinent Reports

None.

Prepared and Recommended by:

Ann-Marie Norio
Regional Clerk

Submitted by:

Ron Tripp, P. Eng.
Acting Chief Administrative Officer

Appendices

Appendix 1	Application for Tourism Exemption
Appendix 2	Letter of Support from the City of Niagara Falls

THE REGIONAL MUNICIPALITY OF NIAGARA
APPLICATION FOR TOURISM EXEMPTION
RE HOLIDAY OPENINGS

The undersigned hereby applies to the Council of the Regional Municipality of Niagara for an exempting by-law under subsection 4(1) of the Retail Business Holidays Act, R.S.O. 1990, Chapter R. 30.

If more than one person carrying on retail business is represented in this application, please list information for each on a separate page and attach to form.

Pursuant to the Regulations under the Act, an application relating to a retail business establishment that on days other than holidays normally uses a total area of 2,400 square feet or more for serving the public or normally has four or more employees serving the public shall be made only by that business establishment.

(PLEASE PRINT OR TYPE AND ADD EXTRA PAGES, IF NECESSARY)

PART 1 – APPLICANT INFORMATION

1. Type of applicant (please check one):

- ☒ one or more person carrying on retail business in the Regional Municipality of Niagara
- ☐ an association, whether or not incorporated, representing persons carrying on retail business in the Regional Municipality of Niagara
- ☐ a council of a local municipality

2. Name of Applicant: Home Depot of Canada Inc.

Mailing Address of Applicant: 400 – 1 Concorde Gate
Toronto, ON M3C4H9

Telephone No. of Applicant: 416.301.2855 Fax No.: 416.412.4958
(Meredith Ashton)

Email Address of Applicant Meredith_K_Ashton@homedepot.com

Bill 6715, ***as amended by By-law No. 19-2010.***

3. Applicant's Authorized Agent (to whom all correspondence will be sent) N/A

Mailing Address of Applicant: N/A

Telephone No. of Applicant: N/A Fax No.: N/A

Email Address of Applicant N/A

4. Location of Retail Business Establishment

Municipal Address Home Depot Niagara Falls
7190 Morrison Road
Street Number, Municipality Niagara Falls, ON
L2E 7K5

5. If you wish the exemption to apply to one or more classes of retail business establishments, please define and specify the classes:

N/A

Total No. of Sq. Ft. normally used for serving the public: 94,870 square feet

Total No. of Employees normally serving the public: 168 associates

PART II – TOURISM CRITERIA

Tourist attractions are limited to:

- a) Natural attractions or outdoor recreational attractions;
- b) Historical attractions; and
- c) Cultural, multi-cultural or educational attractions.

The two (2) kilometre restriction set out in the Regulations to the Act does not apply to a retail business establishment located in a local municipality within the Regional of Niagara, having a population of less than 50,000

1. Is business located within two kilometres of a tourist attraction? If yes, describe the nature of tourist attraction: Yes

Our Home Depot Niagara Falls store is located near many Niagara Falls tourist attractions, including Lundy's Lane historical district, Canada One Factory Outlets, Oakes Park, and other nearby dining, accommodation, shopping, recreational, and entertainment venues. Please see Appendix A for map.

2. Describe nature of direct association with the tourist attraction or reliance on tourists visiting the attraction for business on a holiday.

Our Home Depot Niagara Falls store supports the Niagara Falls community as a year-round tourist destination. In particular, we retail seasonal and event products that help customers create and celebrate the many aspects of travel tourism to the Niagara region. We also offer many quality products and services at Home Depot's everyday low prices, upon which tourists rely. In addition, the Niagara Falls store provides important support to the operation of tourist attractions, such as dining, accommodation, retail, and entertainment venues. Home Depot offers a direct destination for local businesses' essential repair, maintenance, and décor needs to ensure these businesses can continue to serve tourism in the region. The store's Pro-grade offering of products and accessories also supports many local PRO (professional) companies (i.e., plumbing, electrical, building) that support the tourism industry. The Niagara Falls store is conveniently located in close proximity to key tourism destinations, ensuring tourists and tourism operators can easily travel to the store for their needs. By enabling our Home Depot Niagara Falls store to remain open on all holidays (excluding Christmas), The Home Depot

can continue to support the economic, employment and tourist destination of the Niagara region.

3. Where the application involves a business that on days other than holidays normally uses a total area of 2,400 square feet or more for serving the public, or normally has four or more employees serving the public, please outline the goods or services provided primarily to tourists.

The Home Depot Niagara Falls store offers many quality products at everyday low prices for customers in the Niagara region, including tourists. Using Canada Day as an example, our store offers multiple seasonal and event products to help create, stage and support many of the region's celebrations. Customers can find a wide assortment of products, from recreational (e.g., picnic, BBQ items), live goods, décor, and paint products to building materials, to help create elements for and on Canada Day. We also offer automotive accessories and 'on the go' beverage and snack options for tourists travelling throughout the region, and have a wide array of everyday, household products, such as cleaning supplies, batteries, and light bulbs, to support tourist rental needs.

This section relates only to applications to grant exemptions on an area basis.

4.
 - a) In what local municipality is it located? Choose an item.
 - b) Describe subject area (in words):

Click here to enter text.
(Please attach a map or sketch)
 - c) How many businesses are included in this application? Click here to enter text.
 - d) Are all the retail business establishments in the described area within two kilometres of the tourist attraction? Choose an item.
 - e) Does the area exceed that necessary to encompass all of the retail business establishments for which an exemption is sought? Choose an item.

If not, explain how it does not:

Click here to enter text.

- f) How many of the businesses are directly associated with the tourist attraction or rely on tourists visiting the tourist attraction for business on a holiday? (Regulations to the Act require at least 25% of the businesses) Click here to enter text.
- g) If application is submitted by an association, describe briefly the purpose of the association, the area and type of businesses it represents.

Click here to enter text.

PART III - GENERAL

- Indicate which holidays, and which specific times or specific number of hours you wish to be open on those holidays: *All holidays (excluding Christmas Day) from 7:00 am*

New Year's Day	from 7:00	a.m.	to 9:00	p.m.	<i>- 4:00 PM, including :</i>
Family Day	from 7:00	a.m.	to 9:00	p.m.	
Good Friday	from 7:00	a.m.	to 9:00	p.m.	
Easter Sunday	from 7:00	a.m.	to 9:00	p.m.	
Victoria Day	from 7:00	a.m.	to 9:00	p.m.	
Canada Day	from 7:00	a.m.	to 9:00	p.m.	
Labour Day	from 7:00	a.m.	to 9:00	p.m.	
Thanksgiving Day	from 7:00	a.m.	to 9:00	p.m.	
Choose an item,	from 7:00	a.m.	to Click here to enter text.	p.m.	
- Is request seasonal in nature, e.g. summer months only? No

If yes, what time period is sought?

N/A
- What is the justification in relation to the seasonal nature, if any, of the tourist attraction, for the time period sought in the exemption?

N/A
- Is request related to a special event? No

NOTE: A retail business establishment may be exempted for up to five holidays a year during which a fair, festival or other special event (but not solely a parade) is being held in that municipality.

For what holidays is exemption being sought?

N/A

Describe special event, duration and time of year

N/A

5. Indicate how the exemption would, if granted, be for the maintenance or development of tourism and briefly identify other material submitted with this application that supports this conclusion:

As Canada's leading home improvement retailer, our Home Depot Niagara Falls store offers a wide assortment of quality products and services to support the maintenance, repair, and operational needs of new and existing businesses within the Niagara region. Our support helps to ensure Niagara businesses can continue to serve the tourism industry, either directly as tourism destinations, or as local PROs (professionals such as plumbers, electricians, contractors) who support these tourist venues. Our knowledgeable store associates, including dedicated PRO sales associates, work closely with local businesses and PROs to ensure their maintenance and development needs are met. Our Home Services department further helps to support the growth and improvement of tourism destinations in Niagara, through renovations, remodels and updating. The proximity of our Niagara Falls store ensures that any tourism location (and local PRO) can obtain the products and services they need to continue to operate day in and day out. Lastly, our store can help residents and tourist rentals with their maintenance and repair needs whenever they need to access them.

6. What justification is there for the opening of the retail business establishment(s) on holidays in light of the principle, stated in the Retail Business Holidays Act, that holidays should be maintained as common pause days?

Niagara Falls is a year-round tourist destination, particularly during statutory holidays. Our Home Depot Niagara Falls store is well-situated to meet the ongoing needs of both tourists and tourist locations in the region. We note that repair, maintenance, renovation and remodel requirements of the tourism industry are continuous (and sometimes unpredictable) for businesses and residents. We believe support should be available for the tourism industry during its regular hours of operation, which includes those days currently defined as "holidays" under the Retail Business Holidays Act. By enabling our

Bill 6715, *as amended by By-law No. 19-2010*.

Niagara store to remain open on all holidays (excluding Christmas), The Home Depot can continue to support the economic, employment and tourist destination of the Niagara region.

Bill 6715, *as amended by By-law No. 19-2010.*

EXECUTION BY APPLICANT

I, Meredith Ashton, of the City of ~~Choose an item.~~ ^{Toronto}, in the ~~Choose an item.~~ ^{Province of Ontario}, do solemnly declare that all of the statements contained in this application are true and I make this solemn declaration conscientiously, believing it to be true and knowing that it is of the same force and effect as if made under oath and by virtue of the Canada Evidence Act.

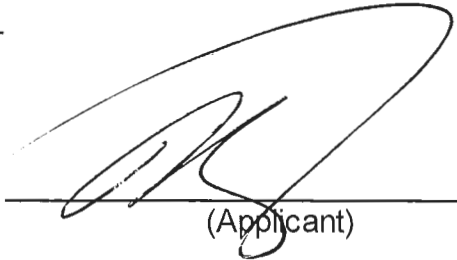
Declared before me at the City

~~of Choose an item.~~ ^{Toronto}, in the

~~Choose an item.~~ ^{Province of Ontario}

~~of Choose an item.~~ ^{7th} this ~~Click here to enter text.~~ ^{CH 17}

day of May, 2021


(Applicant)


A Commissioner, etc.

APPOINTMENT OF AUTHORIZED AGENT

^{LSO # 59816B}

I/We, ~~Click here to enter text.~~ hereby appoint ~~Click here to enter text.~~ of ~~Click here to enter text.~~ to act as my/our authorized agent in this application.

Witness:

Signed:

Date:

NOTES:

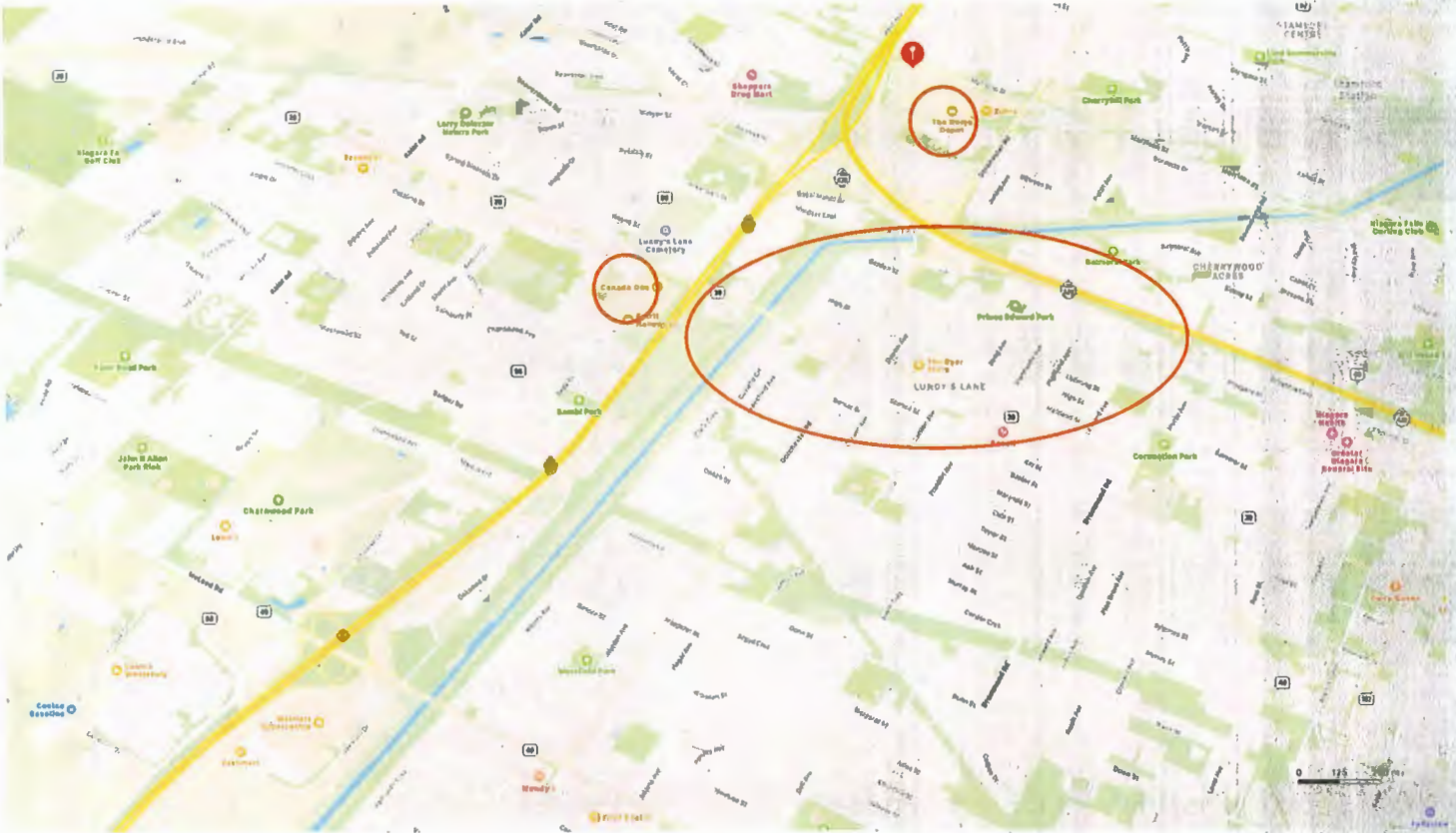
1. It is required that the original application be filed with the Regional Clerk, together with appropriate documentation, accompanied by a cheque in the amount of \$750, made payable to:

THE REGIONAL MUNICIPALITY OF NIAGARA

This fee will cover the following:

- publication costs
 - legal costs to review applications
 - administrative costs i.e. printing, mailing
2. Applications are to be filed at the Clerk's Department, the Regional Municipality of Niagara, 2201 St. David's Road, Thorold, Ontario, L2V 4T7 to the attention of the Regional Clerk (685-1571).
 3. This application and any by-law passed by the Region are subject to the provisions of the Retail Business Holidays Act. It is strongly suggested that Applicants contact their solicitor with respect to the provisions of the Act.
 4. It is preferred where possible that applicants submit a proposed exemption by-law with their applications.
 5. Each application must be accompanied by a scaled plan or map of the area covered by the proposed by-law showing:
 - (a) the retail business establishment(s);
 - (b) the tourist attraction; and
 - (c) the scale of the plan or map enabling the distances to be measured.

APPENDIX 1



From: Bill Matson
To: Lotimer, Kelly; Norio, Ann-Marie
Cc: Heather Ruzyllo
Subject: RE: Request for Comments from the City of Niagara Falls respecting Application for Tourism Exemption for Home Depot
Date: Friday, June 4, 2021 12:02:12 PM
Attachments: CLK-C 2021-081.pdf
Home Depot Tourist Exemption.pdf

Ann-Marie,

Please be guided by the following motion that was approved at the City of Niagara Falls' Council meeting on June 1, 2021:

ORDERED on the motion of Councillor Wayne Thomson, Seconded by Councillor Wayne Campbell that Council support the Tourist Exemption for Retail Holiday Openings request to permit the Home Depot store in Niagara Falls to open on all statutory holidays, with the exception of Christmas Day, from 7:00 a.m. to 9:00 p.m.

Bill Matson | City Clerk | Director of Clerks Services | City of Niagara Falls
4310 Queen Street | Niagara Falls, ON L2E 6X5 | (905) 356-7521 ext 4342 | Fax 905-356-9083 |
billmatson@niagarafalls.ca

From: Lotimer, Kelly <kelly.lotimer@niagararegion.ca>
Sent: Thursday, May 27, 2021 11:01 AM
To: Bill Matson <billmatson@niagarafalls.ca>
Subject: Request for Comments from the City of Niagara Falls respecting Application for Tourism Exemption for Home Depot

Good morning,

Please find a letter attached from Ann-Marie Norio, Regional Clerk, requesting comments from the City of Niagara Falls regarding an application for tourism exemption that we received for the Home Depot store, 7190 Morrison Street, Niagara Falls.

If you could please respond to this request on or before Monday, June 28, 2021, so that we may include comments in the staff report that will be going to the Corporate Services Committee in July, we would greatly appreciate it.

Thank you.

Kelly Lotimer

Legislative Coordinator
Office of the Regional Clerk

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

CLERKS DEPARTMENT

Inter-Departmental Memo

To: Mayor James M. Diodati & Members of Council
From: Bill Matson, City Clerk
Date: June 1, 2021
Re: Tourist Exemption for Retail Holiday Openings

Whether a business is allowed to open on a statutory holiday is determined by Provincial Legislation known as *The Retail Business Holidays Act*.

The Act does not allow holiday openings except for certain exemptions, which are outlined in the Act.

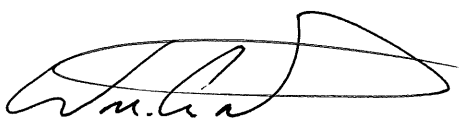
There is a process to apply for a tourist exemption through the Clerks Office at the Region. There is a fee and the Region will hold a public meeting to be held before the Region's Corporate Services Committee on Monday June 28, 2021.

The regulations of the legislation state that a retail establishment looking to open on a statutory holiday has to be located within 2km of a tourist attraction and relies on tourists visiting the attraction for business on a holiday. Most applications for such an exemption in Niagara Falls have been approved on the basis that just about every location could be argued to be catering to Tourist in the City.

The Regional Clerks Office has asked the City for its comments on the attached application for Home Depot in Niagara Falls to be open on all holiday's, with the exception of Christmas Day.

As a tourist community, where many businesses are already open on statutory holidays, there seems to be less of a desire to maintain the former "pause" days under the legislation. Council has supported other similar requests of this nature.

RECOMMENDATION: That Council support the request.





Administration

Office of the Regional Clerk

1815 Sir Isaac Brock Way, PO Box 1042, Thorold, ON L2V 4T7

Telephone: 905-685-4225 Toll-free: 1-800-263-7215 Fax: 905-687-4977

www.niagararegion.ca

May 27, 2021

Mr. Bill Matson, City Clerk
City of Niagara Falls
City Hall, P.O. Box 1023
4310 Queen St.
Niagara Falls, ON
L2E 6X5

SENT ELECTRONICALLY

Dear Mr. Matson:

Re: Request for Comments respecting Application for Tourism Exemption for Holiday Openings - Home Depot, 7190 Morrison Street, Niagara Falls

Attached is an application received from the Home Depot store located at 7190 Morrison Street, in the City of Niagara Falls, requesting a tourism exemption under the *Retail Business Holidays Act* to permit the store to open on all statutory holidays (with the exception of Christmas Day) from 7:00 a.m. to 9:00 p.m.

I kindly request that you arrange to provide me comments from the City of Niagara Falls regarding this application by Monday, June 28, 2021, for inclusion in the staff report for the Public Meeting to be held before the Region's Corporate Services Committee on Wednesday, July 14, 2021.

If you have any questions regarding this matter, please do not hesitate to contact me.

Yours truly,

A handwritten signature in black ink, appearing to read "Ann-Marie".

Ann-Marie Norio
Regional Clerk

:kl

CLK-C 2021-081

THE REGIONAL MUNICIPALITY OF NIAGARA
APPLICATION FOR TOURISM EXEMPTION
RE HOLIDAY OPENINGS

The undersigned hereby applies to the Council of the Regional Municipality of Niagara for an exempting by-law under subsection 4(1) of the Retail Business Holidays Act, R.S.O. 1990, Chapter R. 30.

If more than one person carrying on retail business is represented in this application, please list information for each on a separate page and attach to form.

Pursuant to the Regulations under the Act, an application relating to a retail business establishment that on days other than holidays normally uses a total area of 2,400 square feet or more for serving the public or normally has four or more employees serving the public shall be made only by that business establishment.

(PLEASE PRINT OR TYPE AND ADD EXTRA PAGES, IF NECESSARY)

PART 1 – APPLICANT INFORMATION

1. Type of applicant (please check one):

- ☒ one or more person carrying on retail business in the Regional Municipality of Niagara
- ☐ an association, whether or not incorporated, representing persons carrying on retail business in the Regional Municipality of Niagara
- ☐ a council of a local municipality

2. Name of Applicant: Home Depot of Canada Inc.

Mailing Address of Applicant: 400 – 1 Concorde Gate
Toronto, ON M3C4H9

Telephone No. of Applicant: 416.301.2855 Fax No.: 416.412.4958
(Meredith Ashton)

Email Address of Applicant Meredith_K_Ashton@homedepot.com

Bill 6715, *as amended by By-law No. 19-2010.*

3. Applicant's Authorized Agent (to whom all correspondence will be sent) N/A

Mailing Address of Applicant: N/A

Telephone No. of Applicant: N/A Fax No.: N/A

Email Address of Applicant N/A

4. Location of Retail Business Establishment

Municipal Address Home Depot Niagara Falls
7190 Morrison Road
Street Number, Municipality Niagara Falls, ON
L2E 7K5

5. If you wish the exemption to apply to one or more classes of retail business establishments, please define and specify the classes:

N/A

Total No. of Sq. Ft. normally used for serving the public: 94,870 square feet

Total No. of Employees normally serving the public: 168 associates

PART II – TOURISM CRITERIA

Tourist attractions are limited to:

- a) Natural attractions or outdoor recreational attractions;
- b) Historical attractions; and
- c) Cultural, multi-cultural or educational attractions.

The two (2) kilometre restriction set out in the Regulations to the Act does not apply to a retail business establishment located in a local municipality within the Regional of Niagara, having a population of less than 50,000

1. Is business located within two kilometres of a tourist attraction? If yes, describe the nature of tourist attraction: Yes

Our Home Depot Niagara Falls store is located near many Niagara Falls tourist attractions, including Lundy's Lane historical district, Canada One Factory Outlets, Oakes Park, and other nearby dining, accommodation, shopping, recreational, and entertainment venues. Please see Appendix A for map.

2. Describe nature of direct association with the tourist attraction or reliance on tourists visiting the attraction for business on a holiday.

Our Home Depot Niagara Falls store supports the Niagara Falls community as a year-round tourist destination. In particular, we retail seasonal and event products that help customers create and celebrate the many aspects of travel tourism to the Niagara region. We also offer many quality products and services at Home Depot's everyday low prices, upon which tourists rely. In addition, the Niagara Falls store provides important support to the operation of tourist attractions, such as dining, accommodation, retail, and entertainment venues. Home Depot offers a direct destination for local businesses' essential repair, maintenance, and décor needs to ensure these businesses can continue to serve tourism in the region. The store's Pro-grade offering of products and accessories also supports many local PRO (professional) companies (i.e., plumbing, electrical, building) that support the tourism industry. The Niagara Falls store is conveniently located in close proximity to key tourism destinations, ensuring tourists and tourism operators can easily travel to the store for their needs. By enabling our Home Depot Niagara Falls store to remain open on all holidays (excluding Christmas), The Home Depot

can continue to support the economic, employment and tourist destination of the Niagara region.

3. Where the application involves a business that on days other than holidays normally uses a total area of 2,400 square feet or more for serving the public, or normally has four or more employees serving the public, please outline the goods or services provided primarily to tourists.

The Home Depot Niagara Falls store offers many quality products at everyday low prices for customers in the Niagara region, including tourists. Using Canada Day as an example, our store offers multiple seasonal and event products to help create, stage and support many of the region's celebrations. Customers can find a wide assortment of products, from recreational (e.g., picnic, BBQ items), live goods, décor, and paint products to building materials, to help create elements for and on Canada Day. We also offer automotive accessories and 'on the go' beverage and snack options for tourists travelling throughout the region, and have a wide array of everyday, household products, such as cleaning supplies, batteries, and light bulbs, to support tourist rental needs.

This section relates only to applications to grant exemptions on an area basis.

4.
 - a) In what local municipality is it located? Choose an item.
 - b) Describe subject area (in words):

Click here to enter text.
(Please attach a map or sketch)
 - c) How many businesses are included in this application? Click here to enter text.
 - d) Are all the retail business establishments in the described area within two kilometres of the tourist attraction? Choose an item.
 - e) Does the area exceed that necessary to encompass all of the retail business establishments for which an exemption is sought? Choose an item.

If not, explain how it does not:

Click here to enter text.

- f) How many of the businesses are directly associated with the tourist attraction or rely on tourists visiting the tourist attraction for business on a holiday? (Regulations to the Act require at least 25% of the businesses) Click here to enter text.
- g) If application is submitted by an association, describe briefly the purpose of the association, the area and type of businesses it represents.

Click here to enter text.

PART III - GENERAL

- Indicate which holidays, and which specific times or specific number of hours you wish to be open on those holidays: *All holidays (excluding Christmas Day) from 7:00 am*

New Year's Day	from 7:00	a.m.	to 9:00	p.m.	<i>- 9:00 PM, including :</i>
Family Day	from 7:00	a.m.	to 9:00	p.m.	
Good Friday	from 7:00	a.m.	to 9:00	p.m.	
Easter Sunday	from 7:00	a.m.	to 9:00	p.m.	
Victoria Day	from 7:00	a.m.	to 9:00	p.m.	
Canada Day	from 7:00	a.m.	to 9:00	p.m.	
Labour Day	from 7:00	a.m.	to 9:00	p.m.	
Thanksgiving Day	from 7:00	a.m.	to 9:00	p.m.	
Choose an item,	from 7:00	a.m.	to Click here to enter text.	p.m.	
- Is request seasonal in nature, e.g. summer months only? No

If yes, what time period is sought?

N/A
- What is the justification in relation to the seasonal nature, if any, of the tourist attraction, for the time period sought in the exemption?

N/A
- Is request related to a special event? No

NOTE: A retail business establishment may be exempted for up to five holidays a year during which a fair, festival or other special event (but not solely a parade) is being held in that municipality.

For what holidays is exemption being sought?

N/A

Describe special event, duration and time of year

N/A

5. Indicate how the exemption would, if granted, be for the maintenance or development of tourism and briefly identify other material submitted with this application that supports this conclusion:

As Canada's leading home improvement retailer, our Home Depot Niagara Falls store offers a wide assortment of quality products and services to support the maintenance, repair, and operational needs of new and existing businesses within the Niagara region. Our support helps to ensure Niagara businesses can continue to serve the tourism industry, either directly as tourism destinations, or as local PROs (professionals such as plumbers, electricians, contractors) who support these tourist venues. Our knowledgeable store associates, including dedicated PRO sales associates, work closely with local businesses and PROs to ensure their maintenance and development needs are met. Our Home Services department further helps to support the growth and improvement of tourism destinations in Niagara, through renovations, remodels and updating. The proximity of our Niagara Falls store ensures that any tourism location (and local PRO) can obtain the products and services they need to continue to operate day in and day out. Lastly, our store can help residents and tourist rentals with their maintenance and repair needs whenever they need to access them.

6. What justification is there for the opening of the retail business establishment(s) on holidays in light of the principle, stated in the Retail Business Holidays Act, that holidays should be maintained as common pause days?

Niagara Falls is a year-round tourist destination, particularly during statutory holidays. Our Home Depot Niagara Falls store is well-situated to meet the ongoing needs of both tourists and tourist locations in the region. We note that repair, maintenance, renovation and remodel requirements of the tourism industry are continuous (and sometimes unpredictable) for businesses and residents. We believe support should be available for the tourism industry during its regular hours of operation, which includes those days currently defined as "holidays" under the Retail Business Holidays Act. By enabling our

Bill 6715, *as amended by By-law No. 19-2010*.

Niagara store to remain open on all holidays (excluding Christmas), The Home Depot can continue to support the economic, employment and tourist destination of the Niagara region.

Bill 6715, *as amended by By-law No. 19-2010.*

EXECUTION BY APPLICANT

I, Meredith Ashton, of the City of ~~Choose an item.~~ ^{Toronto}, in the ~~Choose an item.~~ ^{Province of Ontario}, do solemnly declare that all of the statements contained in this application are true and I make this solemn declaration conscientiously, believing it to be true and knowing that it is of the same force and effect as if made under oath and by virtue of the Canada Evidence Act.

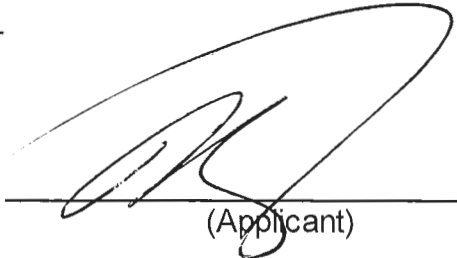
Declared before me at the City

of ~~Choose an item.~~ ^{Toronto}, in the

~~Choose an item.~~ ^{Province of Ontario}

of ~~Choose an item.~~ ^{7th} this ~~Click here to enter text.~~ ^{CH 17}

day of May, 2021


(Applicant)


A Commissioner, etc.

APPOINTMENT OF AUTHORIZED AGENT

^{LSO # 59816B}

I/We, ~~Click here to enter text.~~ hereby appoint ~~Click here to enter text.~~ of ~~Click here to enter text.~~ to act as my/our authorized agent in this application.

Witness:

Signed:

Date:

NOTES:

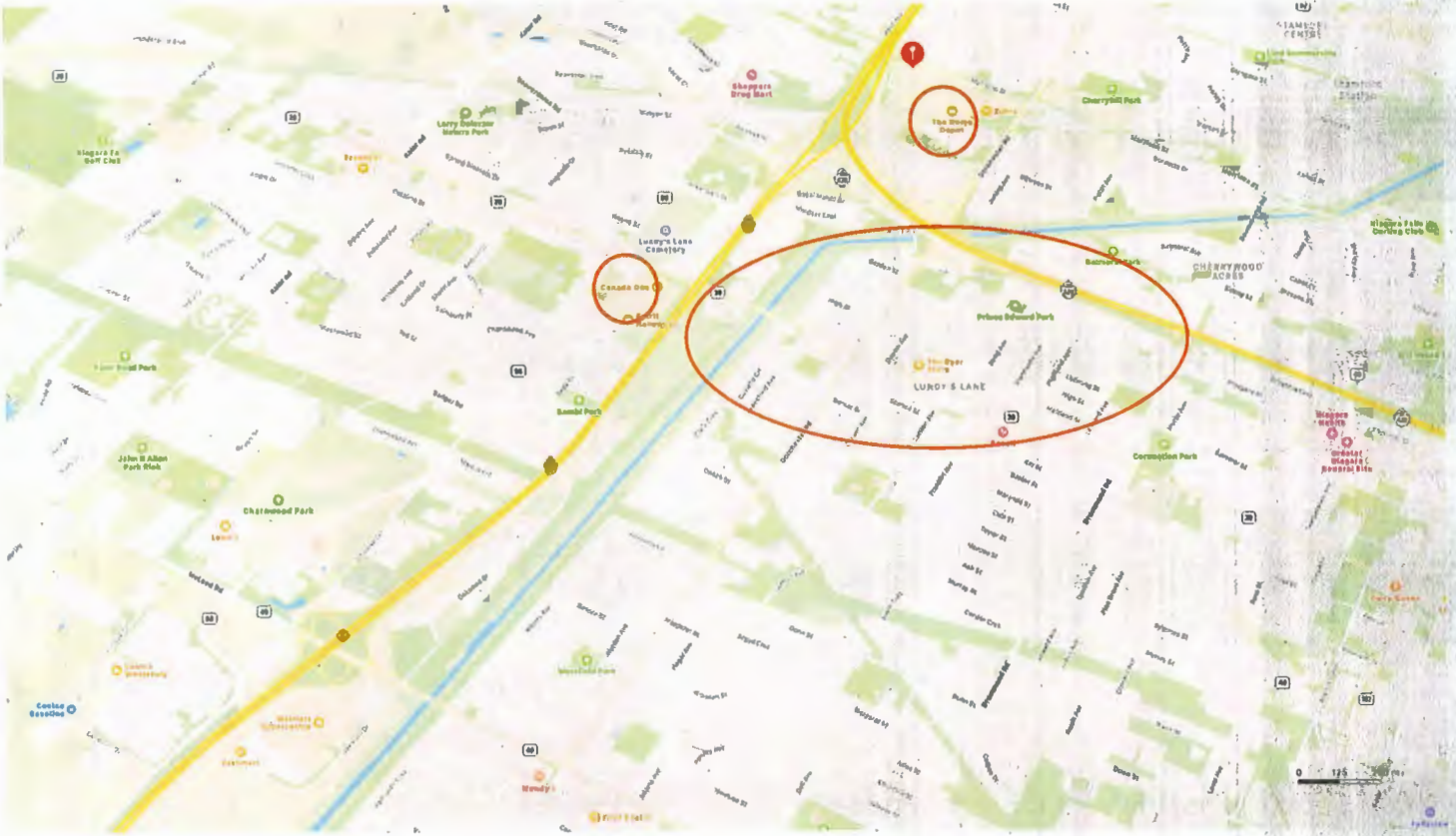
1. It is required that the original application be filed with the Regional Clerk, together with appropriate documentation, accompanied by a cheque in the amount of \$750, made payable to:

THE REGIONAL MUNICIPALITY OF NIAGARA

This fee will cover the following:

- publication costs
 - legal costs to review applications
 - administrative costs i.e. printing, mailing
2. Applications are to be filed at the Clerk's Department, the Regional Municipality of Niagara, 2201 St. David's Road, Thorold, Ontario, L2V 4T7 to the attention of the Regional Clerk (685-1571).
 3. This application and any by-law passed by the Region are subject to the provisions of the Retail Business Holidays Act. It is strongly suggested that Applicants contact their solicitor with respect to the provisions of the Act.
 4. It is preferred where possible that applicants submit a proposed exemption by-law with their applications.
 5. Each application must be accompanied by a scaled plan or map of the area covered by the proposed by-law showing:
 - (a) the retail business establishment(s);
 - (b) the tourist attraction; and
 - (c) the scale of the plan or map enabling the distances to be measured.

APPENDIX 1



Subject: Development Charge Demolition Credit Extension Request – Brownfield Redevelopment, Grimsby

Report to: Corporate Services Committee

Report date: Wednesday, July 14, 2021

Recommendations

1. That the eligibility period extension request for the Regional Development Charge demolition credits associated with the brownfield redevelopment located at 362-398 North Service Rd., Grimsby (commonly referred to as “5th Wheel”) **BE APPROVED** as per Table 2 in accordance with section 18 (c) of By-law 2017-98;
2. That the eligibility period extension request for the Regional Development Charge demolition credits associated with 2 Winston Rd., Grimsby, **BE DENIED**; and
3. That no additional extension for the Brownfield Transition agreement made under Schedule F of By-law 2017-98 between the Regional Municipality of Niagara and Losani Homes (1998) LTD. or other grants associated with the 5th Wheel development **BE APPROVED**.

Key Facts

- The purpose of this report is to seek Council’s approval to extend the Regional Development Charges (RDC) demolition credits associated with the brownfield redevelopment located at 362-398 North Service Rd., Grimsby, in accordance with section 18 (c) of the RDC By-law 2017-98 which expired May 22, 2021, (commercial use - restaurant), May 25, 2021, (commercial use - motel) and June 4, 2021, (commercial use - truck wash) and to deny the extension request for 2 Winston Rd., Grimsby.
- The 5th Wheel property currently holds one of four active transition provision agreements under Schedule F of the RDC By-law 2017-98 with an estimated total grant of \$9.9 million (excluding demolition credits).
- As per By-law 2017-98 if a demolition takes place on a brownfield, an application may be made to the Regional Treasurer for an extension of time for the demolition credit of up to three additional years (an increase from the base 5 years) if the redevelopment has not been able to proceed due to delays in completing the remediation works.

- The developer has identified in their extension request, included as Appendix 1 to Report CSD 37-2021, that the site redevelopment was delayed as a result of the environmental remediation work that was required for the site in order to achieve the record of site condition. As such, staff are recommending an extension for the 362-398 North Service Rd. property be granted.
- Staff are not recommending an extension for the 2 Winston Rd. property as this property does not meet the definition of a brownfield from By-law 2017-98 and therefore would not be eligible for the additional 3-year extension.
- Based on current planning application progress, it is not anticipated that building permits for this project will be issued in advance of current RDC by-law expiry on August 31, 2022, and it is not expected that construction will commence until 2022, based on projected planning application timelines.

Financial Considerations

The demolition permits for the properties of 362-398 North Services Rd. and 2 Winston Rd. were issued to the developer on May 23, 2016, (commercial use - restaurant), May 26, 2016, (residential unit – single detached and commercial use - motel) and June 5, 2016, (commercial use - truck wash). As per the demolition permits, the demolition resulted in the removal of 27,213 square feet of commercial building space and one detached residential unit. To date, none of the available demolition credits have been utilized in the redevelopment of the property.

The full demolition credits associated with these properties expired in May and June 2021. If the recommendations of this report are approved, the demolition credit associated with 362-398 North Service Rd. will be extended for an additional 3 years as a reduction of \$346,150 against DCs payable by the developer and the demolition credit of \$20,112 associated with 2 Winston Rd. will remain expired. A summary of expired demolition credit amounts can be found in Table 1.

The demolition credits available would be in addition to the estimated \$9.9 million in DC grants available for this property as per their transition agreement under By-law 2017-98, Schedule F. The Schedule F transition agreements provided eligible brownfield properties with the ability to continue to utilize the 2012 RDC By-law brownfield grant instead of the modified brownfield grants in the 2017 RDC By-law.

Table 1 – Summary of Demolition Credits

Recommended to be Extended – Recommendation 1	Square Footage/ Units	Estimated RDC Rate*	Amount
Demolition Credit Available as per Demolition Permit Issued May 23, 2016 – Restaurant (362-398 North Service Rd.)	9,634	\$12.72	\$122,545
Demolition Credit Available as per Demolition Permits Issued May 26, 2016 – Motel and Res. Detached Unit (362-398 North Service Rd.)	10,626	\$12.72	\$135,163
Demolition Credit Available as per Demolition Permits Issued June 5, 2016 – Truck Wash (362-398 North Service Rd.)	6,953	\$12.72	\$88,442
Total			\$346,150
Recommended to be Denied – Recommendation 2	Square Footage/ Units	Estimated RDC Rate*	Amount
Demolition Credit Available as per Demolition Permits Issued May 26, 2016 – Residential Detached Unit (2 Winston Rd.)	1	\$20,112	\$20,112
Total			\$20,112

* Subject to annual indexing.

For additional clarification, it should be noted that the demolition credits identified in Table 1 are indexed annually with the regular indexing of the overall development charge rates meaning at building permit issuance both the gross RDC payable and the demolition credits are calculated at the current RDC rates.

Analysis

On May 6, 2021, staff received a letter (Appendix 1 to Report CSD 37-2021) from Losani Homes, the owner of subject properties in Grimsby, requesting that the RDC demolition credits associated with the former commercial/residential use properties be extended for an additional three years from the point of expiry. The request was made under section 18 (c) of the RDC By-law 2017-98 which permits an extension of three years (i.e., in addition to the base five years for a total of eight years) if the

redevelopment was delayed as a result of brownfield environmental remediation work required on the site.

Region staff have reviewed the requests and believe the extension associated with 362-398 North Service Rd. is reasonable and fits within the intent of section 18 (c) of the RDC Bylaw 2017-98. As such, staff is recommending Council approve the request to extend the remaining RDC demolition credits associated with 362-398 North Service Rd. in accordance with the dates in Table 2. The demolition credit associated with 2 Winston Rd. property is not being recommended for extension as this property was residential in nature and as such does not meet the definition of a Brownfield from the RDC By-law 2017-98. If the recommendations of this report are approved, the 2 Winston Rd. demolition credit will remain expired.

Table 2 – Summary of Demolition Credits Expiry and Extension

Description	Current Expiry	Extended Expiry
Demolition Credit Available as per Demolition Permit Issued May 23, 2016 – Restaurant (362-398 North Service Rd.)	May 22, 2021	May 22, 2024
Demolition Credit Available as per Demolition Permits Issued May 26, 2016 – Motel and Res. Detached Unit (362-398 North Service Rd.)	May 25, 2021	May 25, 2024
Demolition Credit Available as per Demolition Permits Issued June 5, 2016 – Truck Wash (362-398 North Service Rd.)	June 4, 2021	June 4, 2024
Demolition Credit Available as per Demolition Permits Issued May 26, 2016 – Residential Detached Unit (2 Winston Rd.)	May 25, 2021	N/A

The section from the RDC by-law that allows for the extension has been included below for reference:

“Where demolition takes place on a brownfield, the above conditions apply however, an application may be made to the Regional Treasurer for an extension of time for the redevelopment credit of up to three additional years if the redevelopment has not been able to proceed due to delays in completing the remediation works. This application must be received prior to the expiry of the initial five year period as provided in section 18. (1) of

this By-law. This application will be considered by Regional Council for approval.”

For additional clarification on how a property qualifies as a brownfield, the definition from RDC By-law 2017-98 is included below for reference:

“means land located within the urban areas as defined from time to time in the Regional Official Plan, upon which there has been previous agricultural, industrial, institutional, or commercial or open lands use or other use as prescribed under the Environmental Protection Act, R.S.O. 1990, c.E.19 and Ontario Regulation 153/04 thereto, each as amended from time to time, and for which site remediation is required in accordance with a Phase 2 Environmental Site Assessment, and for which a Record of Site Condition has been filed on the Province’s Brownfields Environmental Site Registry pursuant to the Environmental Protection Act, R.S.O. 1990, c.E.19 and Ontario Regulation 153/04 thereto, each as amended from time to time”

To date, the redevelopment of this property has not resulted in new construction on site which can be seen with the pictures included as part of Appendix 2 to Report CSD 37-2021. While staff recommend an extension of the demolition credits associated with 362-398 North Service Rd. for the project, staff are not recommending that there be an extension to the Brownfield Transition agreement made under Schedule F of By-law 2017-98 between the Regional Municipality of Niagara and Losani Homes (1998) LTD. or other grants associated with the 5th Wheel development. The transition agreement ends August 31, 2022, concurrent with the expiry of the current RDC By-law. In this agreement the developer has the option of prepaying the development charges for the project in advance of August 2022 date. The new 2022 RDC By-law currently being developed by staff and Council will make its own conclusions as to applicable grants and staff recommend that if the developer is unable or unwilling to prepay the RDC by August 31, 2022, the new incentive policies approved by Council should apply to any RDC payable after that date.

Alternatives Reviewed

Council may elect to deny the extension request entirely, which is not recommended. The extension of the demolition credits would be reasonable given the environmental remediation work that was undertaken, Council’s previous endorsement establishing

brownfield remediation as an incentive pillar priority, and the perceived benefit of the redevelopment on the surrounding area.

Relationship to Council Strategic Priorities

This report supports the Council Strategic Priority of Supporting Businesses and Economic Growth.

Other Pertinent Reports

None

Prepared by:

Rob Fleming, MBA
Senior Tax & Revenue Analyst
Corporate Services

Recommended by:

Todd Harrison, CPA, CMA
Commissioner/Treasurer
Corporate Service

Submitted by:

Ron Tripp, P.Eng.
Acting Chief Administrative Officer

This report was reviewed by Margaret Murphy, Associate Director, Budget Planning & Strategy and Helen Chamberlain, Director, Financial Management & Planning/Deputy Treasurer.

Appendices

Appendix 1 362-398 North Service Rd & 2 Winston Rd - Niagara Region DC Credit Extension Request

Appendix 2 Site Map



VIA EMAIL

May 6, 2021

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

ATTN: Todd Harrison, Commissioner of Corporate Services / Regional Treasurer at Regional Municipality of Niagara

**RE: Niagara Region DC Demolition Credit Extension Request
362 - 398 North Service Road & 2 Winston Road. – 26OP-16-1805, 26Z-16-1803, 26T-16-1801**

Dear Mr. Harrison,

On behalf of Losani Homes, I would like to formally request extension of the eligibility for the Demolition Credits pertaining to 362 – 398 North Service Road & 2 Winston Road for an additional 3 years. The redevelopment of these lands has not been able to proceed due to delays in completing the remediations works and development approvals. Losani Homes has filed a request for extension of applicable Municipal DC Credits to the Town of Grimsby.

Losani Homes has been in discussion with Town of Grimsby staff since mid-2019 regarding the process to ensure consideration of extensions for historical demolitions on the 5th Wheel site. We worked with staff to ensure that the Municipal DC Background Study process and subsequent by-law which was brought into force on March 22, 2021 took consideration for this substantial brownfield site and others like it in the Town of Grimsby.

The previous Town of Grimsby Development Charges by-law permitted a reduction of development charges with respect to redevelopment, so long as it occurs within 48 months of the date of demolition. This by-law did not contain a provision to allow for an extension of these credits beyond the 48 months. As such, we were unable to receive extension for demolitions completed to date. The current by-law now permits for eligibility to 60 months with further eligibility for extensions to 96 months where lands cannot proceed to redevelopment due to remediation requirements.

Considering the above and in keeping in alignment with our request for extension of municipal credits, 362 - 398 North Service Road & 2 Winston Rd. requires extensions for a total of 4 development charge demolition credits. See below for record of issued demolition permits:

1. 2 Winston Road (Residential, Single Family) – May 26, 2016
2. Motel & Underground Storage Bunker (Non-Residential, Non-Industrial) – May 26, 2016
3. Restaurant (Non-Residential, Non-Industrial) – May 23, 2018
4. Truck Wash (Non-Residential, Non-Industrial) – June 6, 2018

Initial demolitions for the property took place starting in 2016 with planning approvals and environmental clean-up ongoing. Applications for OPA, ZBA, and Draft Plan of Subdivision received conditional approval in Nov 2020. Additionally, Site Plan Applications will be made at a future date, along with detailed Engineering submissions, reviews, and approvals. Once these approvals have been satisfied for the entirety of the lands, Losani will then be able to apply for building permits and utilize the DC Credits on file.

Considering the context of this site, the entirety of the lands cannot proceed to issuance of building permits and application of available credits until remediation has been completed, with Record of Site Condition filed, and all development approvals in place. As such, we do not feel it is appropriate to consider portions of the site for extension as these requirements are in place for the entirety of the lands. Extension is required to 96 months after issuance of demolition permit issuance, inclusive of 2 Winston Road. This portion of the property did not require remediation and record of site condition as its previous use was residential, but development cannot proceed until all lands are remediated and receive approvals accordingly.

Included with this request is a copy of Losani Homes' DC Demo Credit Extension Request to the Town of Grimsby and a copy of the Environmental Considerations Technical Memo prepared by Soil-Mat Engineers & Consultants Ltd. for the subject lands for your reference.

We appreciate your review of our request for extension of the DC Demolition Credits for this site. Should you have any questions or concerns, please do not hesitate to contact me.

Regards,
LOSANI HOMES (1998) LTD.
Per

A handwritten signature in black ink, appearing to read 'B Almeida', is written over a light gray rectangular background.

Brandon Almeida, BES, MCIP, RPP
Project Manager & Planner
Land Development

362-398 North
Service Road,
Grimsby

Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community, Teranet Inc.

Legend

Address Points

Assessment Parcels

Niagara Region



© 2021 Niagara Region and its suppliers. Projection is UTM, NAD 83, Zone 17.
The Niagara Region makes no representations or warranties whatsoever, either
expressed or implied, as to the accuracy, completeness, reliability, currency or
otherwise of the information shown on this map.

0 0.04 0.07 0.15 0.22 0.3 43
km

Date: 2021-06-21 Time: 3:04 PM

2 Winston Road,
Grimsby

Source: ESRI, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community, Teranet Inc.

Legend

Address Points

Assessment Parcels

Niagara Region



© 2021 Niagara Region and its suppliers. Projection is UTM, NAD 83, Zone 17.
The Niagara Region makes no representations or warranties whatsoever, either expressed or implied, as to the accuracy, completeness, reliability, currency or otherwise of the information shown on this map.

0 0.04 0.07 0.15 0.22 0.3 44
km

Date: 2021-06-21 Time: 3:05 PM

Subject: 2018-RFP-33 - Architectural Services for Two Long Term Care Homes in St. Catharines and Fort Erie

Report to: Corporate Services Committee

Report date: Wednesday, July 14, 2021

Recommendations

1. That Contract Administration Services identified in “2018-RFP-33 Architectural Services for Two Long Term Care (LTC) Homes in City of St. Catharines and Town of Fort Erie” **BE AWARDED** to MMMC Inc., in the amount \$1,829,206.43 (including 13% HST); and
2. That the Regional Chair and the Regional Clerk **BE AUTHORIZED** to execute an amending agreement between Niagara Region and MMMC Inc. as proposed in Recommendation 1 above.

Key Facts

- The purpose of this report is to seek Council approval to award phase three, contract administration services, to MMMC Inc. for the construction of Linhaven and Gilmore Lodge long term care homes.
- Council approved a total project budget of \$102 million for the Linhaven Long Term Care Home Redevelopment, St. Catharines and \$73 million for Gilmore Lodge Long Term Care Home Redevelopment, Fort Erie, as part of the 2020 Capital Budget.
- MMMC Inc. was the successful proponent for all three phases of a competitive procurement for design services “2018-RFP-33 - Architectural Services for Two Long Term Care (LTC) Homes in City of St. Catharines and Town of Fort Erie Request for Proposal”.
- MMMC Inc. have previously been awarded phase one – Master Planning & Schematic Design and phase two – Detailed Design & Contract Documents services.
- Award of phase three will result in a total contract value in excess of \$5 million dollars, and in accordance with the procurement execution By-law No. 02-2016, as amended, requires Council approval.

Financial Considerations

Through the competitive Request for Proposal procurement, 2018-RFP-33 Architectural Services for Two Long Term Care (LTC) Homes in City of St. Catharines and Town of Fort Erie, MMMC Inc. was selected as the preferred proponent to carry out planning, design and contract administration services for the Linhaven and Gilmore Lodge LTC home redevelopments. The total fee submitted by MMMC Inc. to carry out the services contemplated under the scope of the RFP was \$5,585,230 plus HST and was broken out into three phases. Phase one, valued at \$1,409,844 plus HST, included master planning of the two sites and preliminary schematic design. Phase two included detailed design services and development of contract documents, and was valued at 2,647,806 plus HST. Phase three, valued at \$1,527,580 plus HST, was for the provision of contract administration services during construction.

The RFP was structured to provide the Region with flexibility in awarding the various phases of work. Award of phase one services were guaranteed with the award of subsequent phases contingent on approval of deliverables from phase one, capital funding approvals and successful performance by the proponent of their previous work. The evaluation of proposals considered all phases of work in determining the top ranked proponent, ensuring the award of phase one and all subsequent phases were based on a competitive evaluation process.

On October 5, 2018, MMMC Inc. was awarded phase one services and entered into an agreement with the Region on November 16, 2018, with an initial value of \$1,409,844 plus HST. Following successful completion of the initial work by MMMC Inc., an amending agreement was executed for phase two services on May 1, 2020. The combined value of the work for the first two phases was \$4,174,708 plus HST. The amended agreement included the fees identified in the RFP, \$31,458 in additional services required during phase one and \$85,600 in additional fees pertaining to the demolition of the existing Linhaven facility.

The Linhaven construction tender was awarded in June 2021, with the Gilmore Lodge award anticipated for September 2021. With the project entering the construction stage, phase three of the consultant agreement, for contract administration services during construction, needs to be awarded for MMMC Inc. to carry on with their work. The value of this phase is \$1,618,767 plus HST and includes \$24,334 in additional services required during phase two, \$41,853 for WELL consulting services and a contingency allowance of \$25,000 for any unforeseen services required during construction. With the inclusion of phase three services, the total value of the agreement will be \$5,793,475

plus HST, and in accordance with the procurement execution By-law No. 02-2016, as amended, requires Council approval for awards over \$5 million.

Analysis

A Request for Proposal (RFP) for architectural services “2018-RFP-33 Architectural Services for Two Long Term Care (LTC) Homes in City of St. Catharines and Town of Fort Erie” was issued through Procurement Services on July 13, 2018. The RFP closed on August 23, 2018 with the Region receiving a total of seven (7) submissions from the following consultants:

1. MMMC Inc.
2. HDR Architecture Associates Inc.
3. Salter Pilon Architecture Inc.
4. IBI Group
5. Montgomery Sisam Architects Inc.
6. Diamond Schmitt Architects
7. Architects+ Research + Knowledge (ARK) Inc.

A five-member evaluation committee, with representation from Construction Energy & Facilities Management and Seniors Services reviewed the RFP submissions. Proposals were evaluated according to the staged evaluation process outlined in the RFP and all aspects of the evaluation process were overseen by a representative from Procurement Services. At the conclusion of the technical evaluations three proponents, MMMC Inc., HDR Architecture and ARK Inc., met the required benchmark score and were invited to the interview/presentation stage. After scoring the interviews, two of the three proponents, MMMC and ARK, met the next benchmark and proceeded to final stage, financial cost envelopes. Upon evaluation of the financial submissions, MMMC emerged as the preferred proponent with the highest technical and interview scores and lowest price, resulting in highest overall score.

Alternatives Reviewed

No alternatives were reviewed.

Relationship to Council Strategic Priorities

Not Applicable.

Other Pertinent Reports

CSD 35-2021	Corporate Services Committee	June 16, 2021
COM 8-2021	Public Health & Social Services	April 13, 2021
CSD 26-2020	Corporate Services Committee	May 13, 2020
CSD 53-2019	Budget Review COTW	October 10, 2019
COTW 05-2019	Committee of the Whole	July 4, 2019
CSD 15-2018	Corporate Services Committee	April 4, 2018
CL-C 21-2018	Regional Council	April 12, 2018
CSD 50-2017	Regional Council	June 20, 2017
CSD 49-2017	Regional Council	June 29, 2017
CSD 43-2017	Corporate Services Committee	June 21, 2017
CSD 9-2017	Corporate Services Committee	January 11, 2017
CAO 10-2016	Regional Council	July 21, 2016
CAO 4- 2016	Regional Council	March 24, 2016
CAO 13-2015	Regional Council	June 11, 2015
CAO 05-2015	Regional Council	March 26, 2015

Prepared by:

Mislav Koren
Senior Project Manager
Construction, Energy & Facilities
Mangement

Recommended by:

Todd Harrison, CPA, CMA
Commissioner, Corporate Services/
Treasurer

Submitted by:

Ron Tripp, P.Eng.
Acting Chief Administrative Officer

This report was reviewed by Nicole Wolfe, Director CEFMS; Bradley Ray, Associate Director CEFMS and Jeff Mulligan, Procurement Manager.

Subject: Engineering Roster Extension – Water, Wastewater, Transportation, Waste Management and Facilities

Report to: Corporate Services Committee

Report date: Wednesday, July 14, 2021

Recommendations

1. That the 2019 Niagara Region engineering roster for Water, Wastewater, Transportation, Waste Management and Facilities (2019-RFPQ-173) **BE EXTENDED** from July 31, 2021, to December 31, 2021 (5 months).

Key Facts

- The purpose of this report is to seek Council's approval to extend the current roster of engineering service providers which is set to expire on July 31, 2021, to December 31, 2021 (5 months).
- Niagara Region remains committed to improving service delivery and driving efficiency through the implementation of the initiatives outlined herein, which support successful outcomes for Regional projects.
- In accordance with Section 20 (h) of Niagara Region's Procurement 02-2016 (as amended on February 28, 2019), the roster for professional or specialized services shall be updated at least once every two (2) years.
- There are no formal agreements associated with the Roster which would need to be amended to reflect the extension (if approved, the commencement of next consultants roster will better align with Niagara Region's 2022/2023 planned/scheduled capital program.)

Financial Considerations

The Successful Roster Listing shall be utilized by Regional staff for projects as needed. Staff may utilize the list to issue Request for Quotes (RFQ), Request for Tenders (RFT), Request for Proposals (RFP) or direct award any assignment as prescribed by the Regions Procurement By-Law.

Under the current engineering roster, Procurement confirms that since July 31, 2019, a total of 88 separate procurements have been completed with an award value of \$13,100,610.

Analysis

The purpose of this report is to seek Council's approval to extend the current roster which is set to expire on July 31, 2021, to December 31, 2021. In accordance with Section 20 (h) of Niagara Region's Procurement 02-2016 (as amended on February 28, 2019), the roster for professional or specialized services shall be updated at least once every two (2) years, hence the report and the recommendation herein.

On April 26, 2019, Niagara Region issued Request for Supplier Qualifications 2019-RFPQ-173, an invitation to prospective firms to pre-qualify for eligibility to provide Management Consulting Services for Water, Wastewater, Transportation, Waste Management & Facilities projects in 2019-2021.

The Procurement process closed on May 24, 2019, and at the conclusion of the evaluation process, a successful roster listing was established with a commencement date of August 1, 2019. The current roster is segregated into twenty-nine (29) distinct Categories: ten (10) distinct categories for Water and Wastewater, seven (7) for Transportation, one (1) distinct category for Waste Management and eleven (11) distinct categories for Facilities.

Procurement confirms that in the time between the expiration of the previous roster (June 30, 2019) and the commencement date of the current roster (August 1, 2019), Niagara Region entered a "grey period" whereby the then current roster was allowed to expire and was not leveraged further during the month of July 2019 (no roster procurement/assignments).

As the current procurement was a non-binding Request for Pre-Qualification process, no agreements were executed between Niagara Region and the successful Proponents and as such any extension to the current roster (if approved) would not result in any amending agreements.

On December 17, 2020, a committee of representatives from Procurement and Public Works met to commence preparation for the new roster procurement. To date, meetings have been held to consider improvements and innovative approaches to this latest iteration of the roster at both the initial pre-qualification and subsequent 2nd stage processes.

Staff remain committed to improving the overall roster process and to date, those conversation continue to evolve on matters related to the flexibility of the roster process

and the ability for staff to further leverage the roster in a manner that is consistent with the current procurement by-law. Staff are confident that this up-front investment in time will directly result in an improvements in use of the roster over this and future roster assignments.

Staff have engaged in discussions on how to best optimize the functionality of the roster. The primary objective is to implement a roster system which is efficient, flexible, delivers best value to Niagara Region, and is compliant with procurement policies and retains the integrity of the roster process. The benefits of the revised roster system include issuing a larger number of projects, reducing the time required to issue a project, simplifying the process for rostered firms, and increasing effective administration and management of the roster.

There are several examples of Ontario municipalities that employ a roster system to select engineering consultants. Both the City of Hamilton and City of Toronto have long-standing consultant rosters as part of their procurement options. Staff are modelling Niagara Region's roster on the successful roster system both of these municipalities have employed over the last ten (10) years.

A number of key principles are required for a roster to function effectively. It is the goal of staff that Niagara Region's roster abides by the following principles: fair vendor registration; impartial evaluation of all vendors; selection of competent firms; fair evaluation of rostered candidates; equal distribution and responsible management of roster assignments; and maintaining proper documentation and administration of the roster including compliance with all applicable Procurement policies and by-laws.

Staff is proposing that three key components of the current roster require adjustment:

1. A crucial element to improve the efficiency and effectiveness of the roster would be to increase the direct assignment limit. The current limit of \$25,000 is insufficient since a large proportion of potential roster assignments exceed the current direct award limit which means those assignments become a formal Request for Quote process.
2. The implementation of a comprehensive oversight structure related to the administration of the roster. This would include dedicated roster captains being responsible for overseeing their respective roster categories; tracking of roster assignments; conducting regular roster audits; and annual reporting.
3. It is proposed that the revised roster system be adjusted to include a financial evaluation which is based on an average score. It is anticipated that employing

average scoring for financials will improve the quality of submissions, and the cost of assignments should be more reflective of the actual work required to complete the assignment. Further, this change should assist in reducing or eliminating the number of requests for added or expanded costs once the work has commenced.

Staff are currently reviewing all of the elements identified above. It is anticipated that over the next several months a new system will be developed which will serve to optimize the Niagara Region's current roster.

Alternatives Reviewed

Similar to 2019, the current engineering roster could expire. Staff would enter a period where the current roster would not be leveraged and any interim procurements would be facilitated outside of the roster as open and formal, until such time as the new roster procurement is complete.

Staff are not recommending this option as:

- It would increase the workload for Project Managers as it would likely trigger an increase in the number of proposals (i.e. between 15-20 in some cases) received from Proponents for most assignments which would need to be reviewed and evaluated between now and the end of the year;
- During the construction season, Project Managers spend the majority of their time managing projects on-site. The remainder of their time is applied to managing staff, managing future projects that are in the design phase and supporting projects that are in the Environmental Assessment planning phase. It is not effective to use more of their time to review multiple proposals for each assignment; and
- If the roster remains in place, staff can take a subset of the project list and send the RFP's out in an equitable manner, which cuts down on the amount of reviews per assignment.

Relationship to Council Strategic Priorities

While Procurement & Strategic Acquisitions and its related activities align with many of Council's 2019-2022 Strategic Priorities, the engineering consulting roster aligns with Sustainable and Engaging Government, specifically objective 4.1: High Quality, Efficient and Coordinated Core Services, which promote an organizational culture that values continuous improvement, collaboration, and innovation.

Other Pertinent Reports

N/A

Prepared by:

Bart Menage
Director, Procurement & Strategic
Acquisitions
Corporate Services

Recommended by:

Todd Harrison, CPA, CMA
Commissioner/Treasurer
Corporate Services

Submitted by:

Ron Tripp, P.Eng.
Acting Chief Administrative Officer

This report was prepared in consultation with Bruce Zvaniga, Commissioner of Public Works (Interim), Carolyn Ryall, Director, Transportation Services, Catherine Habermehl, Director, Waste Management Services and Joe Tonellato, Director, Water & Wastewater and Tracie Byrne, Manager of Procurement.

Appendices

N/A

MEMORANDUM

CSC-C 19-2021

Subject: Deferred Motion - Hospice Niagara Request for Funding (Report CSD 24-2021)

Date: July 14, 2021

To: Corporate Services Committee

From: Ann-Marie Norio, Regional Clerk

The Corporate Services Committee, at its meeting held on April 14, 2021, deferred consideration of the following amended motion respecting Report CSD 24-2021, Hospice Niagara Request for Funding, to the Corporate Services Committee meeting being held on July 14, 2021:

1. That the Hospice Niagara Funding request of \$4 million **BE RECEIVED** for information;
2. ***That Council SUPPORTS the request for funding by Hospice Niagara in the amount of \$4 million;***
3. ***That funding for the project BE INCLUDED in the 2022 Niagara Region operating budget, to be paid in 4 equal annual instalments with timing to be determined and a report to come forward to the Budget Review Committee of the Whole; and***
4. ***That staff BE DIRECTED to develop a program for dealing with this type of health care related request for funding, possible criteria to include how the proposed project integrates with other health care services in Niagara, the extent of service to all residents of Niagara, the impact of proposed new services or extension of existing services and how the project will be funded through private fundraising and other sources of revenue.***

A copy of Report CSD 24-2021 is attached.

Respectfully submitted and signed by

Ann-Marie Norio
Regional Clerk

Subject: Hospice Niagara Request for Funding

Report to: Corporate Services Committee

Report date: Wednesday, April 14, 2021

Recommendations

1. That the Hospice Niagara Funding request of \$4 million **BE RECEIVED** for information.

Key Facts

- On November 9, 2020 Hospice Niagara requested that Niagara Region consider a capital funding contribution of \$4 million to assist with the capital cost associated with increasing the number of hospice beds in Niagara
- The Region does not have a grant funding program, policy or funding source for such a request.
- Hospice Niagara's project is included in the Region's site plan co-located on the campus of the approved long-term care redevelopment initiative in Fort Erie.
- The original agreement between the Region and Hospice Niagara is that Hospice would receive the required land on Regional property while Hospice would fund the entire cost of construction. This would be similar to the arrangement on the Linhaven property in St. Catharines.

Financial Considerations

The request from Hospice Niagara is \$4 million towards the total capital build of 20 new hospice beds in Niagara estimated at \$14 million. Currently, there is no legislated or policy expectation or obligation for municipalities or Region to provide capital funding for hospice residential facility builds. Hospice providers are able to apply/request capital funding from the province and also raise funds through fundraising/community contributions.

The Hospice Niagara request represents 1% of the Region's 2021 general levy. Additionally, Hospice Niagara requested and has been approved for the following \$670,756 from the local area municipalities confirmed up to the date of authoring this report:

- Fort Erie \$150,000
- Pelham \$ 85,000
- Port Colborne \$ 90,000
- Thorold \$ 90,756
- Welland \$255,000

Analysis

Hospice Niagara's proposal is to provide 20 new hospice residence beds in Niagara at a cost of \$14 million. Hospice is planning to create 10 spaces in a build co-located on the same campus as the Gilmore Long Term Care home redevelopment in Fort Erie and a similar 10 bed build in Welland along side another LTC home redevelopment project led by Foyer Richelieu. Hospice Niagara has one existing hospice location in Niagara and it is co-located on the Linhaven campus site.

Background

In Ontario, palliative care can be delivered in multiple different care settings:

- Individual homes
- Hospices
- LTC homes
- Hospitals

In Ontario, there is no cost to patients for medically necessary palliative care services in their homes, hospices, or hospitals. While residents of LTC homes may pay a co-payment, these funds represent the individual's contribution to food and accommodations as part of living at a LTC home and not for accessing palliative care services.

Through the Government of Ontario's Hospice Capital Program (HCP), financial assistance is provided for the development of new physical hospice spaces, associated with new beds funded by the province's Palliative and End of Life Strategy. The HCP does not fund the full cost of a hospice capital project, but provides a funding contribution based on the number of beds approved for each project, up to a maximum dollar contribution per bed cost. Capital costs that are above the province's proposed capital contribution is the responsibility of the requesting organization through their own funds. Typically, residential Hospices raise the additional necessary capital funding through fundraising/community contributions. The province does provide an Exceptional Circumstances Grant that is available for a requesting organization in the case that they

develop exceptional circumstances during the construction phase of their hospice, such that the organization can apply for additional ministry funding beyond the per bed maximum contribution.

The province, through Ontario Health/LHIN, provides operating funding for Hospice Residence beds as well. This funding is partial and requires Residential Hospice's to fundraise and secure community contributions to ensure that they are fully able to operate and cover additional operating expenses that are incurred. Currently, there is no legislated expectation or obligation for municipalities to provide funds for Residential Hospices to cover any operating or capital costs.

Currently, the Region has two LTC homes being redeveloped with a total capital budget of \$175 million:

- Linhaven Redevelopment: \$102 million cost and is funded with debt (\$86.5 million) and development charges (\$15.5 million).
- Gilmore Lodge Redevelopment: \$73 million cost (inclusive of the Hospice facility) and is funded with debt (\$58.022 million), development charges (\$9.078 million), grant (\$0.3 million) and an external contribution from Hospice Niagara (\$5.6 million) for construction costs of 10-bed residential program.
- MLTC will offset a part of this capital investment through a construction funding subsidy that is paid on a per bed per diem for twenty-five years.

The Hospice project will co-locate on Regional property and will benefit from not having to make an investment in the land. Based on an estimated apportionment of the area of the facility and required parking, the Region's cost of land attributed to the Hospice facility is approximately \$390,000. Hospice have also benefited from being part of the Region's master planning process, avoiding the cost of due diligence investigations (environmental site assessments, geotechnical, survey's etc), planning application fees and rezoning of the property.

Based on the original planning for this project no direct contributions to Hospice Niagara have been considered or budgeted by the Region at this time. The Region has no mandate within its core service to provide hospice care. Should council wish to consider this request it is important to note that there is also the potential to set precedent with this funding, which will create additional pressure to the Region's budgets in an environment where budgets are already constrained in the support core service delivery. Therefore, staff is not recommending supporting the additional request for funding.

Other public capital projects are anticipated over the same time period as the Regional LTC home redevelopment projects, not excluding hospital builds in the region. Most notably, there are 14 LTC homes also scheduled for redevelopment in Niagara (replacing existing beds as well as adding new beds), with significant estimated capital needs in the hundreds of millions of dollars.

Alternatives Reviewed

If Council wishes to consider this request in 2021, it will require a budget amendment to incorporate the expense and funding source. As there is no funding available the amendment could only look to utilize reserve funding. The only reserve with a purpose broad enough for this expenditure is the Taxpayer Relief Reserve which, as per the year end report CSD 17-2021 report, is forecast with a balance of \$20.9 million and at 3.6% of gross budget expenses versus the 10% minimum as per the Reserve and Reserve Fund Policy.

If Council wishes to consider this request in the 2022 budget, it can be accommodated with a 1% increase in the levy. Alternatively, Hospice may consider a commitment over a number of years, which could reduce this levy impact. Many of the local area municipalities have considered requests over a period of 3 or 5 years.

Relationship to Council Strategic Priorities

The Hospice investment may support Healthy and Vibrant Community strategic priority.

Other Pertinent Reports

n/a

Prepared by:

Helen Chamberlain
Director, Financial Management &
Planning
Corporate Services

Recommended by:

Todd Harrison
Commissioner, Corporate Services/
Treasurer

Submitted by:

Ron Tripp, P.Eng.
Acting Chief Administrative Officer

This report was prepared in consultation with Adrienne Jugley, Commissioner, Community Services, Henri Koning, Director Seniors Services and Mislav Koren, Senior Project Manager Facilities Construction

Appendices

Appendix 1 Hospice Niagara Presentation

Corporate Service Committee

Date: November 9, 2020

Presented by: Carol Nagy, Executive Director, Hospice Niagara



The Project:

In Niagara, the pressure to fund new hospice beds builds has never been more real – and provided such an opportunity.

The redevelopment of two not-for-profit Long-term Care Homes (LTC) in Niagara presents a unique opportunity to co-locate and integrate hospice residences alongside homes making this important care a more sustainable option.

Project will:

- Provide 20 new hospice residence beds in Niagara
- Bring 50-60 new health care jobs, many being professionals to Niagara
- \$14M of capital investment in Niagara's health care system
- Translate into \$500,000 annual local spending to each community
- Help more than 10,000 people across the region each year

The Problem:

Providing equitable, safe access to health services for everyone in Niagara is a compelling social obligation that includes developing accessible hospice palliative care programs across the Region.

Dying is not just a medical event. It is a physical, social, spiritual, psychological life event affecting the patient and their family members.



HOSPICE PALLIATIVE CARE PLAYS AN IMPORTANT ROLE IN ENDING HALLWAY MEDICINE.

In Niagara, health care pressure will continue to mount:

- Niagara has a high percentage of seniors living with chronic illness. Predicted 72% increase in chronic condition prevalence rates by 2036.
- 4th largest average of hallway bed conditions in Ontario
- 2nd highest hospital cost in 1997: Acute Palliative Care at \$118M
- Niagara's hospice bed count - 3 beds/100,000 vs. Auditor General recommended 7-10 beds/ per 100,000
- Four designated end-of-life beds in Fort Erie are closing in 2026
- Future of South Niagara hospitals and service transitions uncertain
- No increase planned for other hospital end-of-life units
- Niagara has a high percentage of seniors living with chronic illness.

The Time to Act is Now

The Solution:

- Increase community hospice care capacity with the addition of 20 hospice beds to improve access to exceptional, compassionate care
 - 3 Hospice Palliative Care Centers of Excellence
 - North Niagara into Central and South Niagara
- Increase in-home and caregiver services across Region
- Investment of \$14M in capital construction – co-located and coordinated with 2 new LTCH builds
- Successful community fundraising campaign – endorsed by HN Board and launched in 2020
- Opening of 20, much needed, new hospice beds in Niagara by 2023

Hospice Care

Planning for increased hospice beds will ensure that:

- Care is closer to more communities across the Region
- 900+ people will receive hospice care each year
- Including this much needed support for their family members during the last weeks of their loved-one's life



Current State

Up to 250 people
die in hospice /yr
\$1.3M saving
on hospital acute care

Hospice at Home

Current State



Up to 1,800 people receive
in home palliative care /yr

73% of these people die
at home

\$7.2M savings in hospital
acute care /yr

Planning for increased home hospice care will help
an additional

- 2,400 people receive care at home
- while their caregiver's receive additional support
as they provide care to their loved-one
- 500 more bereavement group opportunities will
be available for all ages

Hospice Palliative Care



Community-based hospice palliative care happens in people's homes and in hospice residences at a fraction of the cost of hospitals.

HOSPITAL END-OF-LIFE CARE = \$1,100 PER DAY

Hospice Residences



Hospice residences are for people who need more care than home can provide but do not require the high cost of hospital care, and for those who choose to die at hospice.

HOSPICE CARE = \$465/DAY HOSPICE CARE

Hospice at Home



Hospice at Home is coordinated care by a team of trained staff and volunteers who provide practical help and support the success of home care for people living and dying with chronic illnesses.

HOSPICE AT HOME = \$100/DAY

Hospice Niagara Client and Caregiver Feedback

- 98%** Ranked the care of their loved-one as excellent
- 94%** Felt overall, all physical pain was addressed
- 100%** Felt they received respect and dignity
- 100%** Felt they were included in care planning and decisions
- 100%** Feel volunteers and staff met their needs

- ✓ By partnering with LTC, we will be able to provide more hospice care, for people in both English and French
- ✓ Integration with LTC and with other health partner(s) provides a model for future builds in smaller communities.
- ✓ Hospice expansion will maintain existing hospital end-of-life services at risk of closing and help manage increasing need for this care in Niagara
- ✓ Integration opportunities allow for sustainable growth
- ✓ The Ministry of Health has endorsed this plan moving forward by committing operational funding commitment. They have yet to endorse the \$4M provincial hospice capital grant policy.

HOSPICE'S
proven record in
PARTNERSHIPS and
exceptional care will
provide vital health care
COST SAVINGS



Increasing capacity in hospice palliative care throughout our region moves Niagara toward a truly modern, connected health care system that nurtures close partnerships between Long-term Care, community, hospitals, home and hospice, and ensures that every person receives the high quality of care they expect and deserve.

In Conclusion:

We all experience dying, death and bereavement. It touches each and every person multiple times. Supporting people to live well until last breath is a measure of our humanity and our society.



Together, we are in a unique position to develop a new economical expansion model for Hospice Palliative Care in Ontario that better addresses the needs within our community.

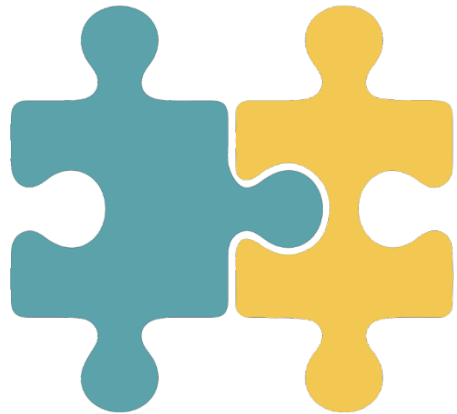
This forward-thinking solution that maintains globally recognized palliative standards of care, while leveraging strategic growth opportunities to create positive social impacts, will significantly reduce hospital costs and contribute to ending hallway medicine.

Hospice Palliative Care is the most cost effective way to ease health care costs in our congested hospitals. Helping families stay well through bereavement is compassionate and keeps our society functioning well.



The Ministry of Health has endorsed this plan moving forward by committing operational funding commitment
They have yet to endorse the \$4M provincial hospice capital grant policy

Request:



Regional Council consider a capital contribution to Hospice Niagara up to \$4M in the 2021 Budget process to help leverage provincial funding in support of 20 new hospice beds to better serve residents across Niagara.

Subject: Councillor Information Request – Niagara-on-the-Lake Wastewater Treatment Plant Update

Report to: Corporate Services Committee

Report date: Wednesday, July 14, 2021

Recommendations

1. That Report CSD 48-2021 **BE RECEIVED** for information.

Key Facts

- The purpose of this report is to respond to a request from Councillor Gale at the May 10, 2021, Audit Committee to provide a report analyzing the Niagara-on-the-Lake Wastewater Treatment Plant (NOTL WWTP) projects' schedule and budget adherence to inform future project management practices.
- Through the course of construction on Contract 2014-T-114 (RN14-14), a number of issues resulted in delays and an additional level of effort to successfully complete the project.
- The sewage flows from the existing plant were redirected to the new NOTL Wastewater Treatment plant on June 25, 2019. The new plant has been in operation and treating sewage since that time.
- The Water and Wastewater Division have used experience gained on this project to implement various practice improvements, and to develop modified standard documentation.
- There is litigation ongoing between the parties regarding this project, which is the subject of confidential update report CSD 38-2021 dated July 14, 2021.

Financial Considerations

The total project expenditures and funding sources to date are shown in the Total Project Budget Summary in Appendix 1 to Report CSD 48-2021. As outlined in the chart, there is an overall approved budget of \$51,179,573 across the two projects (10SW0807 Plant Upgrades/ 10SW1407 SPS Upgrades) for the construction of the new NOTL WWTP and related facilities including the outfall extension and upgrades to the existing sewage pumping stations. There is no anticipated surplus associated with both of the projects.

The projects are funded with a combination of federal and provincial funding, reserves, federal gas tax, development charges and cost sharing as outlined in Appendix 1 of Report CSD 48-2021. The funding from the Government of Canada and the Province of Ontario was budgeted in the amount of \$28,666,666, which represents 2/3 of an upset limit of \$43,000,000. The limit of \$43,000,000, excluded budgets previously approved prior to the funding application in the amount of \$3,781,800, as expenses already incurred were ineligible for future funding. A full outline of the budget approvals over the life of both projects can be found in Appendix 2 to Report CSD 48-2021.

There were two material budget adjustments made following the construction estimate of \$43,000,000 across the two projects. The first, approved through report CSD 116-2013, established a budget of \$3,667,453 for sustainability upgrades for the Lakeshore Road, Garrison Village and William Street Sewage Pumping Stations. The second material budget adjustment was approved through PWC 5-2019 in the amount of \$763,200, in order to accommodate schedule extensions, additional contract work and internal costs required to carry the project to completion.

For Contracts 2014-T-114 (RN14-14) and 2014-T-113 (RN14-13), there has been \$40,955,079 expended & committed to Varcon Construction Corporation as of May 13, 2021. This amount includes holdbacks pursuant to the Construction Act. Project costs as outlined in Appendix 1 to Report CSD 48-2021 do not include any financial impacts related to the litigation. The litigation is addressed in Confidential Report CSD 38-2021.

Analysis

Background

The Northeast Area Wastewater Study identified the need for an upgraded or expanded wastewater treatment plant (WWTP) for the Town of Niagara-on-the-Lake, as the existing plant was anticipated to reach capacity in 2017. The Town of Niagara-on-the-Lake Wastewater Servicing Municipal Schedule 'C' Class EA, evaluated alternatives that would increase capacity and enhance wastewater services for the residents of Town of Niagara-on-the-Lake. It also looked at addressing wastewater flows occurring during wet weather events and operating issues (e.g. odour) at the existing WWTP.

Report PWC-C 19-2015 provided an overall project description and delineated the four distinct phases / contracts required for the execution of the project. Cole Engineering Group was retained in 2013, as the consultant for the design and contract administration of the project under 2012-RFP-57.

A public tender process was initiated in 2014 for Contract 2014-T-113 (RN14-13). This contract for the upgrades of the three pumping stations that feed the Niagara-on-the-Lake Wastewater Treatment Plant and the associated linear works received a total of seven (7) bids. The lowest bid of \$7,460,092 (including 13% HST) was submitted by Varcon Construction Corporation (Varcon). The next lowest was submitted by V. Gibbons Contracting and was valued at \$7,473,312.40 (including HST).

Varcon was awarded Contract 2014-T-113 (RN14-13) as per PW 67-2014, dated June 3, 2014. A contingency amount of \$1,110,824 was added to Varcon's contract to cover unforeseen construction costs due to the complexity of the project. With this contingency in place the revised contract amount totaled \$8,715,322 (including 13% HST). The project commencement date was June 20, 2014. This project was deemed to be substantially completed on January 31, 2017.

A public tender process was also initiated in 2014 for Contract 2014-T-114 (RN14-14), which was the replacement of the existing lagoon treatment facility with a new secondary Wastewater Treatment Plant. The Region received bids from six (6) of the eight (8) pre-qualified general contractors, with the lowest bid being \$36,062,679 (including 13% HST) submitted by Varcon. The next lowest was submitted by Graham Construction and Engineering LP and was valued at \$37,775,900 (including 13% HST).

Varcon was awarded Contract 2014-T-114 (RN14-14) as per PW 100-2014, dated November 6, 2014. The project commencement date was December 9, 2014. The completion date specified in the contract was December 31, 2016. Substantial completion was obtained on January 17, 2020.

Coordination for the decommissioning of the existing plant is ongoing.

(RN14-14) NOTL Wastewater Treatment Plant Project Delays

Throughout construction, delays were experienced because of various factors including existing site conditions, additional scope changes, deficiencies, contractor performance and consultant design errors. Some of the schedule delays were associated with change orders to the contract. There were 187 change orders issued. They total just under \$3.48 million of the \$3.5 million (including non-refundable HST) in contingency available under this contract.

Litigation is now ongoing between the parties (Region, Varcon and Cole) regarding the project, including responsibility for delay, which is the subject of confidential report CSD 38-2021; therefore the level of detail in this report has been adjusted accordingly.

The sewage flows from the existing plant were redirected to the new plant on June 25, 2019, commencing the 30-day commissioning timeline. The plant has been in operation and treating sewage since that time.

Although the plant was treating sewage, due to some critical deficiencies, substantial completion was delayed until January 17, 2020. As of February 2020, the Plant met the Environmental Compliance Approval and the effluent was redirected to Lake Ontario.

There are remaining outstanding deficiencies that delay the final completion of the project.

Water/Wastewater Standard Practice Improvements

Since the start of this project, the Public Works Water-Wastewater division has introduced many new and improved standard practices for managing capital projects. A new W-WW Project Design Manual was created in 2018, as a guide for staff and consulting engineers involved in the implementation of W-WWW capital projects. The manual provides minimum requirements for design preferences and guidelines. In addition, the manual ensures all applicable legislations, codes, by-laws and standards are met within the provided design requirements. Any deviation to this manual must be discussed and approved by Niagara Region staff prior to implementation.

A comprehensive document management system was introduced to help staff organize and itemize project files consistently across our division to support project management.

Over the past several years, staff have improved the utilization of Region design standards and are continuing to make improvements to the development and maintenance of the Approved Product Equipment List (APEL). During design submission reviews, staff refer to the Project Design Manual and APEL to confirm design guidelines to be followed by consultants.

Risk workshops are conducted during the design phase of all projects. This helps staff identify the likelihood and severity of risks associated with the project in design, approval and construction phases. Mitigation measures are implemented, where possible, to reduce the likelihood or severity of risks. Staff can then assess and identify

provisional contingency in the contract to account for the remaining risks prior to construction.

Peer reviews are conducted on large or complex capital projects to provide a fulsome review of technical submissions. Peer reviews identify any design errors or conflicting information between specifications and drawings prior to completion of the design and tender documents. This helps prevent and reduce additional costs and delays to the construction contract because of design error and omissions.

Other enhancements to the Water-Wastewater practices include prequalification of general contractors for large complex capital projects, and increased minimum standards for site inspection and contract administration qualifications and minimum hours.

Staff continue to make improvements to our practices. Scope of work and deliverable requirements for consultants are reviewed annually and revised, as necessary.

This report has been prepared as an update for the construction contract. Several challenges have been faced through the course the project. Staff will continue to ensure that all outstanding deficiencies are addressed in accordance with the terms of the contracts.

Alternatives Reviewed

Not applicable.

Relationship to Council Strategic Priorities

This report relates to the Fostering Growth strategic priority since planned rehabilitation will ensure reliable infrastructure to support growth and economic development within the Niagara Region.

Other Pertinent Reports

PW 67-2014	Award of Tender 2014-T-113 (Contract RN 14-13) Lakeshore Road, Garrison Village and William Street Sewage Pumping Stations Upgrade & Linear Works in the Town of Niagara- on-the-Lake
------------	--

PW 69-2014	General, Mechanical and Electrical Contractor Pre-Qualification for Construction of the New Niagara-on-the-Lake Wastewater Treatment Plant in the Town of Niagara-on-the-Lake
PW 93-2014	Status of the Construction of Niagara-on-the-Lake Wastewater Treatment Plant project in the Town of Niagara-on-the-Lake
PW 100-2014	Award of Tender 2014-T-114 (Contract RN 14-14) Niagara-on-the-Lake Wastewater Treatment Plant in the Town of Niagara-on-the-Lake
PWC-C 19-2015	Status update on the Construction of the new Niagara-on-the-Lake Wastewater Treatment Plant and related linear infrastructure in the Town of Niagara-on-the-Lake
PW 47-2016	2017 Wastewater Operating Budget Program Change Niagara-on-the-Lake Wastewater Treatment Plant
PW 16-2017	Contract 2014-T-114 (RN 14-14) Niagara-on-the-Lake Wastewater Treatment Plant and Contract 2014-T-113 (RN 14-13) Lakeshore Road, Garrison Village and William Street Pumping Station Upgrades and Linear Works – Project Status Report
PW 17-2017	Confidential Report A Matter of Litigation or Potential Litigation, Including Matters Before Administrative Tribunals, Affecting the Municipality – Contract 2015-T-109 (RN 15-09) – Welland WWTP Phase I Upgrades – Project Status Report
PWC-C 19-2017	Confidential Memo A Matter involving Litigation or Potential Litigation against the Niagara Region – Contract 2014-T-114 (RN 14-14) – Niagara-on-the-Lake Wastewater Treatment Plant
PW 33-2017	Contract 2014-T-114 (RN 14-14) Niagara-on-the-Lake Wastewater Treatment Plant and Contract 2014-T-113 (RN 14-13) Lakeshore Road, Garrison Village and William Street Pumping Station Upgrades and Linear Works
PW 7-2018	Budget Adjustment and Status Update for Contract 2014-T-114 (RN 14-14) Niagara-on-the-Lake Wastewater Treatment Plant and Contract 2014-T-113 (RN 14-13) Lakeshore Road, Garrison Village and William Street Pumping Station Upgrades and Linear Works
PW 5-2019	Contract 2014-T-114 (RN14-14) NOTL Wastewater Treatment Plant and Contract 2014-T-113 (RN14-13) Lakeshore Road,

	Garrison Village and William Street Pumping Station Upgrades and Linear Works – Project Status Update
PW 31-2020	Contract 2014-T-114 (RN14-14) NOTL Wastewater Treatment Plant and Contract 2014-T-113 (RN14-13) Lakeshore Road, Garrison Village and William Street Pumping Station Upgrades and Linear Works – Project Status Update
CSD 38-2021	<i>Confidential Report</i> A Matter Respecting Litigation and A Matter of Advice that is Subject to Solicitor-Client Privilege under s.239 (2) of the Municipal Act 2001- Update Regarding Niagara-On-the- Lake Wastewater Treatment Plant (“NOTL WWTP”), Niagara-On-The-Lake Sewage Pumping Station (“NOTL SPS”), and Welland Wastewater Treatment Plant Upgrades (“Welland WWTP”)

Prepared by:

Jamie Anderson, C.E.T.
Project Manager – W-WW Engineering
Public Works Department

Recommended by:

Bruce Zvaniga, P.Eng.
Commissioner of Public Works (Interim)
Public Works Department

Submitted by:

Ron Tripp, P.Eng.
Acting Chief Administrative Officer

This report was prepared in consultation with Pamela Hamilton, Program Financial Specialist, and reviewed by Joe Tonellato, Director, W-WW Services, Tony Cimino, Associate Director W-WW Engineering and by Donna Gibbs, Director, Legal and Court Services.

Appendices

Appendix 1 Total Project Budget Summary – Niagara-on-the-Lake WWTP Upgrade

Appendix 2 Funding Breakdown – Niagara-on-the-Lake WWTP Upgrade

CSD 48-2021 Appendix 1 - Total Project Summary

**Contract 2014-T-113 (RN 14-13) Lakeshore Road, Garrison Village and William Street Pumping Station Upgrades and Linear Works &
Contract 2014-T-114 (RN 14-14) Niagara-on-the-Lake Wastewater Treatment Plant**

Total Estimated Project Cost (10SW0807 & 10SW1407) *	Total Council Approved Budget	Budget Revisions	Revised Project Budget	Expended & Committed as of May 13, 2021 **	Forecast	Budget Remaining
Project Element	(A)	(B)	(C) = (A) + (B)	(D)	(E)	(F) = (C)-(D)-(E)
(a) Construction (includes contract contingency)	40,934,538	20,541	40,955,079	40,955,079	-	-
(b) Project Contingency	173,183	-	173,183	-	173,183	-
(c) Consulting Engineering Services (Design, Contract Administration, & Inspection)	2,263,342	435,891	2,699,233	2,699,233	-	-
(d) Project Management & Internal Costs	380,006	93,521	473,527	473,527	-	-
(f) Other Project Costs	6,665,304	213,247	6,878,551	6,541,618	336,933	-
Total Estimated Project Cost	50,416,373	763,200	51,179,573	50,669,457	510,116	-

Project Funding Sources						
Regional Reserves & Debt (includes Federal Gas Tax funding)	(15,944,948)	-	(15,944,948)	(15,944,948)	-	-
Development Charges ***	(5,705,838)	(343,440)	(6,049,278)	(5,972,034)	20,862	(98,106)
Provincial Grants	(14,333,333)	-	(14,333,333)	(14,430,000)	-	96,667
Federal Grants	(14,333,334)	-	(14,333,334)	(12,984,002)	(1,349,332)	-
Other Costing Sharing / External	(98,920)	-	(98,920)	(100,359)	-	1,439
Capital Variance Project WW ***	-	(419,760)	(419,760)	(419,760)	-	-
Total Funding Sources	(50,416,373)	(763,200)	(51,179,573)	(49,851,103)	(1,328,470)	-

* All costs above include the non-refundable 1.76% portion of HST.

** Includes holdbacks

*** In year budget revision was funded from capital variance project WW and development charges as approved in Report PW5-2019 in the amount of \$763,200

Appendix 2 - Budget Timeline

NOTL WWTP Project 10SW0807 Lakeshore, Garrison, William St. Sewage Pumping Station Upgrades Project 10SW1407

Project: 10SW0807 Plant					
Year	Project Phase	Budget Adjustment +/-(-)	Total Budget	Budget Source	Budget Approval
2008	Pre-Design	\$ 100,000	\$ 100,000	In Year Transfer	Transfer of funds from 10SW0206 (Innovation, Research & Implementation of New Technology)
2008	Pre-Design	\$ 300,000	\$ 400,000	Annual Capital Budget	BRCOTW 4-2008 / CSD 21-2008 - Project Initiation and Approval
2011	Pre-Design	\$ 1,800,000	\$ 2,200,000	Annual Capital Budget	By-law No 110-2009/By-law No 129-2009/CSD 05-2011 - Project Initiation and Approval Water and WW Capital Projects
2011	Pre-Design	\$ 1,500,000	\$ 3,700,000	Annual Capital Budget	CSD 46-2011 - 2011 Budget/CSD 67-2011 - Initiation of 2011 Capital Budget
2011	Pre-Design	\$ 81,800	\$ 3,781,800	Gross Budget Adjustment: Cost Sharing	CSD 28-2011 - Gross Budget Adjustments for Capital Projects, Cost Sharing Arrangement with Canada Parks
2014	90% Design	\$ 43,000,000	\$ 46,781,800	Annual Capital Budget	CSD 116-2013 - 2014 Capital Budget/CSD 12-2014 Initiation
2015	Construction	\$ (300,000)	\$ 46,481,800	In Year Transfer	Transfer of funds to 10SW1528 (Decommissioning Project)
2016	Construction	\$ 250,000	\$ 46,731,800	In Year Transfer	Transfer of funds from 10SW1340 (Plant Design)
2018	Construction	\$ 400,000	\$ 47,131,800	Budget Adjustment (Transfer)	PW 7-2018 - Budget Adjustment from 10SW1407 to 10SW0807
2019	Construction	\$ 763,200	\$ 47,895,000	In Year Budget Revision: Capital Variance Project WW & DCs	PW 5-2019 - Gross Budget Adjustment and Status Update for Contract 2014-T-114 (RN14-14) NOTL WWTP

Appendix 2 - Budget Timeline

NOTL WWTP Project 10SW0807 Lakeshore, Garrison, William St. Sewage Pumping Station Upgrades Project 10SW1407

Project:10SW1407 SPS					
Year	Project Phase	Budget Adjustment +/-(-)	Total Budget	Budget Source	Budget Approval
2014	90% Design	\$ 3,667,453	\$ 3,667,453	Annual Capital Budget	CSD 116-2013 - 2014 Capital Budget/CSD 05-2014 Initiation; Project 10SW1407 was a subset of the PS Improvement Program Project 10SW1406 with a total approved budget of \$13,000,000
2017	Construction	\$ 17,120	\$ 3,684,573	Gross Budget Adjustment: Other External Funding	Gross Budget Adjustment Form due to Rebate Received from NOTL Hydro
2018	Construction	\$ (400,000)	\$ 3,284,573	Budget Adjustment (Transfer)	PW 7-2018 - Budget Adjustment from 10SW1407 to 10SW0807

Total Budget for Projects 10SW0807 & 10SW1407: \$51,179,573

MEMORANDUM

CSC-C 20-2021

Subject: Minutes of the Regional Development Charges Policy Task Force

Date: July 14, 2021

To: Corporate Services Committee

From: Ann-Marie Norio, Regional Clerk

The following minutes of the Regional Development Charges Policy Task Force are appended to this memorandum for information:

Open Session Minutes RDCPTF 1-2021, Thursday, March 25, 2021

Open Session Minutes RDCPTF 2-2021, Thursday, June 17, 2021

Respectfully submitted and signed by

Ann-Marie Norio
Regional Clerk

**THE REGIONAL MUNICIPALITY OF NIAGARA
REGIONAL DEVELOPMENT CHARGES POLICY TASK FORCE
MINUTES**

**RDCPTF 1-2021
Thursday, March 25, 2021
Meeting held by Video Conference**

Task Force : Disero, Foster (Task Force Vice-Chair), Greenwood, Huson, Insinna (Task Force Chair), Ip, Jordan, Junkin, Redekop, Rigby, Steele, Zalepa

Absent/Regrets: Bellows, Bradley (Regional Chair), Butters, Bylsma, Chiocchio

Other Councillors: Fertich

Staff: H. Chamberlain, Director, Financial Management and Planning / Deputy Treasurer, R. Fleming, Senior Tax & Revenue Analyst, D. Gibbs, Director, Legal & Court Services, D. Giles, Acting Commissioner, Planning and Development Services, T. Harrison, Commissioner, Corporate Services/Treasurer, Dr. M. M. Hirji, Acting Medical Officer of Health, A. Jugley, Commissioner, Community Services, C. Lam, Revenue Analyst, P. Lambert, Director, Infrastructure Planning & Development Engineering, M. Murphy, Associate Director, Budget Planning and Strategy, A.-M. Norio, Regional Clerk, K. Smith, Chief/Director, Emergency Medical Services, M. Trennum, Deputy Regional Clerk, B. Zvaniga, Interim Commissioner, Public Works

Others Present: Gary Scandlan, Managing Partner, and Daryl Abbs, Senior Project Coordinator, Watson & Associates

1. CALL TO ORDER

Matthew Trennum, Deputy Regional Clerk, called the meeting to order at 4:05 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**

Matthew Trennum, Deputy Regional Clerk, called for nominations for the position of Chair of the Regional Development Charges Policy Task Force for a two-year term (2021-2022).

Moved by Councillor Greenwood
Seconded by Councillor Zalepa

That Councillor Insinna **BE NOMINATED** as Chair of the Regional Development Charges Policy Task Force for the 2021-2022 term.

3.2 **Motion to Close Nominations for Committee Chair**

The Deputy Clerk called a second and a third time for nominations for the position of Regional Development Charges Policy Task Force Chair. There being no further nominations, it was:

Moved by Councillor Rigby
Seconded by Councillor Foster

That nominations for the position of Chair of the Regional Development Charges Policy Task Force 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 of Task Force Chair, Mr. Trennum, announced that Councillor Insinna would be the Chair of the Regional Development Charges Policy Task Force for the 2021-2022 term.

3.4 **Call for Nominations for Committee Vice-Chair**

Matthew Trennum, Deputy Regional Clerk, called for nominations for the position of Vice-Chair of the Regional Development Charges Policy Task Force for a two-year term (2021-2022).

Moved by Councillor Disero
Seconded by Councillor Insinna

That Councillor Foster **BE NOMINATED** as Vice-Chair of the Regional Development Charges Policy Task Force for the 2021-2022 term.

3.5 Motion to Close Nominations for Committee Vice-Chair

The Deputy Clerk called a second and a third time for nominations for the position of Regional Development Charges Policy Task Force Vice-Chair. There being no further nominations, it was:

Moved by Councillor Rigby

Seconded by Councillor Ip

That nominations for the position of Vice-Chair of the Regional Development Charges Policy Task Force 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 Task Force Vice-Chair, Mr. Trennum, announced that Councillor Foster would be the Vice-Chair of the Regional Development Charges Policy Task Force for the 2021-2022 term.

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

4. PRESENTATIONS

4.1 Regional Development Charges - Updates to Legislation and Project Overview

Gary Scandlan, Managing Partner, Municipal Finance, Watson & Associates, provided information respecting Regional Development Charges - Updates to Legislation and Project Overview. Topics of the presentation included:

- Development Charges Act Overview
 - Development Charges
 - Development Charges Eligible Services
 - Overview of the Development Charges Calculation
 - Exemptions
- Changes to the Development Charges Act: Bills 108, 138, 197 & 213
- Study Process & Timelines
- Next Steps

5. DELEGATIONS

There were no delegations.

6. ITEMS FOR CONSIDERATION

6.1 RDCPTF 1-2021

Regional Development Charges Policy Task Force Meeting Schedule

Moved by Councillor Greenwood

Seconded by Councillor Rigby

That Report RDCPTF 1-2021, dated March 25, 2021, respecting Regional Development Charges Policy Task Force Meeting Schedule, **BE RECEIVED** and the following recommendation **BE APPROVED**:

1. That the Regional Development Charges Policy Task Force schedule of regular meetings for 2021 and 2022, appendix 1 to Report RDCPTF 1-2021, **BE APPROVED**.

Carried

7. CONSENT ITEMS FOR INFORMATION

Moved by Councillor Foster

Seconded by Councillor Rigby

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

RDCPTF-C 1-2021

Regional Development Charges Policy Task Force Terms of Reference

RDCPTF-C 2-2021

Key Considerations for Regional Development Charges By-law Update

Carried

8. OTHER BUSINESS

There were no items of other business.

9. NEXT MEETING

The next meeting will be held on Thursday, May 6, 2021 at 4:00 p.m.

10. ADJOURNMENT

There being no further business, the meeting adjourned at 4:42 p.m.

Councillor Insinna
Task Force Chair

Matthew Trennum
Deputy Regional Clerk

Ann-Marie Norio
Regional Clerk

**THE REGIONAL MUNICIPALITY OF NIAGARA
REGIONAL DEVELOPMENT CHARGES POLICY TASK FORCE
OPEN SESSION**

**RDCPTF 2-2021
Thursday, June 17, 2021
Meeting held by Video Conference**

Task Force: Bradley (Regional Chair), Butters, Bylsma, Chiocchio, Disero, Foster (Task Force Vice-Chair), Greenwood, Huson, Insinna (Task Force Chair), Ip, Junkin, Rigby, Steele, Zalepa

Absent/Regrets: Bellows, Jordan, Redekop

Other Councillors: Fertich

Staff: H. Chamberlain, Director, Financial Management & Planning / Deputy Treasurer, R. Fleming, Senior Tax & Revenue Analyst, T. Harrison, Commissioner, Corporate Services/Treasurer, P. Lambert, Director, Infrastructure Planning & Development Engineering, M. Murphy, Associate Director, Budget Planning & Strategy, A.-M. Norio, Regional Clerk, M. Trennum, Deputy Regional Clerk, R. Tripp, Acting Chief Administrative Officer, S. Wood, Legal Counsel

Others Present: Gary Scandlan, Managing Partner, and Daryl Abbs, Senior Project Coordinator, Watson & Associates

1. CALL TO ORDER

Committee Chair Insinna called the meeting to order at 4:01 p.m.

3. PRESENTATIONS

3.1 Development Charges Act Overview and Next Steps

Gary Scandlan, Managing Partner, Watson & Associates, provided information respecting Development Charges Act Overview and Next Steps. Topics of the presentation included:

- Development Charges Act (DCA Overview)
 - History of Development Charges
 - Eligible Services
 - Limitation on Capital & Capital Costs
 - Maximum Charge Capped by Service Standard Calculation
 - Relationship Between Needs to Service Growth vs. Funding
 - Methodology & the Development Charge Calculation

- Development Charge Cash Flow
- Timing of Capital Expenditures
- Local Service Polices
- Exemptions
- Niagara Region Current Discretionary Exemptions within and outside By-law
- Changes to the Development Charges Act
 - Bill 108: More Homes, More Choice: Ontario's Housing Supply Action Plan
 - Bill 107: COVID-19 Economic Recovery Act, 2020)
 - Bill 213: Better for People, Smarter for Business Act, 2020
- Development Charges Emerging Issues
- Policy Report Overview & Format, Next Steps and Project Status

4. **DELEGATIONS**

There were no delegations.

5. **ITEMS FOR CONSIDERATION**

There were no items for consideration.

6. **CONSENT ITEMS FOR INFORMATION**

6.1 **RDCPTF-C 4-2021**

Stakeholder Engagement Session – June 22, 2021

Moved by Councillor Rigby
Seconded by Councillor Huson

That Correspondence Item RDCPTF-C 4-2021, being a memorandum from R. Fleming, Senior Tax & Revenue Analyst, dated June 17, 2021, respecting Stakeholder Engagement Session – June 22, 2021, **BE RECEIVED** for information.

Carried

6.2 **RDCPTF-C 5-2021**

Training Material for Development Charges Act Amendments

Moved by Councillor Foster
Seconded by Councillor Junkin

That Correspondence Item RDCPTF-C 5-2021, being a memorandum from R. Fleming, Senior Tax & Revenue Analyst, dated June 17, 2021, respecting Training Material for Development Charges Act Amendments, **BE RECEIVED** for information.

Carried

7. OTHER BUSINESS

7.1 2022 Development Charge Background Study

Rob Fleming, Senior Tax & Revenue Analyst, provided information respecting the projected milestones of the water and wastewater master servicing plan, and the growth projection work associated with the Region's New Official Plan. He advised of the necessary order for these project milestones to ensure consistency and alignment with the development charge background study.

8. NEXT MEETING

The next meeting will be held on Thursday, July 29, 2021 at 4:00 p.m.

9. ADJOURNMENT

There being no further business, the meeting adjourned at 5:33 p.m.

Councillor Insinna
Committee Chair

Matthew Trennum
Deputy Regional Clerk

Ann-Marie Norio
Regional Clerk