



THE REGIONAL MUNICIPALITY OF NIAGARA COUNCIL ORDER OF BUSINESS

CL 14-2021

Thursday, July 22, 2021

6:30 p.m.

Council Chamber

Niagara Region Headquarters, Campbell West

1815 Sir Isaac Brock Way, Thorold, ON

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

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1. CALL TO ORDER
2. ADOPTION OF AGENDA
 - 2.1. Addition of Items
 - 2.2. Changes in Order of Items
3. DISCLOSURES OF PECUNIARY INTEREST
4. PRESENTATIONS
 - 4.1. T. Roy Adams Humanitarian of the Year Award
Presentation of the 2021 T. Roy Adams Humanitarian Award
5. CHAIR'S REPORTS, ANNOUNCEMENTS, REMARKS
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7. ADOPTION OF MINUTES

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These minutes are presented for errors or omissions only.

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- 8.1.2. CL-C 57-2021 21
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Recommended Action: Receive.
- 8.1.3. CHR 3-2021 22 - 26
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Recommended Action: Receive.
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17. ADJOURNMENT

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

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

**CL 13-2021
Thursday, June 24, 2021
Council Chamber/Video Conference
Niagara Region Headquarters, Campbell West
1815 Sir Isaac Brock Way, Thorold**

Council Members Present in the Council Chamber:	Bradley (Regional Chair), Insinna
Council Members Present via Video Conference:	Butters, Bylsma, Campion, Chiocchio, Darte, Diodati, Disero, Easton, Edgar, Fertich, Foster, Gale, Gibson, Greenwood, Heit, Huson, Ip, Junkin, Nicholson, Redekop, Rigby, Steele, Ugulini, Whalen, Witteveen, Zalepa
Absent/Regrets:	Bellows, Jordan, Sendzik, Villella
Staff Present in the Council Chamber:	D. Barnhart, Executive Officer to the Regional Chair, T. Harrison, Commissioner/Treasurer, Corporate Services, M. Lewis, Client & Support Advisor, A.-M. Norio, Regional Clerk, R. Tripp, Acting Chief Administrative Officer
Staff Present via Video Conference:	H. Chamberlain, Director, Financial Management & Planning/Deputy Treasurer, J. Garritsen, Associate Director, Labour Relations & Health, D. Gibbs, Director, Legal & Court Services, D. Giles, Acting Commissioner, Planning & Development Services, C. Habermehl, Director, Waste Management Services, Dr. M. M. Hirji, Acting Medical Officer of Health, M. Johnston, Community Safety & Well-Being Program Manager, A. Jugley, Commissioner, Community Services, F. Meffe, Director, Human Resources, B. Menage, Director, Procurement & Strategic Acquisitions, G. Spezza, Director, Economic Development, C. Ryall, Director, Transportation Services, M. Trennum, Deputy Regional Clerk, D. Woiceshyn, Director, Niagara Housing/Chief Executive Officer, Niagara Regional Housing, B. Zvaniga, Interim Commissioner, Public Works
Others Present:	B. MacCulloch, Chief, Niagara Regional Police Service

1. CALL TO ORDER

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

Chair Bradley read out the joint statement issued with Niagara's Mayors respecting the former Marieval Indian Residential School in Saskatchewan. He advised the flags at municipal facilities would be lowered to recognize the recently discovered victims. The Chair acknowledged that although the flag lowering was symbolic, the Region is committed to listen, learn, and to take meaningful action by building stronger relationships with Niagara's local indigenous groups.

Regional Council observed a moment of silence in memory of the victims.

2. ADOPTION OF AGENDA

2.1 Addition of Items

There were no items added to the agenda.

2.2 Changes in Order of Items

Councillor Huson requested that the order of the agenda be changed to move the consideration of the motion respecting 16 Days of Activism against Gender-Based Violence (Agenda Item 11.1) to immediately following the delegations on the matter (Agenda Item 6.1).

Moved by Councillor Rigby

Seconded by Councillor Chiocchio

That Council Agenda CL 13-2020, **BE ADOPTED**, as amended.

Carried

3. DISCLOSURES OF PECUNIARY INTEREST

Councillor Edgar declared a direct pecuniary interest with respect to the portion of the Public Health and Social Services Committee Minutes PHSSC 6-2021 (Agenda Item 9.2) concerning Report COM 15-2021, respecting National Child Care Plan: Local Impacts and Recommendations (Minute Item 5.3) as his wife is the director of Children's Services.

Councillor Gale declared an indirect pecuniary interest with respect to the portion of the Corporate Services Committee Minutes CSC 6-2021 (Agenda Item 9.3) concerning Report CSD 35-2021, respecting 2021-T-5 Award of Tender - Long Term Care (LTC), Linhaven, St. Catharines (Minute Item 5.3) as his daughter-in-law works in long-term care.

Councillor Gale declared an indirect pecuniary interest with respect to the portion of the Corporate Services Committee Minutes CSC 6-2021 (Agenda Item 9.3) concerning Confidential Report HR 1-2021, respecting A Matter of Labour Relations or Employee Negotiations under s. 239(2) of the *Municipal Act, 2001* - Corporate Labour Relations Strategy - 2021-2024 (Minute Item 9.2) as his daughter-in-law works in long-term care.

Councillor Gale declared an indirect pecuniary interest with respect to the portion of the Budget Review Committee of the Whole Minutes BRCOTW 3-2021 (Agenda Item 9.5) concerning Report CSD 36-2021, respecting Hospital Financing Strategy (Minute Item 5.2) as his son is employed by Niagara Health.

Councillor Gale declared a direct pecuniary interest respecting Report CLK 7-2021, concerning Appointment of Interim Integrity Commissioner (Agenda Item 8.2.3) as he has an on-going matter before the Integrity Commissioner.

Councillor Heit declared an indirect pecuniary interest with respect to the portion of the Public Health and Social Services Committee Minutes PHSSC 6-2021 (Agenda Item 9.2) concerning Report COM 13-2021, respecting Homelessness Services Contract Extensions (Minute Item 5.1) as his wife works for a local charitable organization.

Councillor Heit declared a direct pecuniary interest respecting Report CLK 7-2021, concerning Appointment of Interim Integrity Commissioner (Agenda Item 8.2.3) as he has an on-going matter before the Integrity Commissioner.

Councillor Redekop declared an indirect pecuniary interest with respect to the portion of the Budget Review Committee of the Whole Minutes BRCOTW 3-2021 (Agenda Item 9.5) concerning Report CSD 36-2021, respecting Hospital Financing Strategy (Minute Item 5.2) as his daughter is employed by Niagara Health.

Councillor Steele declared an indirect pecuniary interest with respect to the portion of the Budget Review Committee of the Whole Minutes BRCOTW 3-2021 (Agenda Item 9.5) concerning Report CSD 36-2021, respecting Hospital Financing Strategy (Minute Item 5.2) as his wife is employed by Niagara Health.

Councillor Ip declared a direct pecuniary interest respecting Report CLK 7-2021, concerning Appointment of Interim Integrity Commissioner (Agenda Item 8.2.3) as she has an on-going matter before the Integrity Commissioner.

Councillor Bylsma declared a direct pecuniary interest respecting Report CLK 7-2021, concerning Appointment of Interim Integrity Commissioner (Agenda Item 8.2.3) as he has an on-going matter before the Integrity Commissioner.

Councillor Butters declared a direct pecuniary interest respecting Report CLK 7-2021, concerning Appointment of Interim Integrity Commissioner (Agenda Item 8.2.3) as she has an on-going matter before the Integrity Commissioner.

Councillor Dart declared a direct pecuniary interest respecting Report CLK 7-2021, concerning Appointment of Interim Integrity Commissioner (Agenda Item 8.2.3) as he has an on-going matter before the Integrity Commissioner.

4. PRESENTATIONS

4.1 Regional Chair's Niagara Impact Awards

The Niagara Impact Awards recognize community members who have made a positive impact on life in Niagara.

Residents were encouraged to nominate individuals, businesses, and non-profit organizations who have gone above and beyond to help make living in Niagara a little better for others during the past year.

Regional Chair Bradley announced the following winners of the 2021 Niagara Impact Awards:

Youth Award:

Anisha O'Brien

Individual Awards:

Natasha Bell

Justin Preston

Amanda Cote

Non-Profit Award:

The Valhalla Project Niagara

Royal Canadian Legion Br. 613 Fonthill

Business Award:

Dillon's Small Batch Distillers

Community Leader Award:

Tom Rankin

A video was shared of the winners thanking Niagara Region for the award and recognition.

5. CHAIR'S REPORTS, ANNOUNCEMENTS, REMARKS

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

6. DELEGATIONS

6.1 16 Days of Activism against Gender-Based Violence (Agenda Item 14.1)

- 6.1.1 Jean Tonogai, Member, Maureen Shantz, President, Gail Neff, Past President, and Liina Veer, Advocacy Chair, Canadian Federation of University Women St. Catharines

Jean Tonogai, Member, Canadian Federation of University Women St. Catharines, spoke in support of the motion respecting 16 Days of Activism against Gender-Based Violence. She provided information respecting barriers to women seeking advancement in careers and politics.

- 6.1.2 Steffannie Hancharyk, Resident, City of Thorold

Steffannie Hancharyk, Resident, City of Thorold, spoke in support of the motion respecting 16 Days of Activism against Gender-Based Violence. She provided information respecting an increase in domestic violence and mental health issues as a result of the COVID-19 pandemic.

- 6.1.3 Danielle Romanuk, Resident, City of St. Catharines

Danielle Romanuk, Resident, City of St. Catharines, spoke in support of the motion respecting 16 Days of Activism against Gender-Based Violence however, indicated more could be done. She used a portion of her delegation time for a moment of silence for all who suffer from gender-based violence.

- 6.1.4 Tanja Loeb, Gillian's Place

Tanja Loeb, Gillian's Place, spoke in support of the motion respecting 16 Days of Activism against Gender-Based Violence. She appeared before Council to provide information respecting the increase in violence and abuse against women as a result of the COVID-19 pandemic and stay at home orders.

11. MOTIONS

11.1 16 Days of Activism against Gender-Based Violence

16 Days of Activism against Gender-Based Violence

Moved by Councillor Huson

Seconded by Councillor Ip

WHEREAS “16 Days of Activism against Gender-Based Violence” is an annual international campaign, running from November 25 through December 10, that calls on the prevention and elimination of violence against women and girls;

WHEREAS the pandemic has been linked to an alarming increase in rates of violence against women, domestic violence reporting and domestic homicides, also known as the shadow pandemic;

WHEREAS 1 in 3 women worldwide will experience physical or sexual violence, mostly by an intimate partner, and emerging data has shown that all types of violence against women and girls has intensified during the pandemic;

WHEREAS the supply of women’s shelter space has decreased due to public health measures while simultaneously there has been a 30 percent increase in the rates of gender-based violence; and

WHEREAS indigenous women and girls, and racialized, minority and vulnerable communities are more likely to be the victims of assault.

NOW THEREFORE BE IT RESOLVED:

1. That Niagara Region actively **PARTICIPATE** in the 16 Days of Activism against Gender-Based Violence by flying a campaign flag in the International Plaza from November 25 to December 10, 2021;
2. That staff **BE DIRECTED** to develop a communication strategy to increase awareness of the 16 Days of Activism against Gender-Based Violence campaign; and
3. That the Regional Clerk **BE DIRECTED** to circulate a copy of this motion to the local area municipalities.

Carried

7. **ADOPTION OF MINUTES**

Moved by Councillor Darte
Seconded by Councillor Nicholson

That the following minutes of Regional Council **BE ADOPTED**:

Open Session Minutes CL 10-2021, Thursday, May 20, 2021 (Special Meeting)

Open Session Minutes CL 11-2021, Thursday, May 20, 2021 (Regular Meeting)

Open and Closed Session Minutes CL 12-2021, Thursday, June 10, 2021
(Special Meeting)

Carried

8. **CORRESPONDENCE**

8.1 **Receive and/or Refer**

Moved by Councillor Rigby
Seconded by Councillor Gibson

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

CL-C 53-2021 respecting 16 Days of Activism against Gender-Based
Violence in Support of Homeless Women and Families, **BE RECEIVED**;
and

CL-C 54-2021 respecting Notice of Procedural By-law Amendment
(Electronic Meetings), **BE RECEIVED**.

Carried

8.2 **For Consideration**

8.2.1 CL-C 52-2021

Recommendation for Consideration from the T. Roy Adams
Humanitarian Award Committee meeting held June 21, 2021

Moved by Councillor Greenwood
Seconded by Councillor Rigby

That Correspondence Item CL-C 52-2021, being a memorandum
from A.M. Norio, Regional Clerk, dated June 24, 2021, respecting
Recommendation for Consideration from the T. Roy Adams
Humanitarian Award Committee meeting held June 21, 2021, **BE
RECEIVED**; and

That the recommendation contained in Confidential Appendix 1 to Correspondence Item CL-C 52-2021 to confirm the 2021 recipient of the T. Roy Adams Humanitarian of Year Award, **BE APPROVED.**

Carried

8.2.2 CSD 42-2021

Budget Amendment – Greater Niagara Circle Route – Welland Canal Parkway Trail Extension

Moved by Councillor Ugolini
Seconded by Councillor Whalen

That Report CSD 42-2021, dated June 24, 2021, respecting Budget Amendment – Greater Niagara Circle Route – Welland Canal Parkway Trail Expansion, **BE RECEIVED** and the following recommendations **BE APPROVED:**

1. That a one-time amendment to the previously adopted 2021 Niagara Region Operating Budget in the amount of \$200,000 **BE APPROVED** from the Greater Niagara Circle Route (GNCR) Reserve to fund a grant to the City of St. Catharines for an extension of the Welland Canal Parkway Trail north of Lakeshore Road as described in PW 26-2021 and that there be no impact on Niagara Region's 2021 tax levy and 2021 property tax rates; and
2. That a one-time amendment to the previously adopted 2021 Niagara Region Operating Budget in the amount of \$50,000 **BE APPROVED** from the Greater Niagara Circle Route (GNCR) Reserve to fund Greater Niagara Circle Route wayfinding initiatives and/or implementation costs as described in PW 26-2021 and that there be no impact on Niagara Region's 2021 tax levy and 2021 property tax rates.

Carried

8.2.3 CLK 7-2021

Appointment of Interim Integrity Commissioner

Moved by Councillor Foster
Seconded by Councillor Nicholson

That Report CLK 7-2021, dated June 24, 2021, respecting Appointment of Interim Integrity Commissioner, **BE RECEIVED** and the following recommendations **BE APPROVED:**

1. That Michael L. Maynard of ADR Chambers Inc., **BE APPOINTED** Interim Integrity Commissioner until such time as a new Integrity Commissioner is appointed pursuant to a Request for Proposal process to be undertaken;
2. That By-law 2017-61, being a by-law to appoint an Integrity Commissioner for The Regional Municipality of Niagara, **BE REPEALED**;
3. That staff **BE DIRECTED** to initiate a Request for Proposal process for Integrity Commissioner services for Niagara Region and report back upon completion of the process with a recommendation for award/appointment; and
4. That the necessary by-law to appoint an Interim Integrity Commissioner **BE PREPARED** and **PRESENTED** to Council for consideration.

Carried

8.2.4 CL-C 55-2021

Chief Administrative Officer Recruitment Committee Update

Moved by Councillor Witteveen
Seconded by Councillor Foster

That Correspondence Item CL-C 55-2021, being a memorandum from F. Meffe, Director, Human Resources, and A.M. Norio, Regional Clerk, dated June 24, 2021, respecting Chief Administrative Officer Recruitment Committee Update, **BE RECEIVED**; and

That, in accordance with subsection 2.4 of Niagara Region's Procedural By-law, the rules of procedure, specifically the second part of subsection 13.7 of the Procedural By-law, **BE SUSPENDED** for purposes of the Chief Administrative Officer Recruitment Committee (CAORC), and that the Clerk **BE DIRECTED** to forward any signed submissions received by the Clerk regarding the CAORC to the Director, Human Resources, and the External Search Firm for consideration and follow up as appropriate during this recruitment process.

Two-thirds majority being achieved, the Regional Chair declared the vote,

Carried

9. COMMITTEE REPORTS - OPEN SESSION

9.1 Public Works Committee

Minutes PWC 6-2021, Tuesday, June 15, 2021

Moved by Councillor Rigby
Seconded by Councillor Fertich

That Minutes PWC 6-2021 being the Open Session minutes of the Public Works Committee meeting held on Tuesday, June 15, 2021, **BE RECEIVED** and the recommendations contained therein **BE APPROVED**.

Carried

9.2 Public Health and Social Services Committee

Minutes PHSSC 6-2021, Tuesday, June 15, 2021

Moved by Councillor Chiocchio
Seconded by Councillor Greenwood

That Minutes PHSSC 6-2021 being the Open Session minutes of the Public Health & Social Services Committee meeting held on Tuesday, June 15, 2021, **BE RECEIVED** and the recommendations contained therein **BE APPROVED**.

Carried

9.3 Corporate Services Committee

Minutes CSC 6-2021, Wednesday, June 16, 2021

Moved by Councillor Foster
Seconded by Councillor Whalen

That Minutes CSC 6-2021 being the Open and Closed Session minutes of the Corporate Services Committee meeting held on Wednesday, June 16, 2021, **BE RECEIVED** and the recommendations contained therein **BE APPROVED**.

Carried

9.4 Planning and Economic Development Committee

Minutes PEDC 6-2021, Wednesday, June 16, 2021

Moved by Councillor Huson

Seconded by Councillor Witteveen

That Minutes PEDC 6-2021 being the Open Session minutes of the Planning & Economic Development Committee meeting held on Wednesday, June 16, 2021, **BE RECEIVED** and the recommendations contained therein **BE APPROVED**.

Carried

9.5 Budget Review Committee of the Whole

Minutes BRCOTW 3-2021, Thursday, June 17, 2021

Moved by Councillor Zalepa

Seconded by Councillor Whalen

That Minutes BRCOTW 3-2021 being the Open Session minutes of the Budget Review Committee of the Whole meeting held on Thursday, June 17, 2021, **BE RECEIVED** and the recommendations contained therein **BE APPROVED**.

9.5.1 Minute Item 5.1 respecting 2020 Budget Planning and Timetable

The motion contained in Minute Item 5.1 was considered separately as follows:

That Report CSD 40-2021, dated June 17, 2021, respecting 2022 Budget Planning and Timetable, **BE RECEIVED** and the following recommendations **BE APPROVED**:

1. That the 2022 budget timetable, Appendix 1 to Report CSD 40-2021, **BE APPROVED**; and
2. That Report CSD 40-2021 **BE CIRCULATED** to the agencies, boards and commissions (ABCs) in accordance with By-law No. 2017-63 (Budget Control).

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

Carried

9.5.2 Balance of the Recommendations from Budget Review Committee of the Whole

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

Carried

10. CHIEF ADMINISTRATIVE OFFICER'S REPORT(S)

10.1 CAO 12-2021

Niagara's Community Safety and Well-Being Plan, 2021-2025

Michelle Johnston, Project Lead, Community Safety & Well-Being Program Manager, provided information respecting Niagara's Community Safety and Well-Being Plan, 2021-2025. Topics of the presentation included:

- Background
- Pillars of Framework
- Local Approach
- Niagara's Plan

Moved by Councillor Steele

Seconded by Councillor Gibson

That Report CAO 12-2021, dated June 24, 2021, respecting Niagara's Community Safety and Well-Being Plan, 2021-2025, **BE RECEIVED** and the following recommendations **BE APPROVED**:

1. That Regional Council **ADOPT** Niagara's Community Safety and Well-Being Plan, 2021-2025, attached as Appendix A to Report CAO 12-2021;
2. That the request for additional resources to implement and sustain Niagara's Community Safety and Well-Being Plan (2021-2025), as outlined in Report CAO 12-2021, **BE CONSIDERED** as part of the 2022 budget process; and
3. That staff **BE DIRECTED** to submit Niagara's Community Safety and Well-Being Plan to the Ministry of the Solicitor General in accordance with the *Police Services Act, 1990*.

Carried

12. NOTICES OF MOTION

There were no notices of motion.

13. OTHER BUSINESS

Members made various announcements related to activities and events within the Region and area municipalities.

14. CLOSED SESSION

Council did not resolve into closed session.

15. BUSINESS ARISING FROM CLOSED SESSION

Council did not resolve into closed session.

16. BY-LAWS

Moved by Councillor Gibson
Seconded by Councillor Easton

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

Bill 2021-37

A by-law to appoint an Interim Integrity Commissioner for The Regional Municipality of Niagara and to repeal By-law 2017-61.

Bill 2021-39

A by-law to provide for the adoption of Amendment No. 19 to the Official Plan for the Niagara Planning Area to remove the employment land designation from Schedule G2 and to refine/delineate the boundaries of the existing "Environmental Conservation Area" and add "Environmental Protection Area" to the subject lands on Schedule C to facilitate the redevelopment of the subject lands from vacant industrial (previously John Deere) to a residential and mixed-use subdivision.

Bill 2021-40

A by-law to amend By-law 89-2000 to provide for the regulation of traffic on Regional highways (Speed Limit Reduction Regional Road 20 in the City of Niagara Falls).

Bill 2021-41

A by-law to adopt, ratify and confirm the actions of Regional Council at its meeting held on June 24, 2021.

Carried

17. ADJOURNMENT

There being no further business, the meeting adjourned at 9:09 p.m.

Jim Bradley
Regional Chair

Matthew Trennum
Deputy Regional Clerk

Ann-Marie Norio
Regional Clerk

MEMORANDUM

CL-C 56-2021

Subject: Amendment to Procedural By-law for Continued Electronic Meeting Participation

Date: July 22, 2021

To: Regional Council

From: Ann-Marie Norio, Regional Clerk

At its meeting held on June 24, 2021, Regional Council was provided with notice that a Procedural By-law amendment to update Section 2 – General, of the by-law accordingly, would be brought to the Regional Council meeting being held on July 22, 2021, for Council's consideration.

On June 25, 2020, Regional Council approved By-law 2020-51 being a By-law to amend By-law 120-2010, The Procedural By-law, to permit electronic meeting participation for a one-year period from the termination of the Provincial Declaration of Emergency. This by-law is set to expire at 12:01 a.m. on July 24, 2021.

Given that there is still some uncertainty with respect to the public health measures that may remain in place indefinitely and when Regional facilities will re-open to the public, staff are recommending the continuation of electronic meetings for a defined period. Bill 2021-44 is provided on the July 22, 2021, Council agenda for Council's consideration to allow electronic meetings to continue for the duration of the declared Niagara Region state of emergency and for a period of three months thereafter. The additional three month period will allow staff the ability to provide a report to Council respecting how electronic meetings will be handled on a go-forward basis once the state of emergency has been declared over and consider any public health measures that may remain in place at that time.

Respectfully submitted and signed by

Ann-Marie Norio
Regional Clerk

From: [PF-Mailbox-01](#)
To: [Norio, Ann-Marie](#); [Trennum, Matthew](#)
Subject: FW: Reject request for HD Niagara Falls to remain open on stat holidays.
Date: Wednesday, July 14, 2021 6:43:10 PM

From: Bobbie Goss
Sent: Wednesday, 14 July 2021 18:43:04 (UTC-05:00) Eastern Time (US & Canada)
To: Clerks
Subject: Reject request for HD Niagara Falls to remain open on stat holidays.

Hello,

I'm not sure if it is too late to lodge this but I don't agree that the Home Depot should be allowed to remain open on statutory holiday. These are the only days that the employees are guaranteed to spend with their families. If Home Depot is not deemed essential during lockdown to remain open then why would it be essential to remain open on a stat holiday. It seems like it's only because Lowe's is. Please reject this request. Home Depot is not a tourist destination.

Thank you,
Bobbie Goss

Subject: COVID-19 Economic Recovery Forum Summary

Report to: Members of Regional Council

Report date: Thursday, July 22, 2021

Recommendations

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

Key Facts

- On Thursday, July 15, the Regional Chair, in partnership with the 12 mayors, hosted a moderated forum with representatives from Niagara's business associations to exchange information, ideas and priorities
- The discussion was attended by 14 representatives from 12 distinct business associations, representing a broad range of sectors as well as having membership in all 12 municipalities
- The discussion focused primarily on Regional post-pandemic economic recovery strategies
- The concerns discussed by the participants included consistent messaging and policy interpretation, irrigation, affordable housing, labour market planning, climate change, data sharing and diversity and inclusivity
- Upon completion of the forum, there was agreement among all participants that this type of informal communication should continue and be more regular

Financial Considerations

There are no direct financial implications associated with the approval of this report.

Analysis

On July 15, the Regional Chair and the 12 local area municipal mayors joined with representatives from Niagara's local business community to share an update on the current state of Niagara's municipal finances, as well as have an open discussion where participants could share their ideas, key learnings and suggestions with the heads of municipal council.

The following business representatives participated:

1. Michael Miryneck, Niagara Construction Association
2. Denise Potter, West Lincoln Chamber of Commerce
3. Paul Robertson, West Lincoln Chamber of Commerce
4. Matthias Koster, Tourism Niagara*
5. Malcolm Woodhouse, Niagara Board of Trade and Commerce

6. Chuck McShane, Niagara Home Builders Association
7. Lindsey Hendriks, Lincoln Chamber of Commerce
8. Rebecca Shelley, Grimsby and District Chamber of Commerce
9. Eduardo Lafforgue, Niagara-on-the-Lake Chamber of Commerce
10. Mishka Balsom, Greater Niagara Chamber of Commerce
11. Verne Milot, South Niagara Chambers of Commerce
12. Don Cyr, Niagara Industrial Association
13. Cathy Mous, Niagara Federation of Agriculture
14. Debbie Zimmerman, Grape Growers of Ontario

It is important to note that Anthony Annunziata, President of Tourism Niagara, was unavailable to participate on the forum. Given the impacts of COVID-19 on tourism in Niagara, Chair Bradley had a follow up discussion with Mr. Annunziata to ensure the views of the tourism industry would be part of the conversation.

The 12 Mayors and Regional Chair made the strategic decision to invite representatives from established business and industry associations to share their ideas and suggestions. Participants from these organizations are in a unique position as they have close relationships with their members and can therefore share holistic and well-rounded views of entire sectors or geographic areas rather than the views of one specific business.

As part of the forum, Commissioner of Corporate Services, Todd Harrison, provided an overview of the last 24 months. Highlights of Commissioner Harrison's presentation included points from the KPMG sustainability study, the pressures created by the pandemic on municipal operations as well as significant financial commitments for the future: GO train stations, hospital and hospice funding and the South Niagara Wastewater Treatment plant.

The Regional Chair shared with participants that 92% of the Region's budget is directed towards services that a recent KPMG study deemed to be essential or mandatory. The Chair also stated that municipalities in Ontario may not run deficits and advised participants that the policy mechanisms available to provide direct financial support or relief to businesses are exceptionally limited at the municipal level.

After providing this context, the forum shifted to an open discussion with all participants regarding key pandemic learnings and ideas to expedite Niagara's economic recovery. It is important to note that while the discussion was framed as a post-COVID-19 recovery conversation, many of the topics discussed by the participants did not have a direct connection to pandemic recovery, nor were they the direct responsibility of municipal government. All participants were given an opportunity to share their views with the heads of council.

Summary of Discussion Topics

The following topics were raised by the participants:

1. **COVID-19 impacts and support** – participants agreed that not all sectors of the economy were impacted by the pandemic equally, acknowledging that sectors such as manufacturing remained mostly untouched by the regulations associated with COVID-19. Regarding support for businesses, the programs that were most frequently accessed were appropriately offered by the federal and provincial government (wage subsidy, rent subsidy, other grant programs, etc.); there was an appreciation of the times government was able to modify policy to be supportive (such as the ability for restaurants to sell alcohol via take out, and the expansion of patio licenses). There was a call to speed up approvals and reduce red tape where appropriate. Participants also highlighted the importance of the Canada-US border being open, although they recognized that this is not a municipal responsibility. Reference was made to an increased use of rapid testing to help expedite this opening.
2. **COVID-19 message clarity and policy interpretation** – participants suggested the lack of clarity from the province in regard to COVID-19 rules and regulations, as well as local policy interpretation, caused a high degree of confusion across the region as well as between different sectors of the economy. Participants asked that should another lock down be required that the province provide more clarity regarding specific rules. Participants also noted the problematic nature of “mixed messaging” throughout the pandemic where we would invite tourists to visit, and then ask them to stay away; it was noted that all barriers to tourism should be considered being lifted, including making beaches only available for residents and the high-cost of parking tickets.
3. **Irrigation** – participants raised the importance of sustainable and affordable irrigation to Niagara’s agriculture sector. Specific ideas discussed included the need for provincial classification of irrigation as infrastructure, the need for the Region’s Official Plan to recognize agriculture as a significant economic driver, and the need for all partners and stakeholders to be active participants in finding an acceptable solution. Forum participants were made aware that Regional Council has already taken some steps to address this issue.
4. **Housing affordability** – participants agreed that housing affordability is an issue in Niagara. While there was no consensus regarding a solution, suggestions from participants included the expansion of housing stock, reducing the administrative “red tape” in regards to planning approvals, considerations for development charges, inclusionary zoning and incentives for developers to include affordable units.

5. **Labour market** – forum participants agreed that there are issues in finding qualified individuals for the jobs that are available in the region. Specifically, participants suggested there is a lack of youth going into trades and manufacturing, causing pressure points for those two industries. Suggestions to alleviate these issues included an increase in immigration, an expansion of co-op and job training programs, as well as marketing campaigns designed to increase interest in trades as a career option. Participants also mentioned that certain labour shortages could be addressed through an increased focus on diversity, equity and inclusionary policies and practices.
6. **Climate change** – those participating in the forum spoke about the issue of climate change on Niagara's economy, specifically around adaptation and mitigation. Interestingly, participants discussed the connection between climate change and issues such as heating and cooling costs, increased construction costs due to the cost of construction materials as well as the pandemic's effects on retail purchasing habits.
7. **Data sharing** – there was a call for a more centralized point to easily access data across the region. Participants suggested that specific data is "split" between levels of government or different parties and gaining access to fulsome and complete data for decision making is often difficult. Specifically, participants asked for "politically independent, but publicly available" data to ensure the best possible decisions can be made. All participants agreed with the general sentiment that all sectors (as represented by the forum participants) would benefit from a greater level of collaboration and coordination, independent of any government involvement.
8. **Transportation systems** – participants noted the importance of regional transit to Niagara, pointing the need for schedules to be more closely tied to shift changes to meet demands at "surge times." Participants also noted the need to ensure those travelling to Niagara via GO train have access to transportation. While the WEGO service was noted to be a good model that provides connectivity aligned with the GO schedule, participants felt that this level of connectivity should be offered across the region. Participants also mentioned the importance of ease of access to airports, both here in Niagara and in Hamilton.

Next Steps

Due to the extensive and broad list of topics discussed during the forum, the following next steps are being undertaken:

1. Commitment to continuing conversations with this group of participants, including updates between forums when appropriate

2. Meet with the Niagara Workforce Planning Board, the school boards and post-secondary institutions to better understand the current labour market in Niagara
3. Advocate to senior levels of government regarding COVID-19 messaging clarity
4. Explore options for meaningful next steps regarding climate change adaptation and mitigation, as well as a review of municipal “red tape” and approval processes
5. Request a briefing from the Region’s economic development team regarding economic data sharing
6. Continue to action council’s directions regarding irrigation issues in Niagara
7. A follow-up survey has been sent to forum participants to collect their feedback on the session and determine ways to strengthen future forums

Relationship to Council Strategic Priorities

Given the broad list of topics discussed during the forum, there is a strong relationship between this report and all of council’s strategic priorities of supporting businesses and economic growth, healthy vibrant community, responsible growth and infrastructure planning and sustainable and engaging government.

Other Pertinent Reports

There are no other reports directly related to this matter.

Submitted by:
Jim Bradley, Chair
Niagara Region

This report was prepared in consultation with Daryl Barnhart, Executive Officer to the Regional Chair.

MEMORANDUM

CAO 14-2021

Subject: Pandemic Relief Taskforce

Date: July 22, 2021

To: Regional Council

From: Ron Tripp, P.Eng., Acting Chief Administrative Officer

At the Regional Council meeting of May 20, 2021, Councillor Gale raised the following point under Other Business:

13.1 Pandemic Relief Taskforce

Councillor Gale requested information respecting the COVID-19 pandemic relief taskforce, and whether local business groups have been consulted.

Attached as Appendix A to this memo is a summary of the many proactive activities and consultations between the Region and our business community, primarily lead by Director George Spezza and our Economic Development team. Of particular note, is the work of the Economic Rapid Response Team (ERRT). This initiative which is being administratively led by the Economic Development team, and its mandate, was established in March of 2020 by the Regional Chair and the twelve Mayors.

Additionally, Council will receive Report CHR 3-2021 at its meeting of July 22, 2021 for information. This report describes a very inclusive forum with our business community representatives hosted by the Regional Chair and the twelve mayors. As indicated in the report, it is the intention of the elected officials to continue this valuable dialogue.

In response to the specific inquiry, there has been, and will continue to be, extensive and inclusive dialogue and consultation with our Niagara Region business community.

Respectfully submitted and signed by

Ron Tripp, P. Eng
Acting Chief Administrative Officer

Appendix A: Economic Development and Business Engagement

ECONOMIC DEVELOPMENT AND BUSINESS ENGAGEMENT

Niagara Region Economic Development supports local businesses through regionally significant projects. As laid out in the current MOU with the Local Area Municipalities, those offices have responsibility for Business Retention and Expansion and are the point of contact for businesses in their individual municipalities. Our core mandate is investment attraction, external marketing, business development and expedited services and strategic economic initiatives.

However, throughout COVID-19, work has pivoted to be focused more on support to businesses locally where there was a need and it was appropriate for the work to be done at the regional level.

ECONOMIC RAPID RESPONSE TEAM (ERRT)

The ERRT was announced by the Chair and the Mayors in March 2020. It is a collaboration between the Region and the Municipal Economic Development Offices but the work is carried out by the Regional Team on behalf of the group.

- Biweekly calls to a group of over 90 stakeholders, including economic development offices, chambers, industry associations, BIAs, DMOs, Small Business Enterprise Centres, Brock University, Niagara College, Niagara Workforce Planning Board and Employment groups. The regular attendance is 25-30 but the information is disseminated to the whole group. Working with Public Health, the objective is to inform businesses about COVID-19 protocols and provide an update on the Economic Recovery Plan.
- Support for municipal 'Buy Local' campaigns through marketing initiatives.
- Development of an online Business Directory to expand the local supply chain and opportunities for local businesses. It is currently being used by Niagara Health to source suppliers for the South Niagara Hospital. Also used to promote Canada Summer Games RFPs to local businesses.
- Niagara Canada website provides a portal for federal and provincial government information on funding and support for business.
- Together with Niagara Region Transportation and Communications Divisions, Economic Development is helping to promote the new Niagara Regional Transit routes. This is in effort to support local businesses not only to bring consumers but also provide options for potential employees by offering consistent and reliable public transportation options to our more remote municipalities.
- In collaboration with Innovate Niagara and the Local Area Municipalities, a comprehensive digital and print marketing campaign was launched in the National Post to support and encourage residents to visit downtown storefronts in the region.

TOURISM ADAPTION AND RECOVERY FUND

The ERRT, led by Niagara Economic Development, stepped in at the request of the federal government to administer funding support to tourism-dependant businesses in Niagara. The fund of \$2 million is being distributed through an application and evaluation process with reporting mechanisms in place, to over 160 businesses. This is providing much needed support to the tourism sector, helping to keep businesses open and able to conform to public health protocols through the pandemic.

RESEARCH AND ANALYSIS

Economic updates are provided semi-annually, in the spring and the fall. They coincide with regional data becoming available.

Reports:

- Niagara COVID-19 Business Impact Survey - Part 1 (April 14, 2020)
- Niagara COVID-19 Business Impact Survey - Part 2 (June 22, 2020)
- Niagara COVID-19 Business Impact Survey - Part 3 (June 16, 2021)
- Niagara Economic Update (May 13, 2020)
- COVID-19 Impact on Investment and Development in Niagara (October 14, 2020)
- Niagara Economic Update (November 9, 2020)
- Niagara Economic Update (April 14, 2021)

Presentations/Engagements:

- Interview: Niagara Business Impact Survey results with Tim Denis on 610am (April 15, 2020)
- Interview: Business Impact Survey with Gord Howard, Niagara Dailies (April 15, 2020)
- Presentation: Transport Canada/McMaster Institute of Transportation and Logistics on COVID-19 impacts on trade and logistics sector in Niagara (June 17, 2021)
- Interview: Niagara COVID-19 Business Impact Survey – Part 2 with Matt Holmes on 610am (June 24, 2020)
- Presentation: Brock University/Niagara Community Observatory Policy Brief regarding Transportation and Logistics Sector in Niagara (July 7, 2020)
- Interview: COVID-19 Impacts on Investment and Development in Niagara with Tim Denis (October 15, 2021)

- Presentation: Manufacturing update for Hamil Group of Companies (Dec. 3, 2021)
- Presentation: Niagara Economic and Manufacturing Update for Niagara Industrial Association (March 18, 2021)
- Presentation: Niagara Economic Update for South Niagara Chambers of Commerce (March 30, 2021)
- Presentation: Niagara Economic Update for GNCC Government Affairs Council (April 16, 2021)
- Presentation: COVID-19 Business Impact Survey – Part 3 results for South Niagara Chambers of Commerce podcast (May 14, 2021)
- Presentation: Niagara Economic Update for Mastermind Business Group (May 19, 2021)
- Presentation: COVID-19 Business Impact Survey results for ERRT Task Force (Niagara COVID-19 Business Impact Survey – Part 3 presentation (May 19, 2021)
- Presentation: COVID-19 Business Impact Survey – Part 3 for GNCC Espresso Live webinar (June 9, 2021)
- Presentation: COVID-19 Impacts on Women Employment in Niagara for GNCC Women In Niagara Hackathon (June 15, 2021)
- Presentation: COVID-19 Business Impact Survey for Niagara College Research & Innovation division (June 9, 2021)
- Economic Development Overview presentations to Brock University Senior Management and Niagara College focussed on partnerships and collaboration.
- Workshop on supporting local businesses with the South Niagara Chamber of Commerce.
- Supporting Grimsby on a new Economic Development Strategy

SECTOR SUPPORT (AGRIBUSINESS AND TOURISM)

Sector support is ongoing, below are some examples of recent outreach.

- Direct outreach to food processing businesses during Phase 1 of the Vaccine Implementation program to arrange appointments.
- Tourism Adaption and Recovery Fund (described above).

EXPORTING SUPPORT THROUGH THE NIAGARA FOREIGN TRADE ZONE (NFTZ)

- Providing direct outreach to the Regional trade community by connecting Niagara's businesses to Trade Incentives and Programs offered by the Regional, Provincial & Federal Governments including: Trade Accelerator Program, Export Development's Global Connections Program, Global Affairs Canada Trade

Commissioners Service, Ontario Ministry of Economic Development, and Job Creation and Trade's Foreign Service Program.

NIAGARA'S WORK FORCE

Working with employment groups, Niagara Economic Development is aware of labour market issues and supports programs and funding applications to address them.

- Niagara Economic Development recently convened a meeting with Niagara Workforce Planning Board, Niagara Industrial Association, Employment Agencies and Academia to better understand labour issues in Region.

Subject: Niagara Falls Water Treatment Plant Dechlorination and Waste System Upgrade – Gross Budget Increase

Report to: Regional Council

Report date: Thursday, July 22, 2021

Recommendations

1. That the gross budget for the Niagara Falls Water Treatment Plant Dechlorination Waste Upgrade project **BE INCREASED** by \$1,371,559 for a total project budget of \$4,866,559 and that the increase **BE FUNDED** from the Capital Variance Project – Water.
2. That the current contract amount of \$232,117.07 (including 13% HST) awarded to Associated Engineering (Ont.) Ltd. **BE INCREASED** by \$403,309.43 (including 13% HST), for a total revised contract amount of \$635,426.50 (including 13% HST) to include administration and inspection services and that Staff **BE AUTHORIZED** to proceed with the necessary amending agreement with Associated Engineering (Ont.) Ltd. in a form satisfactory to the Director of Legal and Court Services.

Key Facts

- The purpose of this report is to seek Council's approval for an increase of \$1,371,599 to the gross budget for project 10CW1518 (Niagara Falls Water Treatment Plant Dechlorination Waste Upgrade) and to increase Associated Engineering (Ont) Ltd. (AE) contract amount to \$562,324.34 (excluding 13% HST) for the Niagara Falls Water Treatment Plant Dechlorination Waste Upgrade.
- A gross budget increase is required due to higher than estimated tender prices from general construction cost variance, increased costs for greater duration of contract administration and inspection, and the project's ancillary fees.
- Construction is scheduled from August/September 2021 to August/September 2022, contingent upon a July 2021 contract award date, subject to Council approval of the recommendations in this report.
- A competitive tender process 2018-T-117 Dechlorination & Process Waste System Upgrades at the Niagara Falls Water Treatment Plant (NFWTP) closed on June 16, 2021. The lowest compliant bid was received from Kenaidan Contracting Ltd. at a

bid price of \$3,553,580 (excluding 13% HST). Council approval for a gross budget increase is required in order to proceed with the award of this contract.

- Based on AE's summary analysis of the tender bids received, they reported that the reason the lowest bid is 14.6% above the design estimate (revised in 2019 and 2020), could be due to the impact of the COVID-19 pandemic. The estimate was prepared pre-COVID and since the pandemic, material costs have increased significantly. This escalation was not anticipated during the preparation of the pre-tender estimates or budget planning processes.
- During the tender period, bidders requested that the construction period be increased from six (6) months to twelve (12) months due to delays in material supply caused by the shortage of various products resulting from the COVID-19 pandemic. The 12-month construction period was accepted, and this increased Division 1 costs such as Bonding and Insurance, Project Management costs, and Construction Facilities.
- AE was retained by the Niagara Region in September 2015 through a competitive bid process (2015-RFP-22), \$128,000 (excluding 13% HST) for design and tendering with an additional \$158,865 (excluding 13% HST) for provisional contract administration and inspection services.
- AE's total approved design fees to date are \$205,413.34 (excluding 13% HST) with \$77,397 being single-source sourced following the award of the RFP due to additional scope changes requested by Niagara Region during the design phase. The original RFP projected a construction start date in 2016, with a duration of 6 months and did not include a Request For Prequalification (RFPQ) process.
- In 2021, revised contract administration and inspection fees were negotiated with AE to accommodate the increase in construction duration from 6 to 12 months. The revised amount is \$356,911.00 (excluding 13% HST). This is \$198,046 above what was originally contemplated in the RFP (2015-RFP-22).

Financial Considerations

Project 10CW1518 (Niagara Falls Water Treatment Plant Dechlorination Waste Upgrade) has a previously approved capital budget of \$3,495,000.

While reconciling the overall project costs to date with the construction-related costs, a budget increase of \$1,371,559 (inclusive of 1.76% non-refundable HST) is required. The increase is required as a result of the lowest compliant bid price being higher than the original tender estimate, the increase in consultant's contract administration and inspection fees and the associated project's ancillary fees.

The construction contract award requires \$806,760 (inclusive of 1.76% non-refundable HST), the contract administration and inspection requires \$363,193 (inclusive of 1.76% non-refundable HST), and the project's ancillary fees requires \$201,606 (inclusive of 1.76% non-refundable HST).

The budget increase will bring the total project budget to \$4,866,559 and is to be funded from the Capital Variance Water Project. A full budget breakdown can be found in Appendix 3 – Total Estimated Project cost. As of June 25, 2021, the Capital Variance Water Project has an uncommitted balance of \$4,192,339

Analysis

Niagara Region owns and operates the Niagara Falls Water Treatment Plant (NFWTP) located at 3599 Macklem Street in the City of Niagara Falls. The NFWTP was originally constructed in 1932 (Plant 1) and expanded in 1950 (Plant 2) with further modifications in 1980 and 2005. The plant is rated at 145.5 ML/d and services the City of Niagara Falls, and parts of the City of Thorold and the Town of Niagara-on-the-Lake via a water main network, pumping stations, and service reservoirs. The raw water intake draws from the Welland River at the mouth of the Niagara River. Appendix 1 shows a key plan of the NFWTP.

The 2017 Master Servicing Plan (MSP) shows that the existing service area for the NFWTP is approximately 163,000 people (combined residential and employment), which includes the Decew WTP interconnections. Growth is anticipated to be approximately 60,000 by 2041 (combined residential and employment). Although demands will increase, the NFWTP has sufficient capacity to support the growth within Niagara Falls, Niagara-on-the-Lake and South Thorold.

The Ministry of Environment Conservation and Parks (MECP) requires chlorine removal before discharging process wastewater from Water Treatment Processes into the environment. To meet MECP's requirements, Niagara Region is upgrading the dechlorination system at Niagara Fall Water Treatment Plant (NFWTP). The current

system at the plant needs to be refurbished to monitor and ensure that the plant is not discharging chlorine into the Niagara River.

Niagara Region has initiated a project at the NFWTP to ensure regulatory compliance, environmental protection, optimized treatment, and improved health and safety. The project will improve the dechlorination process, upgrade the process waste system and provide related minor upgrades to the electrical system at the NFWTP

The following is the general scope of work for this project:

- New Dechlorination System
- New Catch Basin Manholes
- Improvement to the sludge handling system
- Replacement of electrical equipment associated with the upgrade
- Reconstruction of existing valve chamber and addition of new isolation valves
- Modification of the existing Inlet Chamber for the Coagulation Tanks to provide overflow lines connected into the existing Coagulation Tanks from above the high water level
- Removal and replacement of a section of the existing driveway
- Installation of permanent ladders in the Lamella Settler Thickeners and fall arrest equipment
- Removal and disposal of all equipment and pipe removed as part of this Contract

AE was retained in September 2015 through a competitive bid process (2015-RFP-22). The award included \$128,000 (excluding 13% HST) for design and tendering, with an additional \$158,865 (excluding 13% HST) for provisional contract administration and inspection services. Additional scope changes requested by Niagara Region during the design phase resulted in \$77,397.34 being single-sourced following the award of the RFP. At the end of the design phase of the project, AE's total approved design fees are \$205,413.34 (excluding 13% HST).

The original RFP (2015-RFP-22) indicated construction would commence in 2016 with a duration of six (6) months. It did not consider the services required to complete a Contractors' Request for Prequalification (RFPQ). The detailed design was completed in 2018 and the design optimization and constructability review was completed in 2019.

After the completion of the tendering process, revised contract administration and inspection fees were negotiated with AE to accommodate the increase in duration from six (6) to twelve (12) months, and the increase in engineering service rates from 2017 to

2021. The construction duration was increased to match the construction duration that was adjusted during tendering. The revised amount of the contract administration and inspection fees is \$356,911.00 (excluding 13% HST), an increase of \$198,046 above the amount originally contemplated in the RFP (2015-RFP-22).

While the contract administration and inspection services were evaluated as provisional items during the original RFP in 2015, the fees proposed were based on a six (6) months construction timeline. The increase in cost for contract administration and inspection services on the part of AE has been characterized as single sourcing in accordance with the guidance document developed by Procurement.

From October 2019 to February 2021, another major project (NFWTP Phase II) was ongoing at the plant. Staff paused the tendering of this project due to insufficient space on-site for safe and effective contractor separation and to avoid increased process interruptions at the plant. Hence, this project was tendered in 2021.

Based on the project's complexity, criticality and MECP's requirements, Staff used a contractors' RFPQ as part of the procurement process to ensure that competent contractors were invited for the Tender process. Per Niagara Region's Procurement By-law 02-2016 as amended on February 28, 2019, and under the guidance of the Region's Procurement Department, a competitive public request for the Pre-qualification process (2021-RFPQ-2) was initiated on February 5, 2021, to solicit technical proposals from General Contractors for this project.

Eighteen (18) General Contractors were evaluated and six (6) passed the minimum threshold of 70%. The successful six (6) were further invited for a competitive tender process on May 4, 2021, which closed on June 16, 2021. Four (4) bids were received and the lowest compliant bid received was from Kenaidan Contracting Ltd. at a bid price of \$3,553,580 (excluding 13% HST).

The Region's Procurement Department has reviewed and checked all submitted tenders to confirm they included acknowledgment of the correct number of Addenda, requisite Bid Security (tender deposit) and Surety (Agreement to Bond). A summary of the bid submissions is included in Appendix 2.

Based on AE's analysis of the tender bids received, the reason the lowest bid is 14.6% above the design estimate could be due to the impact of the COVID-19 pandemic. The engineering construction cost estimate was prepared pre-COVID and since the pandemic, material costs have increased in the order of 20 to 25 percent. This

escalation was not anticipated during the preparation of the pre-tender estimates or budget planning processes.

The price increase would also be impacted by the requirement of additional personal protective equipment, site facilities and COVID working arrangements that the contractors will need to put in place on site during construction. There is also the risk due to unknown price increases, specifically in equipment and concrete, which are occurring from when the contractor put in their tender price to when the purchase order is initiated. It was also observed that currently many projects are being tendered and so bidders are not inclined to underbid projects.

Furthermore, during the tender period, bidders requested that the construction period be increased from six (6) months to twelve (12) months due to delays in material supply due to the shortage of various products resulting from the COVID-19 pandemic. The 12-month construction period was accepted, and this increased the contractor's Division 1 costs such as Bonding and Insurance, Project Management costs, and Construction Facilities.

Contract award requires resources from Legal Services and Purchasing Services to execute the required contract documents. Water and Wastewater Engineering staff will be providing resources throughout the project to manage the contract with assistance from Corporate Services on contract/project payments.

Alternatives Reviewed

1. Proceed with all required changes, including gross budget increase and single-source award to AE to complete the contract administration and inspection services, in a financially responsible, negotiated manner to ensure the contract and products meet the full warranty terms.
2. Proceed with gross budget increase and complete a competitive RFP process for the contract administration and inspection services. This alternative has additional risks that are associated with it. These risks include:
 - a. A competitive process will take more time than is available as there is an immediate need for these services.
 - b. A different consultant will require additional cost, effort and time to become familiar with the project requirements and will complicate the contract administration and inspection process.
 - c. A competitive process will hold up construction, resulting in the possibility of delay claims from the Contractor.

3. Do Nothing – This alternative does not adequately address the operation and maintenance challenges currently experienced at the NFWTP to effectively demonstrate the regulatory compliance required to satisfy MECP requirements.

Following a comprehensive review, Staff is recommending to proceed with Alternative 1.

Relationship to Council Strategic Priorities

This recommendation is related to the Responsible Growth and Infrastructure Planning strategic priority since the planned upgrades will ensure reliable infrastructure to support growth and economic development within the City of Niagara Falls.

Other Pertinent Reports

N/A

Prepared by:

Mike Ogunlaja, PhD., P.Eng., PMP
Project Manager W-WW Area 1
Water and Wastewater Services,
Engineering

Recommended by:

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

Submitted by:

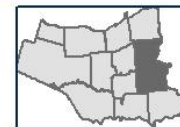
Ron Tripp, P.Eng.
Acting Chief Administrative Officer

This report was prepared in consultation with Pamela Hamilton, Program Financial Specialist W-WW, and reviewed by Lisa Vespi, P.Eng, Manager Capital Project, W-WW Area 1, Joseph Tonellato, P.Eng, Director W-WW, Dan Ane, CPA, CA, Manager, Program Financial Support, Tracie Byrne, Procurement Manager, Corporate Services, Bart Menage, CSCMP, CRM, C.P.M., Director, Procurement & Strategic Acquisitions, Corporate Services and Donna Gibbs, Director, Legal and Court Services.

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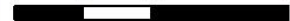


Legend

 Water Treatment Plant

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PW 42-2021 Appendix 2 - Submission Summary

2018-T-117 Dechlorination & Process Waste System Upgrades at the Niagara Falls Water Treatment Plant (NFWTP)

Closing Date: Wednesday, June 16, 2021

Vendor	City/Province	Submission Name	Unofficial Value or Notes
Kenaidan Contracting Ltd.	Mississauga, Ontario	Submission 1	\$3,553,580.00
ROMAG Contracting Ltd.	Mississauga, Ontario	Submission 1	\$3,580,000.00
Bennett Mechanical Installations (2001) Ltd.	Millgrove, Ontario	Submission 1	\$3,722,700.00
North America Construction (1993) Ltd.	Morrison, Ontario	Submission 1	\$3,792,267.00

Witness (Print Name) *Signature* *Date*

Witness (Print Name) *Signature* *Date*

Witness (Print Name) *Signature* *Date*

PW 42-2021 APPENDIX 3
Total Estimated Project Cost
Contract Award

Contract 2018-T-117 Dechlorination & Process Waste System Upgrades at the Niagara Falls Water Treatment Plant

	Council Approved Budget	Budget Increase/ Reallocation	Revised Council Approved Budget	Expended & Committed as of 06/24/21	Contract Award/ Forecast	Budget Remaining
	(A)	(B)	(C) = (A) + (B)	(D)	(E)	(F) = (C)-(D)- (E)
<u>Total Estimated Project Cost (10CW1518)*</u>						
(a) Construction (includes contract contingency)**	2,809,363	806,760	3,616,123	-	3,616,123	-
(b) Project Contingency	305,000	110,000	415,000	-	415,000	-
(c) Consulting Engineering Services (Design, Contract Administration, & Inspection)						
i) Design	250,000	(10,154)	239,846	239,846	-	-
ii) CA & Inspection ***		363,193	363,193		363,193	-
iii) Materials Testing		101,760	101,760		101,760	-
(d) Project Management & Internal Costs	130,637		130,637	54,638	75,999	-
Total Estimated Project Cost	3,495,000	1,371,559	4,866,559	294,484	4,572,075	-

Project Funding Sources

Regional Reserves & Debt	(3,495,000)	(3,495,000)	(3,495,000)		-
Capital Variance Project Water		(1,371,559)	(1,371,559)	(1,371,559)	-
	(3,495,000)	(1,371,559)	(4,866,559)	(3,495,000)	(1,371,559)

*All costs include 1.76% non-refundable HST

** Total Contract Award is equal to

i) \$3,553,580 before tax; ii) \$3,616,123 including 1.76% non-refundable HST; iii) \$4,015,545 including 13% HST

*** Total CA & Inspection is equal to

i) \$356,911 before tax; ii) \$363,193 including 1.76% non-refundable HST; iii) \$403,309 including 13% HST

Minute Item No. 7.1
Canadian Borders and COVID-19

Whereas the border between Canada and the United States has been closed to all but essential travel for nearly 16 months;

Whereas the Minister of Security has indicated that the border restrictions will be eased based on health and science criteria in a gradual, staged and sectoral basis, attended by appropriate protocols, including fully vaccinated individuals;

Whereas the number of Canadians who have received first and second doses of a COVID-19 vaccine is continuing to increase; and

Whereas the federal government has yet to reveal to the public a plan for easing border restrictions leading to the eventual reopening of the border.

NOW THEREFORE BE IT RESOLVED:

1. That the Government of Canada **BE REQUESTED** to release immediately its plan to ease restrictions and reopen the border between Canada and the United States; and
2. That this resolution **BE CIRCULATED** to the Prime Minister of Canada, the federal Minister of Security, Premier of Ontario and MP's and MPP's in Niagara.

Minute Item No. 5.1
PHD 8-2021

Consolidation of Niagara's Emergency 911 Communication Services

That Report PHD 8-2021, dated July 8, 2021, respecting Consolidation of Niagara's Emergency 911 Communication Services, **BE RECEIVED** and the following recommendations **BE APPROVED**:

1. That staff **BE DIRECTED** to proceed with a fulsome investigation into a consolidated dispatch model to include but not limited to:
 - Detailed capital budget necessary for the procurement of all assets for the complete delivery of a regional fire communications service;
 - Detailed operational budget necessary for the delivery of a regional fire communications service;
 - Detailed budget analysis on impacts, positive or negative, to the existing budgets for the 911 Public Safety Answering Point (PSAP), Niagara Regional Police Service (NRPS) and Niagara Emergency Medical Services (NEMS);
 - Governance structure to best provide effective and efficient delivery of consolidated 911 communications services;
 - Future facility review for the development of a Public Safety Communications Service primary dispatch centre for all agencies;

- A recommendation to Council for decision on whether and how to advance the consolidation of emergency dispatch services to be operational no later than March 31, 2024 and that the aforementioned report is completed by the end of Q4 2021.
2. That staff **BE DIRECTED** to request the City of St. Catharines that should a decision to consolidate dispatch be approved by the end of 2021, that they will enter into agreements to continue to provide dispatch services to their respective Niagara jurisdictions and contract customers until such time that the consolidated dispatch is made operational, no later than March 31, 2024; and
 3. That staff **BE DIRECTED** to seek commitment from the respective Niagara jurisdictions to remain contract customers of St. Catharines Fire Services until such time that the consolidated dispatch is made operational, no later than March 31, 2024.

**THE REGIONAL MUNICIPALITY OF NIAGARA
COMMITTEE OF THE WHOLE
MINUTES**

**COTW 2-2021
Thursday, July 8, 2021
Council Chamber / Video Conference
Regional Headquarters, Campbell West
1815 Sir Isaac Brock Way, Thorold, ON**

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

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

Absent/Regrets: Bellows

Staff Present in the Council Chamber: T. Harrison, Commissioner/Treasurer, Corporate Services, M. Lewis, Client & Support Advisor, A.-M. Norio, Regional Clerk, K. Smith, Chief/Director, Emergency Medical Services, B. Zvaniga, Acting Chief Administrative Officer/Interim Commissioner, Public Works

Staff Present via Video Conference: D. Barnhart, Executive Officer to the Regional Chair, H. Chamberlain, Director, Financial Management & Planning/Deputy Treasurer, D. Giles, Acting Commissioner, Planning & Development Services, Dr. M. M. Hirji, Acting Medical Officer of Health, B. Landry, Manager, Economic Research and Analysis, G. Spezza, Director, Economic Development, H. Talbot, Financial & Special Projects Consultant

Others Present via Video Conference: Fire Chief (retired) J. Boutilier, Niagara Falls Fire Services, Deputy Chief B. Fordy, Niagara Regional Police Service, Fire Chief B. Lymburner, Pelham Fire Services, Fire Chief J. McCormick, St. Catharines Fire Services, Fire Chief J. Zambito, Niagara Falls Fire Services

1. CALL TO ORDER

Regional Chair Bradley called the meeting to order at 6:32 p.m.

Moved by Councillor Diodati
Seconded by Councillor Redekop

That the order of the agenda **BE AMENDED** to consider Other Business prior to Presentations.

Carried

2. DISCLOSURES OF PECUNIARY INTEREST

See Minute Item 7.1.

7. OTHER BUSINESS

7.1 Canadian Borders and COVID-19

Councillor Chiocchio declared a direct pecuniary interest with respect to the discussion regarding Canadian borders and COVID-19 as he is an employee of the Niagara Falls Bridge Commission.

Councillor Diodati requested clarification respecting the comments made in the media by Dr. Hirji, Acting Medical Officer of Health, regarding the continued closure of the federal borders that is in contrast to the opinions expressed by Dr. Isaac Bogoch, a member of the federal COVID-19 Testing and Screening Expert Advisory Panel, who indicates that fully vaccinated visitors pose a low risk. Dr. Hirji advised that the media had asked him about a re-opening of the border, and not exceptions for fully vaccinated travellers, and that his comments were to that effect. The media often reach out as a result of Niagara being a border community and that he provided his professional assessment of the public health risks of COVID-19 in the event of the re-opening of the border.

Moved by Councillor Redekop
Seconded by Councillor Insinna

Whereas the border between Canada and the United States has been closed to all but essential travel for nearly 16 months;

Whereas the Minister of Security has indicated that the border restrictions will be eased based on health and science criteria in a gradual, staged and sectoral basis, attended by appropriate protocols, including fully vaccinated individuals;

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Whereas the federal government has yet to reveal to the public a plan for easing border restrictions leading to the eventual reopening of the border.

NOW THEREFORE BE IT RESOLVED:

1. That the Government of Canada **BE REQUESTED** to release immediately its plan to ease restrictions and reopen the border between Canada and the United States; and
2. That this resolution **BE CIRCULATED** to the Prime Minister of Canada, the federal Minister of Security, and MP's and MPP's in Niagara.

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

2. That this resolution **BE CIRCULATED** to the Prime Minister of Canada, the federal Minister of Security, **Premier of Ontario** and MP's and MPP's in Niagara.

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

Carried

3. PRESENTATIONS

3.2 The Future of Work is Now

Cara Krezek, Director, Co-op, Career & Experiential Education, Brock University, provided information on the Future of Work is Now. Topics of the presentation included:

- The Future of Work – Pre-Pandemic
- Returning from Abrupt Disruption
- The Future of Work – Accelerated
- War on Talent and Labour Market Shortages
- Work Life Integration
- Do What You Love...
- Equitable, Diverse and Inclusive Workplaces
- The Workplace: Key to Health & Well-being

3.1 Economic Overview - Seventh-Inning Stretch

Benjamin Tal, Deputy Chief Economist, CIBC World Markets Inc., provided information respecting Economic Overview-Seventh-Inning Stretch. Topics of the presentation included:

- US GDP Forecast
- US tops Canada in 2021 Stimulus
- US Will Eliminate Economic Slack Ahead of Canada
- Subsequent Waves Less Destructive to Canadian Economy
- Households are Sitting on Excess Cash
- Spending On Services Will Swamp Pullback on Goods Purchases
- Inflation
- Money Makes the World go Round...
- Supply Constraints Causing Growing Pains for Economies
- The Rising Effectiveness of Canadian Monetary Policy
- Not Commuting? Need Space? Buying in the 'Burbs
- Many Employees Should Expect To Head Back to Office

4. **DELEGATIONS**

There were no delegations.

5. **ITEMS FOR CONSIDERATION**

5.1 PHD 8-2021

Consolidation of Niagara's Emergency 911 Communication Services

Chief Kevin Smith, Niagara Emergency Management Services provided information respecting Dispatch Consolidation Update. Topics of the presentation included:

- Objective
- Recommendations Summary
- Opportunity for Consolidation?
- Pathway to Consolidation
- Voice Radio Network
- Facilities
- Governance - Service Delivery Structure Options
- Consolidation Approach

Moved by Councillor Sendzik
Seconded by Councillor Fertich

That Report PHD 8-2021, dated July 8, 2021, respecting Consolidation of Niagara's Emergency 911 Communication Services, **BE RECEIVED** and the following recommendations **BE APPROVED**:

1. That staff **BE DIRECTED** to proceed with a fulsome investigation into a consolidated dispatch model to include but not limited to:
 - Detailed capital budget necessary for the procurement of all assets for the complete delivery of a regional fire communications service;
 - Detailed operational budget necessary for the delivery of a regional fire communications service;
 - Detailed budget analysis on impacts, positive or negative, to the existing budgets for the 911 Public Safety Answering Point (PSAP), Niagara Regional Police Service (NRPS) and Niagara Emergency Medical Services (NEMS);
 - Governance structure to best provide effective and efficient delivery of consolidated 911 communications services;
 - Future facility review for the development of a Public Safety Communications Service primary dispatch centre for all agencies;
 - A recommendation to Council for decision on whether and how to advance the consolidation of emergency dispatch services to be operational no later than March 31, 2024 and that the aforementioned report is completed by the end of Q4 2021.
2. That staff **BE DIRECTED** to request the City of St. Catharines that should a decision to consolidate dispatch be approved by the end of 2021, that they will enter into agreements to continue to provide dispatch services to their respective Niagara jurisdictions and contract customers until such time that the consolidated dispatch is made operational, no later than March 31, 2024.

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

3. ***That staff BE DIRECTED to seek commitment from the respective Niagara jurisdictions to remain contract customers of St. Catharines Fire Services until such time that the consolidated dispatch is made operational, no later than March 31, 2024.***

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

That Report PHD 8-2021, dated July 8, 2021, respecting Consolidation of Niagara's Emergency 911 Communication Services, **BE RECEIVED** and the following recommendations **BE APPROVED**:

1. That staff **BE DIRECTED** to proceed with a fulsome investigation into a consolidated dispatch model to include but not limited to:
 - Detailed capital budget necessary for the procurement of all assets for the complete delivery of a regional fire communications service;
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3. That staff **BE DIRECTED** to seek commitment from the respective Niagara jurisdictions to remain contract customers of St. Catharines Fire Services until such time that the consolidated dispatch is made operational, no later than March 31, 2024.

Carried

Councillor Information Request(s):

Provide information respecting the number of mutual aid events that have occurred in Niagara over the last five years. Councillor Redekop.

Provide information respecting if a municipality can be forced to participate in the consolidation agreement. Councillor Redekop.

Ensure that future reports identify all potential risks regardless of the recommendation. Councillor Redekop.

6. CONSENT ITEMS FOR INFORMATION

There were no consent items for information.

8. NEXT MEETING

The next meeting is scheduled for Thursday, August 5, 2021 at 6:30 p.m.

9. ADJOURNMENT

There being no further business, the meeting adjourned at 10:28 p.m.

Jim Bradley
Regional Chair

Ann-Marie Norio
Regional Clerk

The Future of Work is Now

Cara Krezek

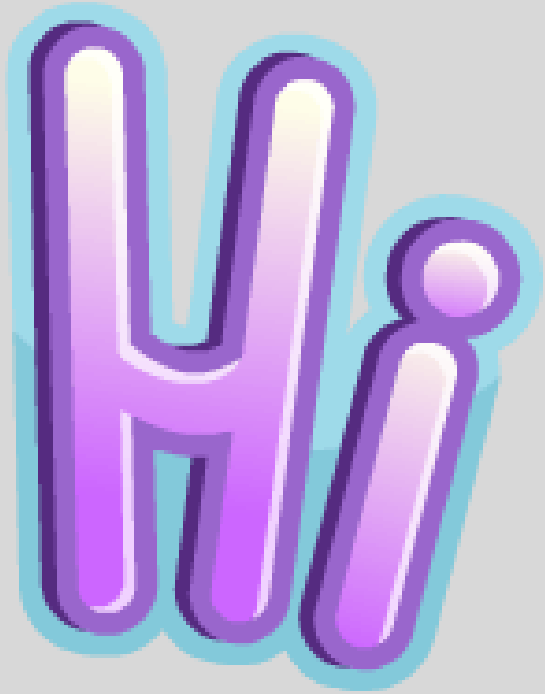
Director, Co-op, Career & Experiential
Education – Brock University

President, Co-operative Education & Work-
Integrated Learning (CEWIL) Canada

Certified CliftonStrengths Coach

@CaraKrezek

www.linkedin.com/in/carakrezek



Nice to E-Meet You!

Leadership – Career/Talent Development –
Talent Acquisition – Team & Culture Building –
Co-op/Experiential Education – Coaching

The Future of Work – Pre-Pandemic

March 2020 talking about.....

High Tech vs. High Touch

Performance vs Clock Punching

Gig Economy

War on Talent – Labour Market Shortages

Work Life Balance

Do what you love

Health & Wellbeing



Returning from Abrupt Disruption

March 2020 accelerated the future to become our reality

Work from home (if lucky enough) made the impossible, possible

Over the last 16 months, leaders/business owners/managers decisions through chaos – limited information, changing situations under the microscope

Return to office (not return to work), just as challenging, different reasons – what is our next normal?

The discussions from pre-March 2020 are now the reality, those that embrace the opportunity, will benefit

What choices do we have?

The Future of Work – Accelerated

March 2020 - Present

High Tech and High Touch

Performance vs Clock Punching

Gig/Talent Economy

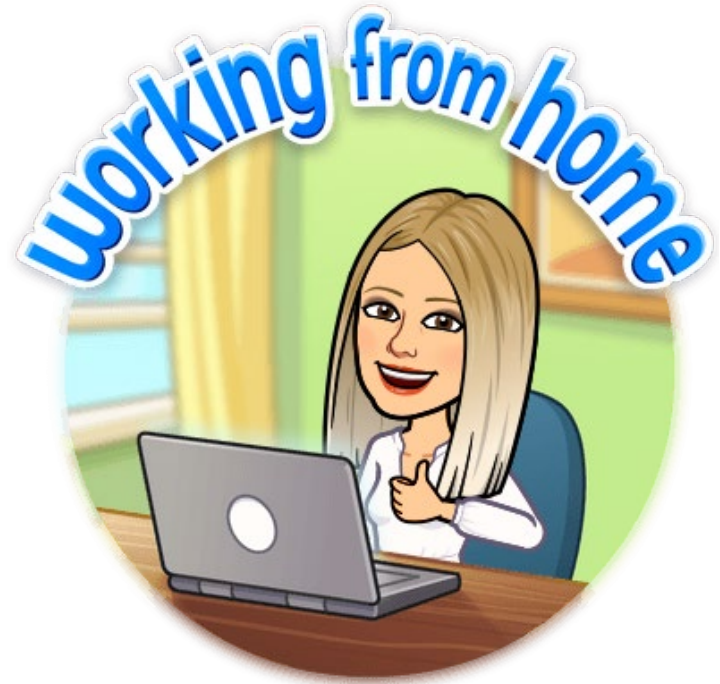
A pause....War on Talent: Labour Market Shortages

Work Life Integration

Do what you love

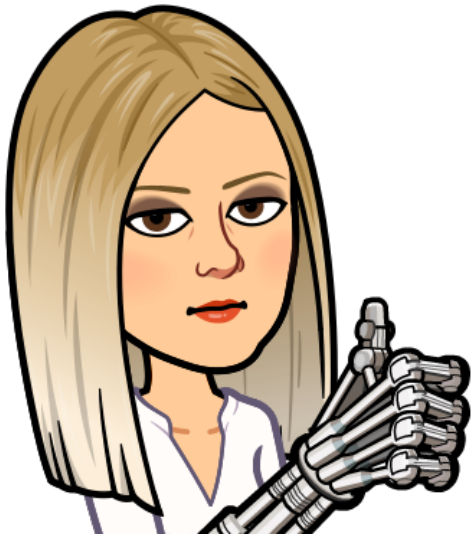
Equity, Diversity & Inclusion

Health & Wellbeing



High Tech = High Touch

Technology enabled teams/service



Create cultures that use technology to be inclusive

Intentional design on how to engage everyone (i.e., hybrid meetings)

Policies & Practices

In-groups vs. Out-groups

What will you never go back to? i.e., interviews

Reskilling/Upskilling using technology

Human Skills in demand

Gig Economy

- Individual contributor businesses
- Specialized knowledge
- Independent contractors to get work done
- Young talent (effected by disruption)
- Spans all industries
- Freelancers
- Skills needed at the time

Measuring Performance Time vs Effort



Industry specific (hours of operation vs hours of work)



First in, last to leave



How have you measured this over the last 16 months?



How is performance defined?



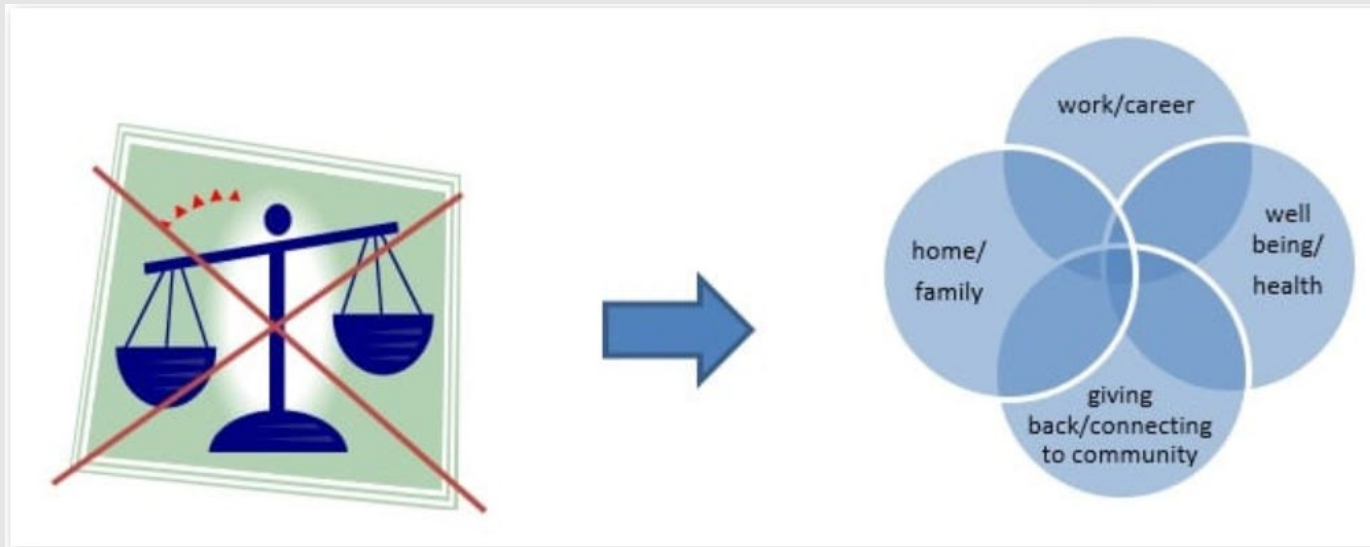
Rewards reinforce behaviours – i.e., present employees get promoted

War on Talent

Labour Market Shortages

- Job boards (CEWIL Data)
- Co-op (University vs. College)
- Industry specific
- Minimum Wage – Living wage employers
- Trades – high demand
- Micro-credentials, knowledge gaps, employer driven credentials
- Work-Integrated learning (pipeline talent, apprentices, engaging with talent early)

Work Life Integration



- Fits the needs of the individual
- Provides control over life/work in an individual
- Tech enabled
- Creates synergies between work/life/community/well-being

• Photo Courtesy Berkeley Haas <https://haas.berkeley.edu/human-resources/work-life-integration/>

Do What You Love...

- High reflection
- Is this what I want to do with my career? Is this who I want to give my talent to?
- 1 in 4 Canadians considering a career changes (Morneau Shepell)
- “COVID has significantly impacted” Canadians' view of their careers in part due to employees' relationships with their employers, with one in five Canadians saying their opinion of their boss “worsened” during the pandemic” (CTV, D .



Equitable, Diverse and Inclusive Workplaces

- Accelerated by the Black Lives Matter movement, industry investment in intentional EDI strategies
- Recruitment practices – bringing in diverse voices and representation; attraction, acquisition and retention
- Against tokenism – not asking one to be the voice of all
- Removing systemic barriers – the processes themselves rely on the systemic barriers established – rethinking the way we view choices, teams, representation and policies
- Gen Z & COVID Generation – simply the right thing to do – for everyone

The Workplace: Key to Health & Well-being

- Integration means not separate
- Increased supports – balancing small business needs with health and well-being policies
- Health & Safety – WFH vs at the office; revisiting policies
- Vacation and sick time
- Choices are employers to make – talent will reflect policies: attract or repel; who is it benefiting? Who does it harm?
- Vaccine policies: Who do you ask? What does it mean for your organization? What are the consequences? Decision making processes – consequences either way



Questions to ask

- Who are we as an organization?
- Who we want to be now?
- How will we get there?
- Who does this effect?
- What can we adjust and adapt to meet the needs of our stakeholders?
- What details do we need to overmanage?
- Has this been better? For whom? Who has been disadvantaged? What can we do to change that?
- What tools do we need to sustain this change?
- Who needs to be involved in the discussion?
- What assumptions are we making?
- What do we need to bring intentionality to?
- How will this effect the well-being of staff/customers/management?
- What needs to happen to balance the high tech?
- Who do we need to listen to?
- How do these decisions align with our mission/vision/values/purpose?

Intentional Design

Overmanage the details

Not going to fail because of the people, it will fail because of the processes – a path through chaos

Require change management practices

Involve the many

Push through – treat it like the pandemic

In-groups/Out-groups

Listen/Ask

Over communicate

Values based decisions

Check-ins

Kotter's Article

- Fit for Purpose
- Embrace/Empower Employees
- Flexible and Adaptable
- Us vs. Them
- Highly Personal

<https://www.forbes.com/sites/johnkotter/2021/06/08/the-future-of-work-its-personal/?sh=2c57661d10d3>

LANGUISHING





Questions & Conversation

Guiding principles vs. concrete answers

@CaraKrezek

Ckrezek@brocku.ca

www.linkedin.com/in/carakrezek

Seventh-Inning Stretch

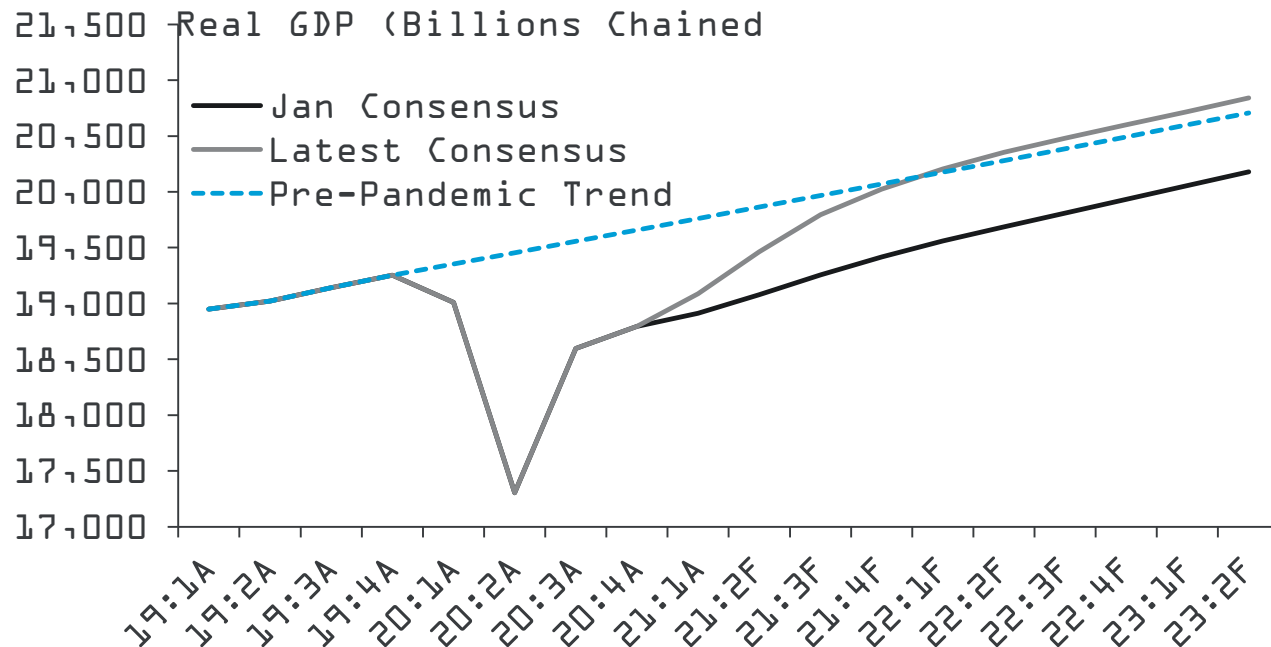


Benjamin Tal

July 2021

Consensus now forecast US GDP to rise above pre-pandemic trend

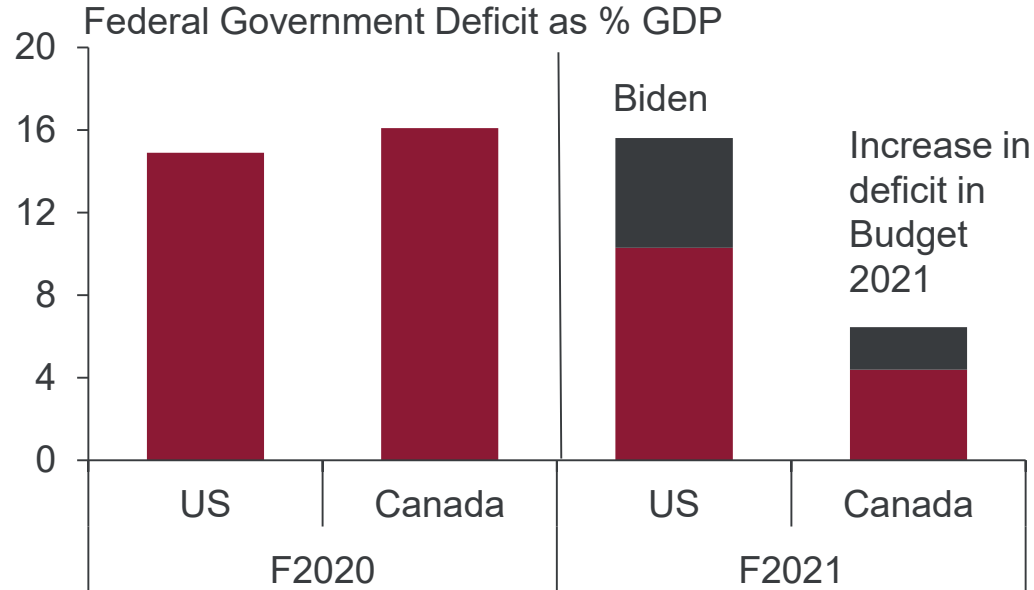
1



Source: BEA, Bloomberg, CIBC

US tops Canada in 2021 Stimulus - By a wide Margin

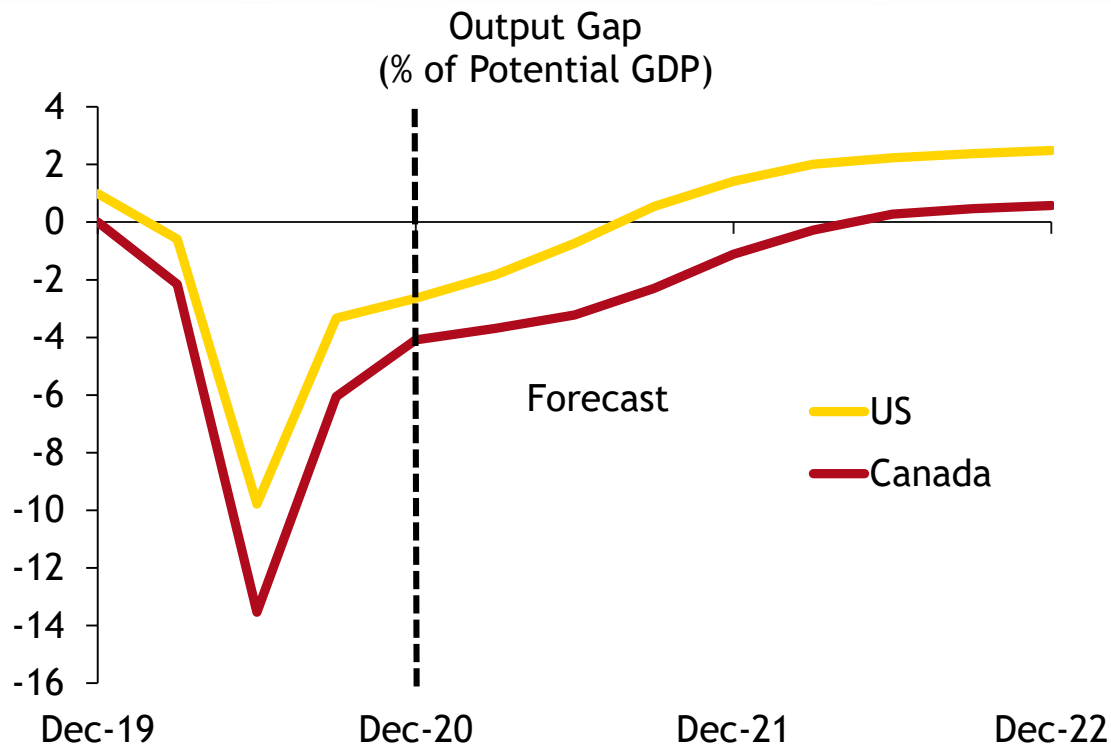
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Source: Budget 2021, CBO, CIBC

US Will Eliminate Economic Slack Ahead of Canada

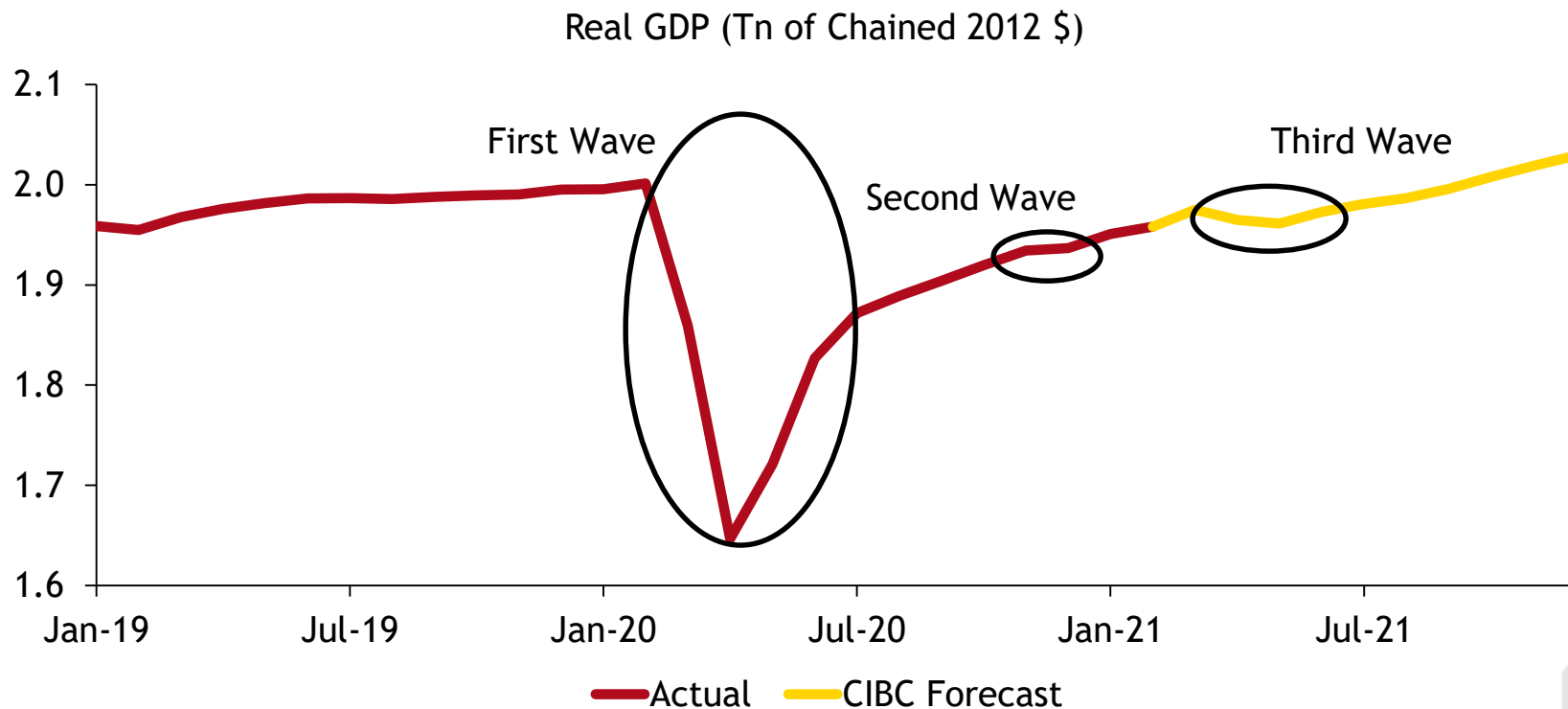
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Source: BoC, StatCan, BEA, CBO, CIBC

Subsequent Waves Less Destructive to Canadian Economy

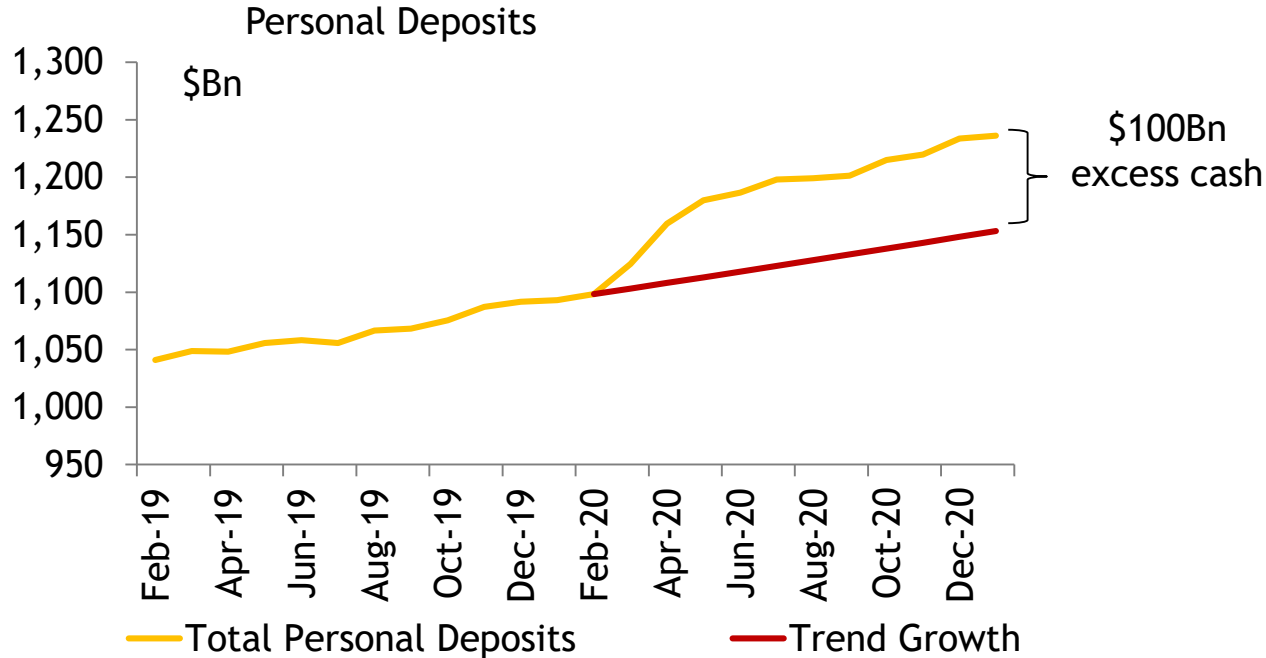
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Source: Statistics Canada, CIBC

Households are Sitting on Excess Cash

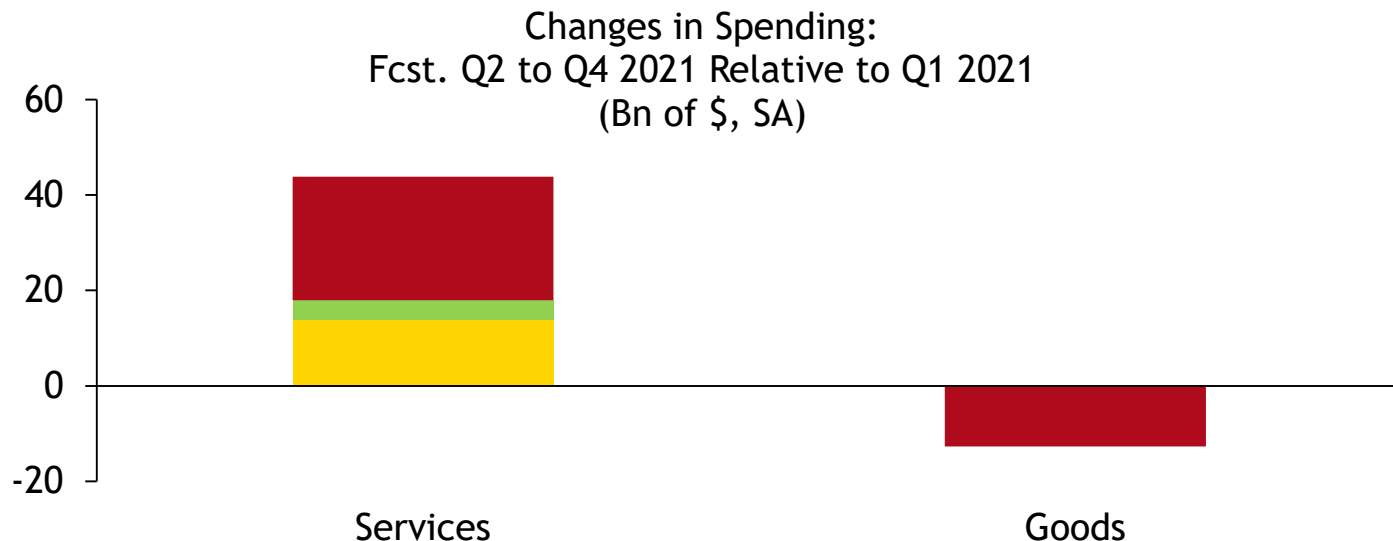
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Source: OSFI, Bank of Canada, CIBC

Spending On Services Will Swamp Pullback on Goods Purchases*

6



- Deferred Essential Services
- Gradual Normalization

- Indulging in Discretionary Services

Source: Statistics Canada, CIBC

* Gradual normalization assumes consumption of services reaches pre-pandemic levels in 2022, while declines in goods spending take it almost back to pre-pandemic levels late in 2021. Indulging in services assumes a faster path back for some discretionary services than gradual normalization. Deferred essential services assumes much of the spending missed is recouped over-and-above normalization.



inflation

noun

/ɪnˈfleɪʃn/

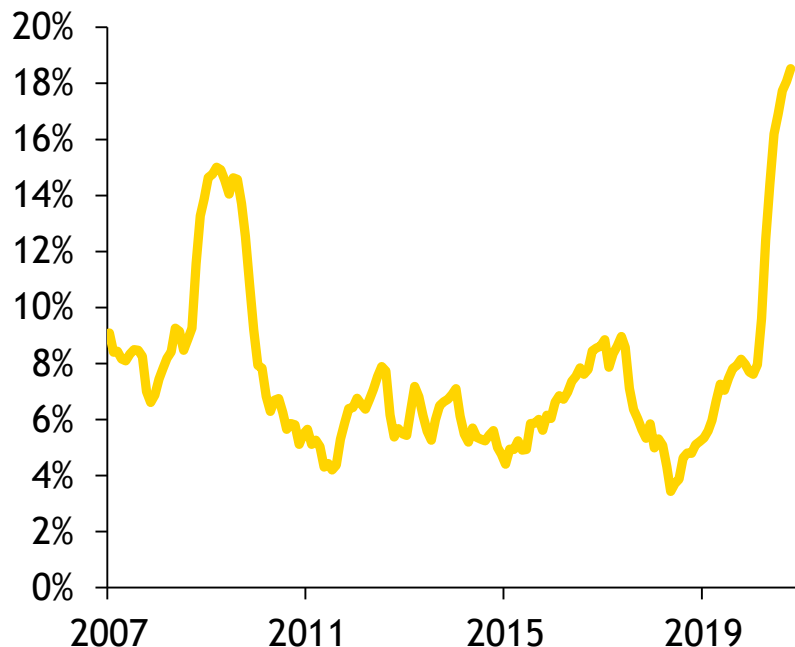
[uncountable]

a general increase in the prices of services and goods in a particular country, resulting in a fall in the value of money; the rate at which this happens; *the fight against rising inflation; to control/curb inflation; to reduce/bring down inflation; a high/low rate of inflation; an inflation rate of 3%; Salary increases must be in line with inflation; Inflation is currently running at 3%; rapid/runaway/galloping inflation;*

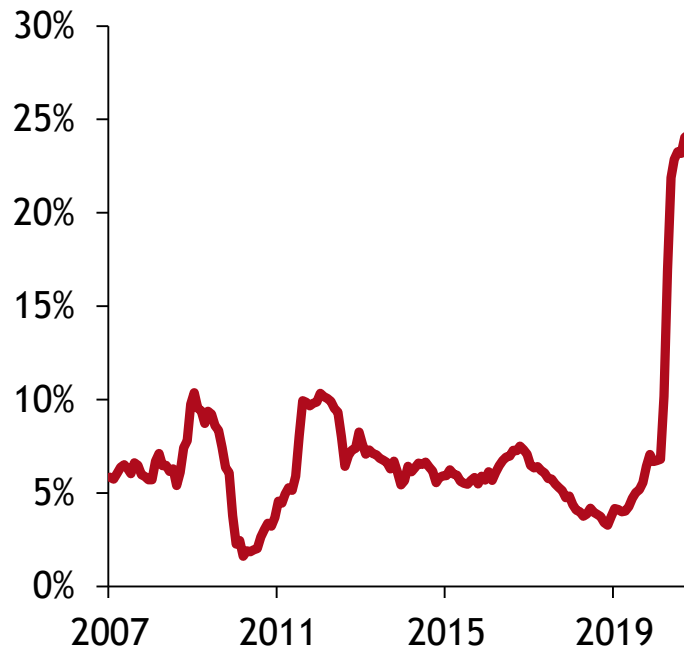
Money Makes the World go Round...

8

Canada M2 Money Supply (Y/Y% Chg.)



US M2 Money Supply (Y/Y% Chg.)



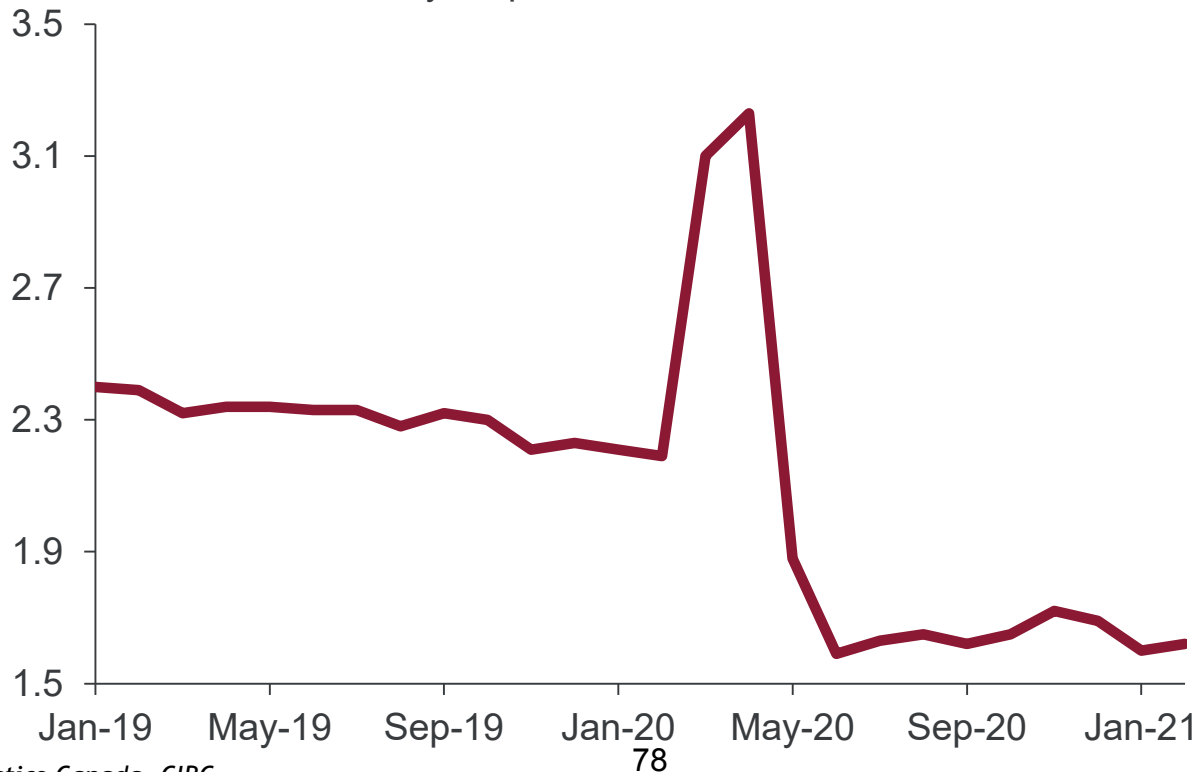
Source: FRB, BoC, CIBC



Supply Constraints Causing Growing Pains for Economies

9

Inventory/Shipment Ratio, US Auto Retailers

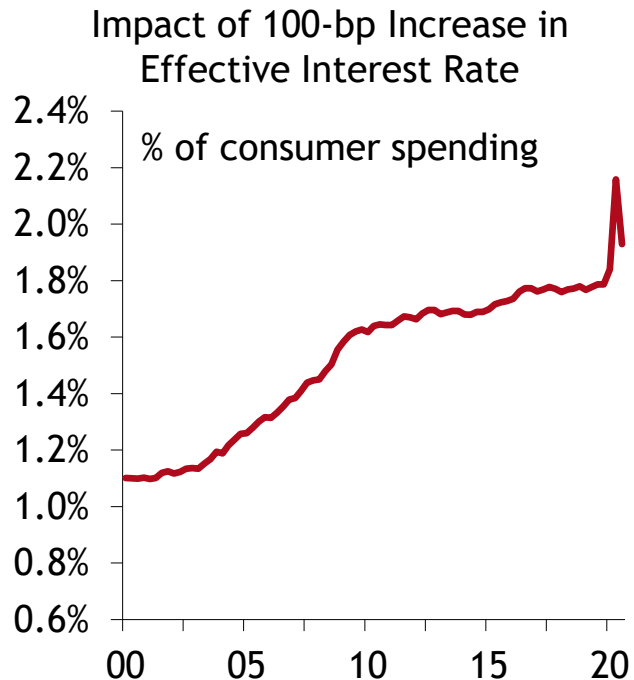
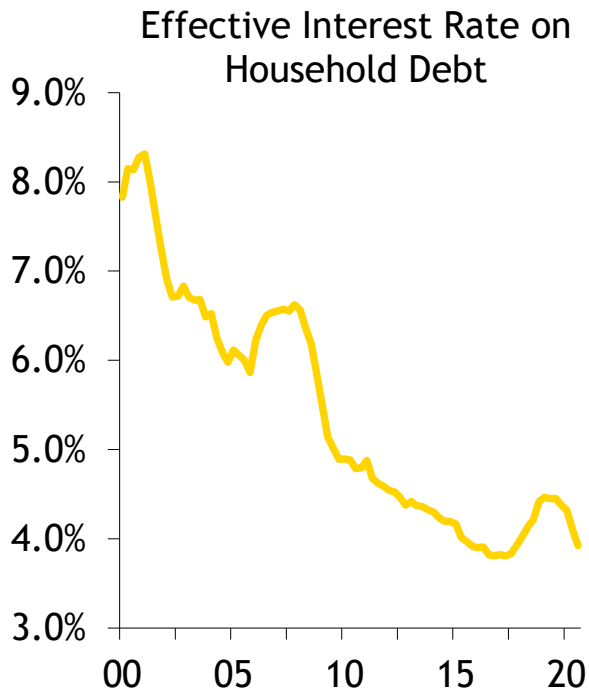


Source: Statistics Canada, CIBC



The Rising Effectiveness of Canadian Monetary Policy

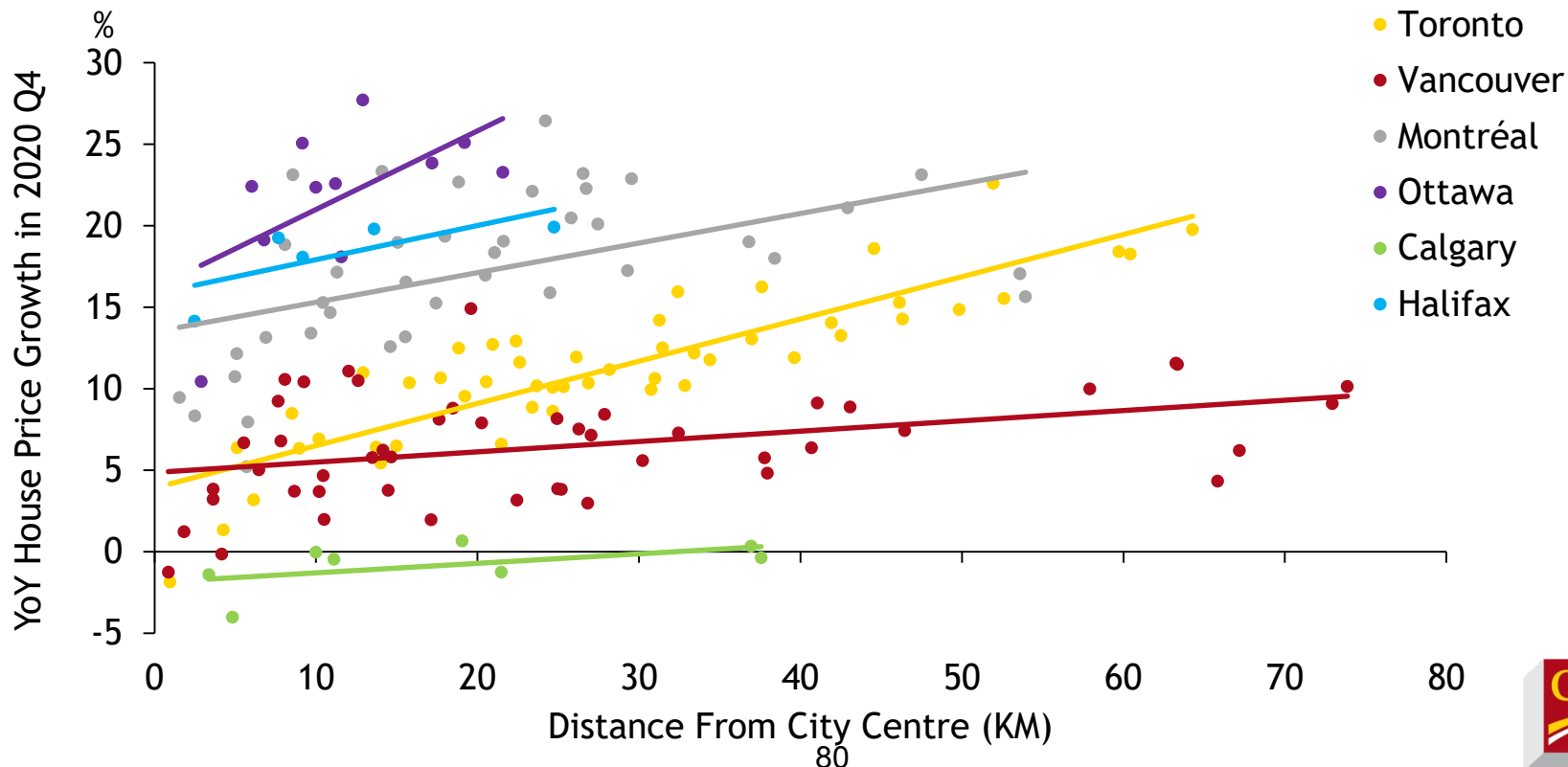
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Source: Statistics Canada, Bank of Canada, CIBC

Not Commuting? Need Space? Buying in the 'Burbs

11

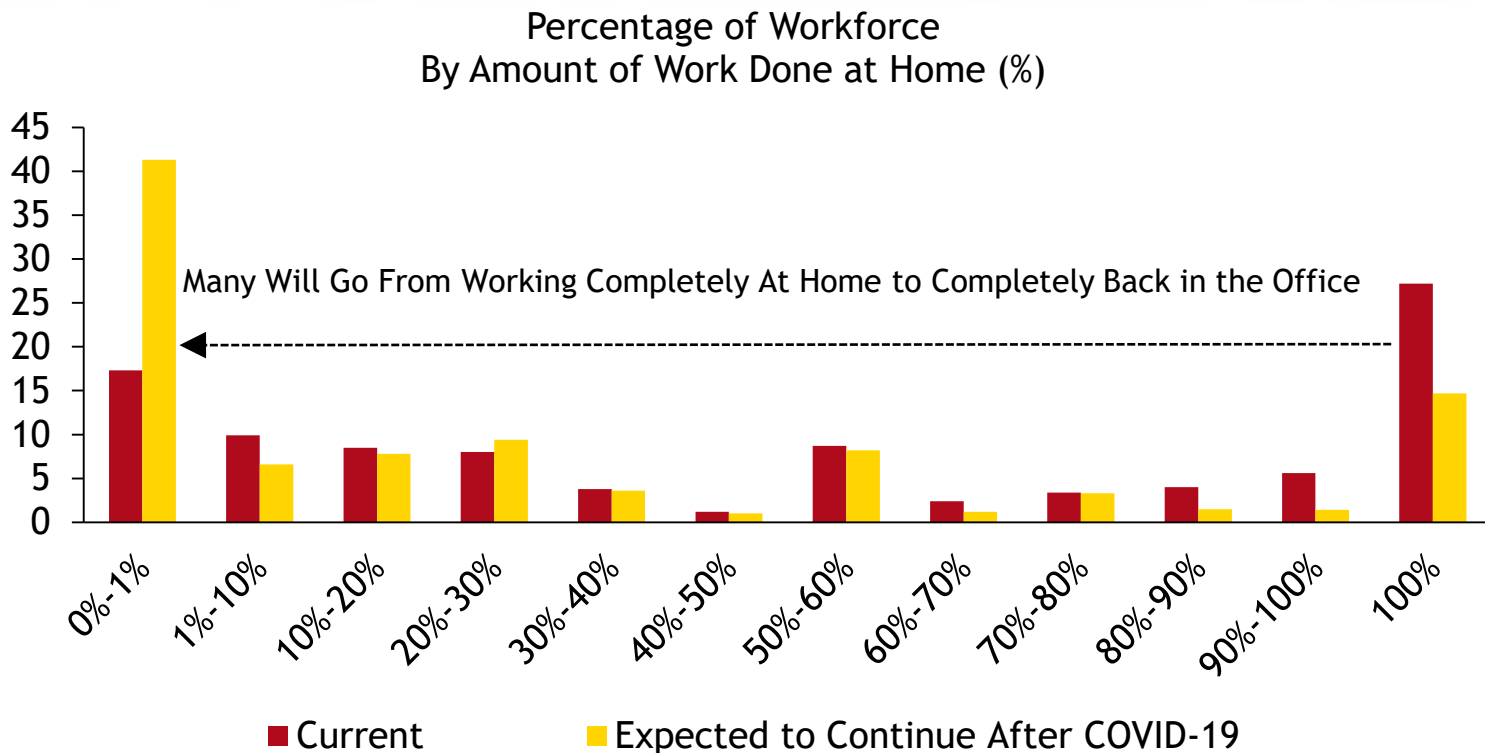


Source: Bank of Canada



Many Employees Should Expect To Head Back to Office

12



Dispatch Consolidation

Update

PHD 08-2021

July 8, 2021



Objective

- Provide recommendations to advance the consolidation of Niagara's emergency communications services
- Review the factors involved in a decision to support consolidation
- Ensure coordination of requisite activities

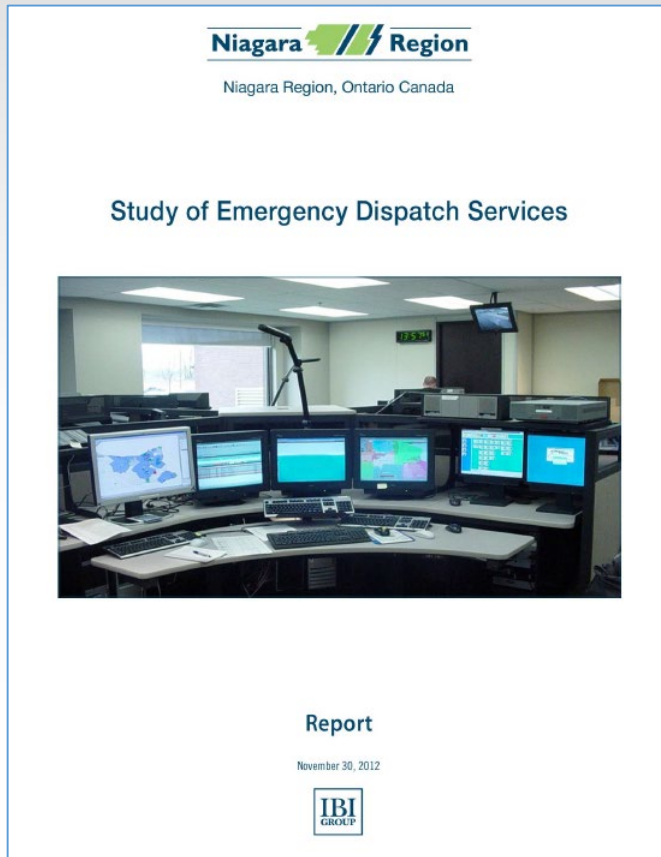


Recommendations Summary

- Receive report
- Direct staff to complete comprehensive review
- Complete the review no later than end of 2021
- Work with City of St. Catharines to continue provision of services



Opportunity for Consolidation?



“An operationally integrated ‘Public Safety Communications’ model is the one that IBI Group favours as the optimal emergency dispatch delivery system for Niagara”

“...it may take a number of years to transition to this model.”



Opportunity for Consolidation?

- **March 6, 2020**
 - Meeting with CAO's re Next Gen 911 (NG911)
 - Opportunity to develop single system
- **June 5, 2020**
 - CAO's consensus on the concept of consolidated dispatch
- **January 21, 2020**
 - Direction to develop a recommended model of a consolidated emergency dispatch service for Niagara – report back July 8, 2021



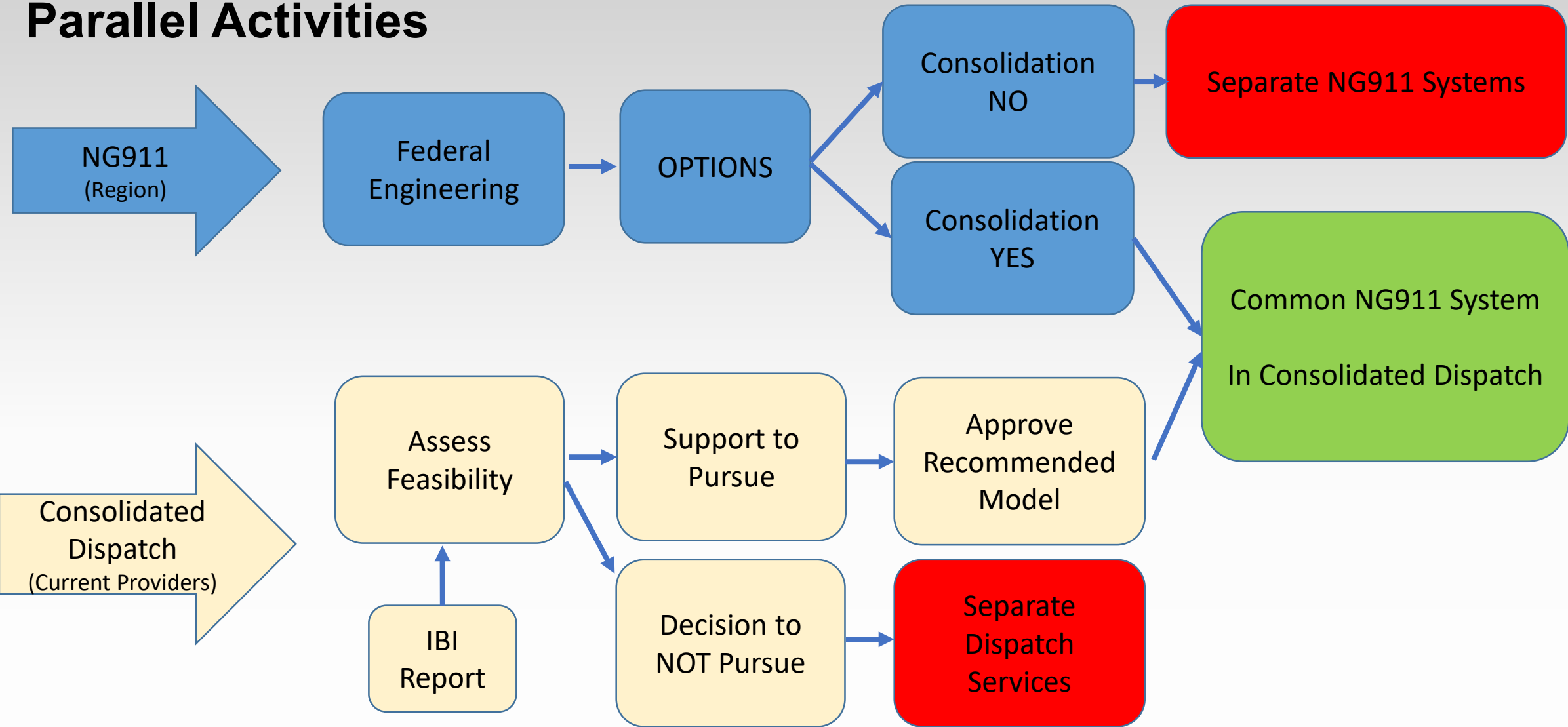
Pathway to Consolidation

Requisite activities

- Technology
 - NG911



Parallel Activities



Pathway to Consolidation

Requisite activities

- Technology
 - NG911
 - Voice Radio Network



Voice Radio Network

- Digital P25 system owned/operated by NRPS & used by 6 municipal fire services and other local agencies (NPP, CBSA)
- Digital converted to analogue for 6 other municipal fire services
- NEMS transitioning to provincial P25 (PSRN) with local integration
- Decision required on common voice radio system for Niagara



Pathway to Consolidation

Requisite activities

- Technology
 - NG911
 - Voice Radio Network
- Facilities
 - NRPS Back-up
 - EMS Hub



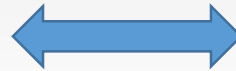
Facilities

CURRENT STATE

Fire
Communications
co-locates with
NRPS



Primary
&
Back-up



NRPS Back-up Site



NEMS
Remains @
Current Site



FUTURE STATE

Public Safety
Communications
Centre



Co-location of all
emergency
communications services



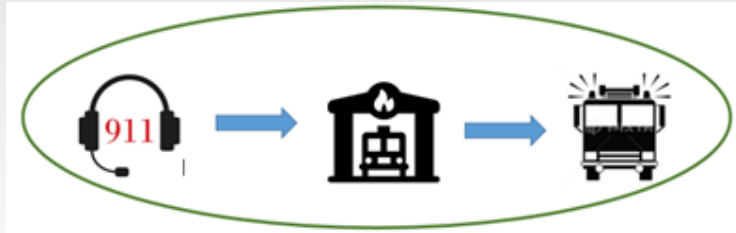
Pathway to Consolidation

Requisite activities

- Technology
 - NG911
 - Voice Radio Network
- Facilities
 - NRPS Back-up
 - EMS Hub
- Governance – Service Delivery Structure



Governance – Service Delivery Structure Options



Regional Service – operated & funded by Niagara Region as a service provided to LAM's



Shared Service – Regional system responsible to send communications & LAM's responsible to receive



Fee for Service – Regional operated service & funded by LAM's



Consolidation Approach



Thank you



Subject: Consolidation of Niagara's Emergency 911 Communication Services

Report to: Committee of the Whole

Report date: Thursday, July 8, 2021

Recommendations

1. That staff **BE DIRECTED** to proceed with a fulsome investigation into a consolidated dispatch model to include but not limited to:
 - Detailed capital budget necessary for the procurement of all assets for the complete delivery of a regional fire communications service;
 - Detailed operational budget necessary for the delivery of a regional fire communications service;
 - Detailed budget analysis on impacts, positive or negative, to the existing budgets for the 911 Public Safety Answering Point (PSAP), Niagara Regional Police Service (NRPS) and Niagara Emergency Medical Services (NEMS);
 - Governance structure to best provide effective and efficient delivery of consolidated 911 communications services;
 - Future facility review for the development of a Public Safety Communications Service primary dispatch centre for all agencies;
 - A recommendation to Council for decision on whether and how to advance the consolidation of emergency dispatch services to be operational no later than March 31, 2024 and that the aforementioned report is completed by the end of Q4 2021.
2. That staff **BE DIRECTED** to request the City of St. Catharines that should a decision to consolidate dispatch be approved by the end of 2021, that they will enter into agreements to continue to provide dispatch services to their respective Niagara jurisdictions and contract customers until such time that the consolidated dispatch is made operational, no later than March 31, 2024.

Key Facts

- The development of a consolidated emergency 911 communications service is a matter of public safety for our communities and emergency responders
- Consolidation is defined as the integration of dispatch technology, physical co-location and enhanced interoperability

- A time-limited window of opportunity exists to move to a consolidated dispatch model for Niagara
- Emergency services dispatch (police, fire, EMS) for Niagara currently involves five different agencies
- Niagara Regional Police and Niagara EMS are self-dispatched
- Of the twelve Niagara Municipal Fire Services, two are self-dispatched (St. Catharines and Niagara Falls) and the remaining ten municipalities are dispatched through contracted third-party services
- St. Catharines Fire Department (SCFD) is the primary contracted service provider for nine Niagara Region municipalities that include Grimsby, Lincoln, Niagara on the Lake, Pelham, Port Colborne, Thorold, Wainfleet, Welland and West Lincoln as well as two non-Niagara municipalities Norfolk County and Haldimand County
- Fort Erie Fire Department receives its dispatch services under contract with Tillsonburg Fire Department
- SCFD has notified its customers that they will seek City Council approval to discontinue providing fire dispatch services to the other Niagara municipalities upon the expiration of current Agreements on December 31, 2022
- In 2019, the Provincial government conducted a review of shared services and amalgamation of local municipalities. Niagara's municipal and regional leaders committed to explore all opportunities for coordination of several services including 911 dispatch
- Engagement meetings with all twelve municipal CAO's, fire chiefs, NRPS chief, Police Services Board Chair, NEMS chief and Region Acting CAO form the basis of this report
- Participants are in general agreement that dispatch consolidation is a preferred model while highlighting several caveats
- Consolidation of dispatch services need to enhance safety for both the public and the responder, provide opportunities for improved interoperability and coordination of emergency resources, and offer short/long term affordability.

Financial Considerations

A number of financial considerations exist that influence the cost associated with implementation of a consolidated dispatch. The following have been identified as contributing factors to fully understanding the financial impact of such a model of service delivery.

Technology

NG911

Report CSD 3-2021 provides further detail on the mandatory implementation of Next Generation 911 (NG911) in Canada. The target date for the discontinuance of legacy 911 services was set for March 31, 2024. On June 14, the CRTC (Canadian Radio-television and Telecommunications Commission) announced that the deadline for implementation by all Canadian PSAP's has been extended to March 4, 2025 out of respect for any delays as a result of the ongoing pandemic. Despite the revised timeline, the planned implementation for Niagara's NG911 solution is in keeping with the original timeframes. The opportunity for the sharing of a common NG911 service would eliminate the need for separate contracts and installations with the various emergency communications agencies. Options for deployment of NG911 are currently being developed by a consultant and a fulsome report including cost analysis will be received in September of this year.

Voice Radio Systems

Currently the NRPS and six municipal fire services (Grimsby, Lincoln, West Lincoln, Pelham, St. Catharines and Niagara Falls) operate on the local P25 digital radio system. These agencies have invested a combined ~\$4.6M in the purchase of capital equipment to operate on the digital platform. Six fire services remain on an analogue system. The provision of an analogue radio signal requires the conversion of the digital signal to analogue. This is currently done with the use of an engineered conventional channel gateway system, which is used by SCFD. Should consolidation include the discontinuance of the analogue converter and the use of a common digital voice radio system, the six remaining municipalities would be required to obtain compatible equipment. The combined cost for the purchase of this equipment is ~\$3.1M. In addition to the capital investment required, a monthly user fee of \$50 per communications device (mobile, portable radio etc.) results in operating costs of ~\$600K per year. Should the decision be made to maintain the current model of a digital system for one set of users and a converted analogue signal for another, immediate investments will be required to ensure redundancy to mitigate against risk of analogue conversion failure. Future budget planning will be necessary for the eventual migration to digital for all users as support for analogue technology diminishes.

Fire Dispatch Infrastructure

The discontinuance of the current fire dispatch services (NFFD and SCFD) provide an opportunity to reallocate communications equipment, servers and other infrastructure to the construction of a consolidated fire dispatch service. Associated costs for relocation, installation and licence fees will need to be assessed for any required investments or possible cost savings, such as municipally owned radio towers. The procurement of future assets and operational infrastructure will provide cost savings through a single service and purchasing strength.

Operations

Human Resources

It is anticipated that there would be minimal change in the number of FTE's currently required to manage fire communications. Cost savings may be recognized for administration and support for a single communications service.

Facilities

The consolidation of fire services to be operated out of either the primary NRPS Communications Service or the back-up location will require investment in the construction and remodeling of space to accommodate the new service.

Service Delivery Structure and Funding Model

Funding for the NRPS communications service is provided through the Regional levy. The Niagara EMS communications service is funded 100% by the Province. The Niagara Falls Fire Department communications service is funded by municipal levy and the St. Catharines Fire communications is funded by municipal levy and through fee-for-service contracts with nine local municipalities and two non-local municipalities. The financial implications to the Region and local area municipalities of a consolidated dispatch model will be based on the service delivery model chosen and the selected model for funding the service delivery. This process will involve understanding and analysing existing operating budgets for the service delivery, service contracts, staffing, assets, liabilities, reserves etc. associated with current service delivery in order to assess on a comprehensive basis the opportunity or investment required for the alternative options.

With the many various factors involving the financial impact of a consolidated dispatch model, additional analysis is required to provide Council with detailed financial

information to make the necessary informed decisions. Achieving this level of assessment will rely on the provision of full financial details from all agencies and staff will endeavour to provide a complete report to be submitted no later than Q4 2021. Should consolidation be agreed as the preferred model, operating and capital budgets will be prepared for 2023-24 implementation.

Analysis

The goal of the consolidation of Niagara's emergency 911 dispatch into a Public Safety Communications Service is to ensure optimal public safety and protection through the effective and efficient activation of resources to incidents where emergency service resources are required and, to ensure the safety and protection of all responders through a high degree of coordination and integration in the provision of these resources.

The provision of emergency 911 dispatch for Niagara's regional police, regional EMS and local municipal fire services is provided by five separate communications services. These include the NRPS, NEMS, Niagara Falls Fire Department, St. Catharines Fire Department and Tillsonburg Fire Department (for Fort Erie). In 2019, the Provincial government ordered a review of several municipalities for consideration of the amalgamation to a single tier local government model. Niagara Region was identified as one of the municipalities under review, which prompted local governments to conduct their own analysis of the provision of several services in which enhancements could be made through an improved coordination in a shared service delivery model. Further information on this review and identified opportunities is detailed in report CAO 02-2021. Despite the subsequent decision of the Province to not force municipal amalgamation, local leaders recognized the value in continuing to seek opportunities for shared service that would provide enhanced public service, ideally accompanied with economic efficiencies.

In 2011-2012, Niagara Region commissioned an external review of emergency dispatch services and to develop consolidation options for consideration. Consultant firm IBI was hired and a subsequent report filed (CSD 7-2014). The findings of the review recommended an operationally integrated "Public Safety Communications" model as the one that IBI Group favours (page 81). While this was the preferred option, it was noted that "it may take a number of years to transition to this model" (page 82). The IBI report has provided a foundation for collaborative efforts that have since been undertaken in developing efficiencies in emergency service communications. As IBI highlighted that a full transition to an integrated model may take a number of years, ten years later in fact an opportunity does exist to make the move.

With the mandated implementation of NG911 in all Canadian primary and secondary PSAP's to happen no later than March 4, 2025, an opportunity exists to share this new technology across the emergency service agencies in place of the alternative to procure and manage several different systems in Niagara. A comprehensive review of the implementation of NG911 is currently underway by Federal Engineering Inc. with a final report due September 30 of this year. This report will inform the immediate benefits of dispatch consolidation through operational efficiencies as well as cost savings.

The move to a complete consolidation of emergency dispatch services is likely to be accomplished in phases. Factors influencing the progress of a unified system include governance, facilities, technology and funding model.

Governance

NEMS: Oversight of the Niagara Ambulance Communications Service is through the Ministry of Health (MOH). The Province owns and funds 100% of the capital and operating costs associated with the delivery of ambulance communications in Niagara. NEMS operates the dispatch service within a Performance Agreement with the Province and any changes to how these services are administered are at the sole discretion and approval of the MOH. The MOH continues to study provincial ambulance dispatch reform and the indication to other municipalities also looking at physical co-location of local dispatch services is that the MOH is not approving any changes at this time. As the MOH provides the necessary infrastructure for ambulance communications, including a provincial voice radio system (P25 as the standard) and the plan for a provincial NG911 system, the scope of local consolidation for NEMS would be limited at this time to the integration of provincial systems with local solutions. This work has been successful in the past, such as the CAD to CAD (Computer Aided Dispatch) interface with fire dispatch and similar initiatives will be undertaken regarding NG911 and P25 radio integration with local systems. The timeline for the implementation of the provincial NG911 and P25 is still not clear; however, staff continue to work closely with the province in these initiatives. Looking to the future, Niagara is well positioned to help lead in provincial ambulance dispatch restructuring which will benefit from the development of a Public Safety Communications Service.

NRPS: Oversight of the Niagara Regional Police Communications Service is through the Police Services Board. The NRPS provides Primary PSAP services under contract with the Region as well as emergency communications for their own service. The NRPS owns and operate their own digital voice radio system, referred to as "P25". The P25 system has been made available to the local fire communications services operated by

Niagara Falls and St. Catharines. Both of these services have switched to the P25 system and an additional four municipal fire services also use the NRPS radio system as do the Niagara Parks Police and soon the local Canada Border Services Agency as they are on boarded to the system in the coming months.

Fire: Oversight of municipal fire services is through the individual municipalities. Each fire service has the ability to determine how it will receive its dispatch services. With the possibility of the discontinuance of fee-for-service fire dispatch by St. Catharines Fire to the nine regional municipalities at the end of 2022, each municipality will be required to determine how they are to be dispatched. Despite having autonomy in procuring the provision of this service, to best serve the public at large, the communications solution procured will be required to provide interconnectivity with all other local dispatch services (NRPS and NEMS) and best support the mandatory mutual aid agreements through enhanced interoperability.

A future consolidated dispatch inclusive of the integration of technology and facilities, would maintain autonomy with respect to operational policies related to the delivery of agency-specific communications. There is consensus that service delivery, operations and policy should be completed by experienced professionals in their respective field i.e. fire dispatches fire, police dispatch police and EMS dispatches EMS. As such, a regional fire communications service would be created to ensure oversight consistent with mandated requirements and policies and procedures that meet the need of all twelve local area fire services.

Facilities

No existing dispatch facility has the required space to house all three communications services (police, fire and EMS). The NRPS main communications service located at District 2 likely has adequate space (with minor renovations) to physically accommodate hosting a regional fire communications service. With the imminent construction of the NRPS communication back-up centre, this new space is able to be scalable to also accommodate the fire communications service. Regardless of the location of the primary and back-up sites for the fire service, both locations will be required to provide the needed functional space.

With the ultimate goal of creating a completely unified communications service in which all three dispatch agencies (police, fire and EMS) are co-located, a longer-term facilities strategy is required. The implementation of an EMS facilities plan has been underway for several years, which includes the construction of a Primary Hub that could host such an integrated communications service. Information specific to the EMS Primary Hub is

being presented to Council in August of this year and will help inform the decision for dispatch consolidation as it relates to a future facility.

Technology

NG911

A key decision point in the determination of the future of dispatch consolidation is directly related to the implementation of NG911. As noted previously, NG911 must be operational across Canada, including Niagara, no later than March 4, 2025. A recommendation has been made that this technology be operational at least one year prior to the deadline to permit complete transition to the new system. A report providing options for an NG911 solution for Niagara will be presented in September of this year. Within the following quarter, a decision will be required if the NG911 system will be limited to the primary PSAP and NRPS or if it will be intended to also support a common fire communications service. Figure 1 details the parallel activities and the influence of each on outcomes.

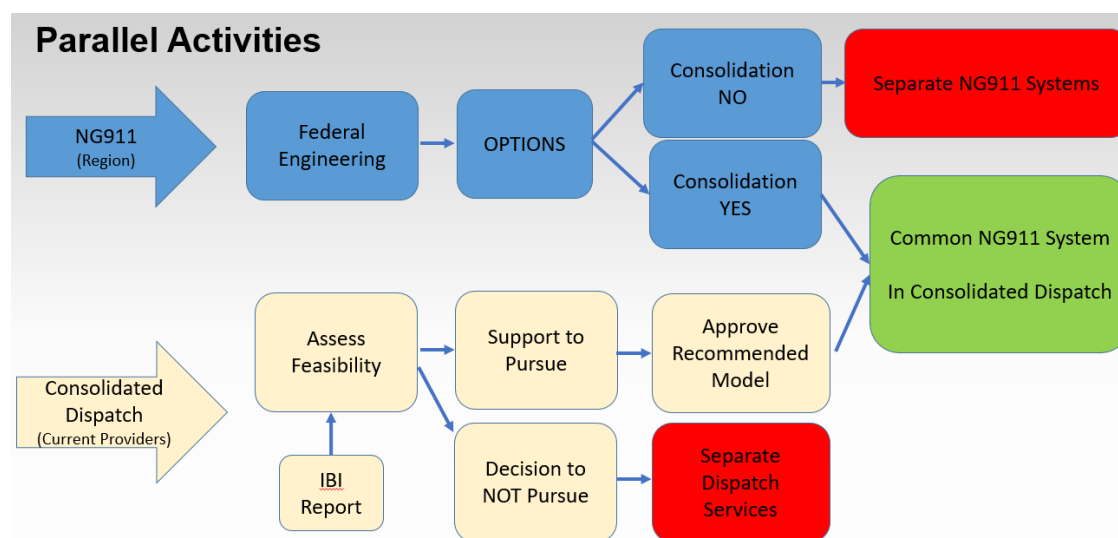


Figure 1 shows the two concurrent activities and the decision points related to NG911 and consolidation.

If a decision is made in favour of dispatch consolidation, the initial phase will include the formation of a regional fire communications service and the initiation of a common NG911 solution to serve the Primary PSAP, NRPS and regional fire. If there is no intention of pursuing a consolidated dispatch in Niagara, NG911 will be procured for the use of the primary PSAP and NRPS operations. Fire services will then be required to retain NG911 and dispatch services from alternate sources.

Voice Radio

With six of the twelve local municipal fire services operating on the P25 radio platform and six remaining on the converted analogue signal, a decision is required on the design of a consolidated dispatch system. Municipalities who have moved to the digital system for their fire agency have been pleased with the performance of the enhanced system. Other municipalities that remain on the analogue signal are also satisfied with the current system meeting their needs and do not see any immediate reason to switch to digital. It has been noted by several industry experts that there is little to no research and development of furthering analogue radio systems and the future focus is entirely on digital platforms. It is reasonable to expect the eventual transition of all voice radio communications to digital although exact timelines are unpredictable.

As previously noted, the current voice radio system for fire as supplied under service contract with the SCFD is P25 digital, however a converter is used to change the digital signal to analogue to allow those using analogue hardware to continue without switching to new P25 equipment. The issue of interoperability has been discussed with emergency service leaders and while rudimentary forms of common communications exist these methods are not true common systems where all responders have the ability to communicate with each other as required. Currently, interoperability is limited to the use of two different hand held devices (one analogue and one digital) which limits communication between the two systems only to the individual using both radios. Third party communication devices also exists such as “Base Camp”, a hardware unit that allows various communication devices to be physically interconnected thereby facilitating the different systems to communicate albeit in a limited function. NFFD currently owns one of these systems and the experience is that it is not easily deployable and is cumbersome to use effectively. Industry Canada describes the gold standard of interoperability and the most effective way of achieving radio interoperability is with the use of common standards-based radio systems by all public safety agencies in the broadest geographical area.

With the likelihood of future technology being completely digital, consideration is required in the design of a new communications model, as to the need for all services to be on the common P25 digital system immediately with consolidation or if the current analogue conversion service should continue. If the option is to continue providing converted analogue radio services, investments are required to ensure redundancy in the conversion system as it is currently a single point of failure for the radio system and a risk assumed within a new dispatch model and the provider.

Options to be reviewed include the ability and agreement of all municipalities to move to P25 with the launch of a consolidated communications services, the plan to phase in P25 with the six remaining fire services within a specified time period, or to maintain analogue services until such time that municipalities independently move to P25 or the technology becomes redundant.

Service Delivery Structure

To operate a consolidated dispatch service, at least three possible options have been identified; Region owned and operated, shared service and fee for service.

Region Owned and Operated

In this model, the Niagara Region provides the necessary capital assets and operating budget to supply a regional fire communications service for all twelve municipalities. This regional dispatch would be responsible for the processing of fire-related 911 calls and ensuring communications/interoperability with all twelve fire agencies as well as NRPS and NEMS (Figure 2). A common digital radio system and equipment would be provided by the Region to the municipalities through the NRPS P25 system. The full cost of this service would be funded through the Regional tax levy.

Shared Service

This scenario separates the regional fire communications service functions from the responsibilities of the local area municipalities. In this model the Region funds and supplies regional fire communications that would include the call processing of fire-related 911 calls and delivery of communications to the local fire services. The municipalities would be responsible to provide the assets able to receive and operationalize the communications from the regional service in the manner decided by that municipality (Figure 2). Funding for the Region portion would be through the Regional tax levy and the Municipal portion through local tax levies.

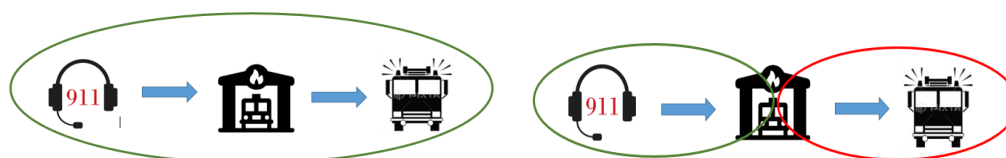


Figure 2. The left graphic depicts a complete Regional Owned and Operated communications service for all 12 municipal fire services. The right image is a Shared model where the regional dispatch service provides communications to the point of the municipal agency. The municipality is then responsible for capital and operating to receive the information.

Fee for Service

This model is similar to the Region Owned and Operated option with the difference in that 100% of funding for the service (capital and operating) is recovered through proportional payments from local area municipalities.

Phased Approach

The process for dispatch consolidation would be implemented in three phases.

Phase 1: Q3-Q4 2021

Should Regional Council approve the Recommendations contained within this report, a number of activities will be advanced to develop more detailed information to assist Council in making a final decision by the end of Q4 2021. This will require a detailed economic evaluation to implement and commence operations of a consolidated communications service to start no later than March 31, 2024. Included in this assessment will be matters related to human resources to identify appropriate staffing models as well as legal guidance on the implementation of a new service provided/facilitated by the Region, a commission or new entity. Further assessment of the feasibility to physically host fire communications within NRPS District 2 and the NRPS back-up communications centre would be undertaken. During this phase, a preferred governance model will also be recommended for Council's consideration. With the receipt of the NG911 report in September of this year, the information provided will better inform aspects of technology integration while at the same time a determination of voice radio systems will also be recommended. This information will assist Council in the final decision by the end of 2021 of proceeding with consolidation, a preferred funding model and approved governance structure.

Phase 2: 2022 – Q1 2024

With a decision to proceed with consolidation, the objectives of the second phase focus on the implementation of the service no later than March 31, 2024. To accomplish this, a regional fire communications service would be developed to replace the existing dispatch service(s). This new program will design the preferred governance structure to ensure quality oversight and effective delivery of services. Capital and operational budgets will be developed for 2023. With approved budgets, facilities will be readied with capital assets to co-locate the new fire communications service, likely within District 2 of NRPS as well as the new back-up communications centre with one site being designated the primary site and the other the back-up for fire communications. This phase will also include the continued implementation of NG911 as a regional system

and ensure a voice radio system to best meet the needs of the service. While the efforts of Phase 2 focus primarily on local consolidation of fire and police, collaboration will continue with the Ministry of Health to ensure integration with provincial EMS technological systems with local solutions. This will ensure operational readiness for go-live of NG911, P25 and a regional fire communications service.

Phase 3: Post Q1 2024

With the go-live of the regional fire communications service and complete transition to NG911 no later than March 31, 2024 one year prior to the mandatory deadline, the consolidation of common fire and police facilities and communications systems will be fully operational. For long-term sustainability, a plan to co-locate all three emergency service agencies (NRPS, fire and EMS) can be considered. The EMS Primary Hub offers an opportunity to host a complete Niagara Region Public Safety model of service delivery that offers amongst other things, full emergency dispatch integration. As previously indicated, a Council report concerning the Primary Hub will be tabled in August of this year.

Alternatives Reviewed

The recommendations provided within this report are intended to move towards a preferred emergency communications service delivery model of consolidation. While a number of factors and alternatives exist that define how such an integrated service could be provided, alternatives to consolidation were considered.

Municipal Procurement of Fire Dispatch Service

Regardless of a decision for or against consolidation, the NRPS and NEMS communications services will continue operations. Municipal fire services however, will be required to procure their own dispatch service if consolidation is not agreed upon. This will require each of the twelve municipalities to determine how best to provide fire communications. Failing consolidation, St. Catharines Fire will seek their Council's approval to discontinue fee-for-service dispatch for the nine existing LAM's. Both St. Catharines Fire and Niagara Falls Fire have developed an alternative plan to consolidate the two existing fire communications services and relocate to the NRPS District 2 Communications Centre to continue to provide dispatch services for their respective communities only, using the technological integration of NRPS NG911 and P-25. It is unknown at this time if additional fire services could also provide/receive dispatching services in this configuration. In this scenario, with each fire agency developing its own method of dispatch services, it is likely this will result in a further

fragmentation of fire communications creating ineffective interoperability and possible increased risk to public and responder safety.

This alternative is not recommended as the possibility of a further fragmentation of fire dispatch services would worsen the current situation of multiple providers. As municipalities procure fire dispatch services from other providers, the result is likely an uncoordinated compilation of an array of fire dispatch services. Each would require a level of integration with regional police and EMS making this challenging and not an optimal solution.

Partial Independence of Fire Communications

This alternative considers the majority of municipalities agreeing to consolidation however, one or more make the decision not to participate. In this scenario, if economically and practically feasible, a quasi-regional fire communications service is implemented with those municipalities choosing to participate, and the remaining services electing to procure fire dispatch services independently.

This is not recommended as it is not the most operationally effective model to ensure safety and coordination of information and is not in keeping with a “one Niagara” philosophy.

Relationship to Council Strategic Priorities

The NG911 project and dispatch consolidation supports Council Strategic Priorities of fostering Healthy and Vibrant Communities through the delivery of quality, affordable and accessible emergency services. In addition, this model contributes to a Sustainable and Engaging Government with a high quality, efficient, fiscally sustainable and coordinated core delivery of emergency dispatch services that is possible only through enhanced communication, partnerships and collaborations across agencies and governments.

Other Pertinent Reports

- CSD 07-2014 Public Safety Dispatch Review
- PHD 02-2015 Emergency Services Dispatch Update
- Memorandum C8253 Supplementary to PHD 02-2015
- PHD-08 2015 Consolidated Emergency Services Dispatch
- CSD-04 2017 NRPS 1 District Project Update
- CSD 3-2021 NG911 Updates

- CL-C 16-2021 NG911 Updates

Prepared by:

Kevin Smith
Chief, Niagara Emergency Medical
Services & Director, Emergency
Services
Public Health & Emergency 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 the Chiefs of Niagara Regional Police Services, St. Catharines Fire Services, Niagara Falls Fire Services and Regional Fire Coordinator and reviewed by M. Mustafa Hirji, Medical Officer of Health & Commissioner (Acting), Public Health & Emergency Services.

Minute Item No. 5.1

PW 38-2021

Niagara Regional Transit (NRT) OnDemand – Port Colborne Inclusion

That Report PW 38-2021, dated July 13, 2021, respecting Niagara Regional Transit (NRT) OnDemand – Port Colborne Inclusion, **BE RECEIVED** and the following recommendations **BE APPROVED**:

1. That the report from the City of Port Colborne titled, “Transit Enhancement Opportunity” (Appendix 1 to Report PW 38-2021) **BE RECEIVED** for information;
2. That the Chief Administrative Officer **BE AUTHORIZED** to execute any amendments to the Agreement and/or Service Order between the Regional Municipality of Niagara and River North Transit, LLC (a.k.a. Via Mobility, LLC) in the amount of \$898,840 (excluding HST) to enable the inclusion of a turnkey, on-demand transit service pilot in Port Colborne to be branded and administered as part of the Niagara Regional Transit (NRT) OnDemand pilot;
3. That the Chief Administrative Officer **BE AUTHORIZED** to execute a Memorandum of Understanding (MOU) between Niagara Region and the City of Port Colborne to allow for Niagara Region to facilitate and administer the deployment of on-demand transit services within the City of Port Colborne as approved in the terms and value outlined in City of Port Colborne report 2021-15; and
4. That the Chief Administrative Officer **BE AUTHORIZED** to execute amendments and/or extensions to both the MOU and the Agreement/Service Order such that it facilitates the continuity of services as a result of the Niagara Transit Governance Study.

Minute Item No. 5.2

PW 41-2021

Approval of Public Works Single Source Purchase Order Requests and Purchase Change Order Requests Exceeding \$100,000

That Report PW 41-2021, dated July 13, 2021, respecting Approval of Public Works Single Source Purchase Order Requests and Purchase Change Order Requests Exceeding \$100,000, **BE RECEIVED** and the following recommendation **BE APPROVED**:

1. That the Single Source Purchase Order Requests identified in Appendix 1 of Report PW 41-2021 **BE APPROVED**.

Minute Item No. 5.3

PWC-C 25-2021

Recommendations for Consideration from the Waste Management Planning Steering Committee meeting held on June 28, 2021

That Correspondence Item PWC-C 25-2021, being a memorandum from A.-M Norio, Regional Clerk, dated July 13, 2021, respecting Recommendations for Consideration from the Waste Management Planning Steering Committee meeting held June 28, 2021, **BE RECEIVED** and the following recommendation **BE APPROVED**:

1. That staff **BE DIRECTED** to continue promoting the availability of recycling box lids and covers through public retail and on-line outlets, using Regional communication avenues, in place of offering recycling box lids or covers.

Minute Item No. 6.1

PWC-C 24-2021

Blue Box Program - Final Producer Responsibility Regulations

That Correspondence Item PWC-C 24-2021, being a memorandum from S. Tait, Program Manager, Policy & Planning, dated July 13, 2021, respecting Blue Box Program – Final Producer Responsibility Regulations, **BE RECEIVED** for information.

Minute Item No. 6.2

PWC-C 23-2021

Public Works Single Source Purchases over \$100,000 – Exceptions

That Correspondence Item PWC-C 23-2021, being a memorandum from B. Zvaniga, Commissioner of Public Works (Interim), dated July 13, 2021, respecting Public Works Single Source Purchases over \$100,000 - Exceptions, **BE RECEIVED** for information.

**THE REGIONAL MUNICIPALITY OF NIAGARA
PUBLIC WORKS COMMITTEE
MINUTES**

**PWC 7-2021
Tuesday, July 13, 2021
Council Chamber/Video Conference
Regional Headquarters, Campbell West
1815 Sir Isaac Brock Way, Thorold, ON**

Committee Members Present in the Council Chamber: Fertich (Committee Vice Chair), Rigby (Committee Chair)

Committee Members Present via Video Conference: Bradley (Regional Chair), Diodati, Disero, Edgar, Foster, Gale, Heit, Insinna, Junkin, Nicholson, Sendzik, Steele, Ugulini, Witteveen, Zalepa

Other Councillors Present in the Council Chamber: Greenwood

Absent/Regrets: Chiocchio

Staff Present in the Council Chamber: L. Glynn, Technology Support Analyst, C. Habermehl, Director, Waste Management Services, A.-M. Norio, Regional Clerk, R. Tripp, Acting Chief Administrative Officer, B. Zvaniga, Interim Commissioner, Public Works

Staff Present via Video Conference: H. Chamberlain, Director, Financial Management & Planning/Deputy Treasurer, T. Harrison, Commissioner/Treasurer, Corporate Services, B. Menage, Director, Procurement & Strategic Acquisitions, M. Robinson, Director, GO Implementation Office, C. Ryall, Director, Transportation Services, R. Salewysch, Transit Services Program Manager, J. Tonellato, Director, Water & Wastewater Services, M. Trennum, Deputy Regional Clerk, C. Ventura, Legislative Coordinator

1. CALL TO ORDER

Committee Chair Rigby called the meeting to order at 9:30 a.m.

2. DISCLOSURES OF PECUNIARY INTEREST

There were no disclosures of pecuniary interest.

3. **PRESENTATIONS**

There were no presentations.

4. **DELEGATIONS**

There were no delegations.

5. **ITEMS FOR CONSIDERATION**

5.1 **PW 38-2021**

Niagara Regional Transit (NRT) OnDemand - Port Colborne Inclusion

Moved by Councillor Insinna

Seconded by Councillor Edgar

That Report PW 38-2021, dated July 13, 2021, respecting Niagara Regional Transit (NRT) OnDemand – Port Colborne Inclusion, **BE RECEIVED** and the following recommendations **BE APPROVED**:

1. That the report from the City of Port Colborne titled, “Transit Enhancement Opportunity” (Appendix 1 to Report PW 38-2021) **BE RECEIVED** for information;
2. That the Chief Administrative Officer **BE AUTHORIZED** to execute any amendments to the Agreement and/or Service Order between the Regional Municipality of Niagara and River North Transit, LLC (a.k.a. Via Mobility, LLC) in the amount of \$898,840 (excluding HST) to enable the inclusion of a turnkey, on-demand transit service pilot in Port Colborne to be branded and administered as part of the Niagara Regional Transit (NRT) OnDemand pilot;
3. That the Chief Administrative Officer **BE AUTHORIZED** to execute a Memorandum of Understanding (MOU) between Niagara Region and the City of Port Colborne to allow for Niagara Region to facilitate and administer the deployment of on-demand transit services within the City of Port Colborne as approved in the terms and value outlined in City of Port Colborne report 2021-15; and
4. That the Chief Administrative Officer **BE AUTHORIZED** to execute amendments and/or extensions to both the MOU and the Agreement/Service Order such that it facilitates the continuity of services as a result of the Niagara Transit Governance Study.

Carried

5.2 PW 41-2021

Approval of Public Works Single Source Purchase Order Requests and Purchase Change Order Requests Exceeding \$100,000

Moved by Councillor Zalepa
Seconded by Councillor Steele

That Report PW 41-2021, dated July 13, 2021, respecting Approval of Public Works Single Source Purchase Order Requests and Purchase Change Order Requests Exceeding \$100,000, **BE RECEIVED** and the following recommendation **BE APPROVED**:

1. That the Single Source Purchase Order Requests identified in Appendix 1 of Report PW 41-2021 **BE APPROVED**.

Carried

5.3 PWC-C 25-2021

Recommendations for Consideration from the Waste Management Planning Steering Committee meeting held on June 28, 2021

Moved by Councillor Foster
Seconded by Councillor Nicholson

That Correspondence Item PWC-C 25-2021, being a memorandum from A.-M Norio, Regional Clerk, dated July 13, 2021, respecting Recommendations for Consideration from the Waste Management Planning Steering Committee meeting held June 28, 2021, **BE RECEIVED** and the following recommendation **BE APPROVED**:

1. That staff **BE DIRECTED** to continue promoting the availability of recycling box lids and covers through public retail and on-line outlets, using Regional communication avenues, in place of offering recycling box lids or covers.

Carried

Councillor Information Request(s):

Follow up with the Town of Lincoln respecting the pilot project that was undertaken for recycling box covers. Councillor Foster

6. CONSENT ITEMS FOR INFORMATION

6.1 PWC-C 24-2021

Blue Box Program - Final Producer Responsibility Regulations

Catherine Habermehl, Director, Waste Management Services, provided an update respecting Blue Box Program - Final Producer Responsibility Regulations. Topics of the presentation included:

- Regulations Recap
- Considerations & Decision Points
- Next Steps

Moved by Councillor Gale
Seconded by Councillor Heit

That Correspondence Item PWC-C 24-2021, being a memorandum from S. Tait, Program Manager, Policy & Planning, dated July 13, 2021, respecting Blue Box Program – Final Producer Responsibility Regulations, **BE RECEIVED** for information.

Carried

6.2 PWC-C 23-2021

Public Works Single Source Purchases over \$100,000 - Exceptions

Moved by Councillor Edgar
Seconded by Councillor Junkin

That Correspondence Item PWC-C 23-2021, being a memorandum from B. Zvaniga, Commissioner of Public Works (Interim), dated July 13, 2021, respecting Public Works Single Source Purchases over \$100,000 - Exceptions, **BE RECEIVED** for information.

Carried

7. OTHER BUSINESS

7.1 Regional Road 70 (Thorold Townline Road), City of Thorold and City of Niagara Falls

Councillor Greenwood expressed concerns respecting speeding and traffic volume on Regional Road 70 between Chippawa Creek Road and Lundy's Lane and requested that staff assess the intersection of Regional Road 70 and McLeod road for the installation of a three way stop. Carolyn Ryall, Director, Transportation Services, advised that staff have been in contact with the area residents to advise that although the intersection does not meet the requirements for a three way stop, it is very close to meeting the requirements for a signalized intersection. She noted that staff are continuing to monitor the area. Councillor Ugolini also raised concerns regarding speeding on Regional Road 70 from Beaverdams Road through to Chippawa Creek Road and suggested staff review the speed limit.

7.2 Waste Management Collection Updates for Seasonal Cottage Owners

Councillor Steele advised of issues related to seasonal cottage owners placing waste out for collection on the wrong collection week due to unfamiliarity with the changes to every other week waste collection. Catherine Habermehl, Director, Waste Management Services, noted that the cottage associations have previously assisted with communicating these types of changes and advised that staff would consider ways to ensure cottage owners were aware of the collection changes

7.3 Vision Zero Road Safety Program Presentations

Councillor Foster requested a timeline for staff to meet with the Local Area Municipalities regarding community safety and traffic issues. Carolyn Ryall, Director, Transportation Services, advised staff will be providing presentations on the Vision Zero Road Safety Program to the 12 local area municipalities starting in September 2021.

7.4 Regional Road Access

Councillor Foster requested information respecting the approval process for properties requiring an entrance to access regional roads and if traffic impact studies were required. Carolyn Ryall, Director, Transportation Services, advised that there is an application process in place to request access; however, a traffic impact study is not required in all cases. She noted that any time access is required to a regional road, the Region is requested to comment.

7.5 Regional Road 55 (Niagara Stone Road), Town of Niagara-on-the-Lake

Councilor Zalepa requested an update respecting traffic control considerations at the intersection of Regional Road 55 and Anderson Lane. Carolyn Ryall, Director, Transportation Services, advised that this intersection is currently being reviewed by staff.

8. **NEXT MEETING**

The next meeting will be held on Tuesday, August 10, 2021 at 9:30 a.m.

9. **ADJOURNMENT**

There being no further business, the meeting adjourned at 10:31 a.m.

Councillor Rigby
Committee Chair

Chris Ventura
Legislative Coordinator

Ann-Marie Norio
Regional Clerk

Subject: NRT OnDemand – Port Colborne Inclusion

Report to: Public Works Committee

Report date: Tuesday, July 13, 2021

Recommendations

1. That the report from the City of Port Colborne titled, “Transit Enhancement Opportunity” (Appendix 1 to Report PW 38-2021) **BE RECEIVED** for information;
2. That the Chief Administrative Officer **BE AUTHORIZED** to execute any amendments to the Agreement and/or Service Order between the Regional Municipality of Niagara and River North Transit, LLC (a.k.a. Via Mobility, LLC) in the amount of \$898,840 (excluding HST) to enable the inclusion of a turnkey, on-demand transit service pilot in Port Colborne to be branded and administered as part of the Niagara Regional Transit (NRT) OnDemand pilot;
3. That the Chief Administrative Officer **BE AUTHORIZED** to execute a Memorandum of Understanding (MOU) between Niagara Region and the City of Port Colborne to allow for Niagara Region to facilitate and administer the deployment of on-demand transit services within the City of Port Colborne as approved in the terms and value outlined in City of Port Colborne report 2021-15; and
4. That the Chief Administrative Officer **BE AUTHORIZED** to execute amendments and/or extensions to both the MOU and the Agreement/Service Order such that it facilitates the continuity of services as a result of the Niagara Transit Governance Study.

Key Facts

- The purpose of this report is to seek Council’s approval to allow Port Colborne to integrate the City’s on-demand transit pilot into the Region’s existing NRT OnDemand pilot program, in order to capitalize on the Region’s preferred pricing, reduce administrative overhead, and facilitate ease of use for riders traveling between municipalities.
- PW 60-2019 and PW 41-2020 authorized the Chief Administrative Officer to execute agreements with Via Mobility for the deployment of on-demand transit in West

Niagara and Niagara-on-the-Lake, which successfully launched August 17, 2020 and November 23, 2020 respectively.

- In August 2020, the City of Port Colborne approached Niagara Region to revisit the potential for bringing NRT OnDemand to their municipality, much in the same manner that the service was expanded in Niagara-on-the-Lake.
- On January 11, 2021, Port Colborne's Council approved a pilot deployment for an \$898,840 (excluding HST) on-demand service to operate within its municipal boundaries (Appendix 1) from approximately June 2020 to the termination of Niagara Region's contract.
- That approval also included a request to Niagara Region to approve, prepare, manage, and integrate their service area with the existing NRT OnDemand service in addition to making a financial contribution of \$126,200 in 2021 and \$187,500 in 2022 to enable inter-municipal connections between Port Colborne and Fort Erie and Port Colborne and West Niagara.
- A new start date of January 2022 has been confirmed by Port Colborne staff. As a result, only the 2022 portions of the Agreement and funding are being requested. This will result in a total contract value of \$510,700 of which Niagara Region's portion would be \$187,500.
- On January 21, 2021 Niagara Region Council approved the renewal of the NRT OnDemand pilot for a second year.

Financial Considerations

The City of Port Colborne currently spends \$303,700 (\$135,700 levy, \$168,000 Provincial Gas Tax (PGT) revenue and fares) for transit services (all figures referenced exclude HST). In order to move to an on-demand service, the City requires \$375,000 more than their current expenditure in 2022. Port Colborne City Council has approved an increase of half of that amount (\$187,500 to cover January through August 2022). The City of Port Colborne is requesting that Niagara Region pool resources by contributing \$187,500 in 2022.

The purpose of this Regional contribution is to facilitate the fulfillment of Niagara Region's mandate to provide planned inter-municipal connections (per CAO 8-2017, LNTC C-21-2018), which in this case, includes a new connection to Fort Erie Transit via Crystal Beach, to West Niagara and the Port Colborne Link. This connectivity would be the final component in truly connecting all of Niagara's municipalities through public transit, which is an important milestone in the ongoing transit governance work. It is important to note that the fees above are estimates based on annualized costs and will

be finalized once the exact start and end dates are confirmed. It would be staff's intention to align the end date with the other service areas in West Niagara and Niagara-on-the-Lake where applicable.

Niagara Region's contribution for inter-municipal trips will be accommodated in the 2022 Operating Budget, as staff had previously identified connecting Port Colborne and Fort Erie by way of inter-municipal transit in the 2020 budget, and thus those funds are now part of the NRT existing base budget. As a backup, should 2022 provide financial challenges to transit relating to the ongoing fallout of COVID-19, staff has identified that it is able to cover this portion of the pilot funding for the inter-municipal expansion through the Region's PGT. For 2022, Port Colborne would use the remainder of its transit reserve and any additional funding would be from its stabilization reserve. Refer to Appendix 1 for further detail.

Additionally, a Memorandum of Understanding between Niagara Region and the City of Port Colborne should provide consideration for indirect costs to NRT staff relating to the Contract Administration of the project on the City's behalf within the existing NRT OnDemand envelope. Items such as customer service inquiries, community engagement, paid advertising, signage, etc. will need to be accounted for in the MOU, similar to what exists for the West Niagara and NOTL service areas.

Analysis

In 2019, staff brought forward report PW 60-2019 which outlined the on-demand simulation results for West Niagara. Based on a request from the Inter-municipal Working Group (IMTWG), and in alignment with the service area expansions outlined in CAO 8-2017 and LNTC-C 21/22/23-2018, those simulation results also contained a review of opportunities to bring on-demand services to Port Colborne and Fort Erie for the purposes of connecting the southern municipalities of Niagara. In addition, that report also referenced the need for additional discussions with Port Colborne and Fort Erie.

In August of 2020, City of Port Colborne staff asked Regional staff to assist the City in further investigating the feasibility of bringing on-demand transit (specifically NRT OnDemand) to Port Colborne. Between September and December, staff from the City, the Region and Via worked together to review existing ridership data, identify potential service options and quantify service parameters; a process that built off of the simulation results (PW 60-2019) done by the IMTWG.

The culmination of that work is the City of Port Colborne's report "2021-15 - Transit Enhancement Opportunity" (Appendix 1). That report outlines the difference between two options; (Option 1) maintaining the fixed-route community bus or (Option 2) fully integrating with NRT OnDemand that would service the entirety of the municipality and provide inter-municipal connections as identified above. City staff recommended their Council approve Option 2 – full integration with NRT OnDemand. Port Colborne Council unanimously approved that recommendation as well as one that requests Niagara Region to oversee the integration into the existing NRT OnDemand pilot, much in the same way as the Niagara-on-the-Lake expansion which launched in November 2020.

Staff at the City of Port Colborne have requested that, should Regional Council approve this service expansion, target launch date of January 1, 2022 be sought. This date is the result of the City desiring to have on-demand transit in place prior to the conclusion of the Niagara Transit Governance Study in recognition that a new entity will not have the capacity to change service models in the first few years after upload. The actual launch date will be finalized upon approval of this report and once a contract with the service provider can be established. Regardless of the start date, the end date will be set to align with the end date for the West Niagara service area. It is also worth reiterating that staff is requesting that the CAO be authorized to extend the length of the contract in order to maintain service continuity should the results of the governance work require a transition period.

Full integration with NRT OnDemand would require the City to have two dedicated vehicles in order to service the whole municipality and meet forecasted service demands. Additionally, this option would allow for ticket pricing continuity across the various Niagara Region Transit systems. Not only would integration with NRT OnDemand greatly enhance the rider experience in Port Colborne, it would also facilitate additional connectivity with the West Niagara municipalities, connection to the Welland Terminal, and to Fort Erie Transit through a connection in Crystal Beach.

Alternatives Reviewed

The alternative is to decline the City's request for funding, partnership and integration of services. This would default the City to continue running the fixed-route community bus that only services a portion of the City's urban area and by extension, a small portion of its residents. This would also impact the residents of the surrounding municipalities as they would not benefit from the enhanced connectivity. From a rider perspective, providing a single online app and transit brand makes the user experience much simpler and highly efficient. Moreover, combining multiple transit agencies into a single service

also highlights the collaborative feasibility of the work being undertaken more broadly as part of the larger ongoing transit governance review. It is for these reasons that staff does not recommend declining the request from the City of Port Colborne.

Relationship to Council Strategic Priorities

The IMT Service Implementation Strategy directly aligns with the Council Strategic Priority: Responsible Growth and Infrastructure Planning (Objectives 3.1 & 3.4) through advancing regional transit and facilitating the movement of people and goods.

Other Pertinent Reports

- PW 1-2021 Niagara Regional Transit (NRT) OnDemand Contract Renewal
- PW 41-2020 NRT On-Demand – Niagara-on-the-Lake Inclusion
- PW 60-2019 On-Demand Transit – Pilot Authorization (Simulation Results)
- CAO 8-2017 Niagara Region's Transit Service Delivery and Governance Strategy

Prepared by:

Robert Salewytch
Program Manager, Transit Services
Public Works Department

Recommended by:

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

Submitted by:

Ron Tripp, P.Eng.
Acting Chief Administrative Officer

This report was prepared in consultation with Heather Talbot, Financial and Special Projects Consultant, and reviewed by Matt Robinson, Director, GO Implementation Office.

Appendices

Appendix 1 2021-15 – Transit Enhancement Opportunity



PORT COLBORNE

Corporate Services Department
Clerk's Division

Municipal Offices: 66 Charlotte Street
Port Colborne, Ontario L3K 3C8 • www.portcolborne.ca

T 905.835.2900 ext 106 F 905.834.5746
E amber.lapointe@portcolborne.ca

January 21, 2021

Ann-Marie Norio
Regional Clerk
Administration – Office of the Regional Clerk
Niagara Region

Via E-Mail

Dear Ms. Norio:

Re: Resolution – Transit Enhancement Opportunity

Please be advised that, at its meeting of January 11, 2021, the Council of The Corporation of the City of Port Colborne resolved as follows:

That Corporate Services Department Report 2021-15 be received;

That the City of Port Colborne request the Region of Niagara to submit a service order to Via Mobility LLC to amend its master terms agreement for the deployment of a turnkey, on-demand transit service to include the service area of Port Colborne and the integration and alignment of the Port Colborne service into the Niagara Regional Transit (NRT) OnDemand mobile application; and

That subject to approval by the Niagara Region's Public Works Committee and Council:

- Port Colborne Transit be integrated into the NRT OnDemand program (including related Provincial Gas Tax Funding) as outlined in this report;
- The City of Port Colborne provide funding to the Niagara Region as outlined in this report;
- The City of Port Colborne extend its appreciation to the City of Welland for their long-standing service as the City of Port Colborne Transit provider and for that contract to stop when the OnDemand service begins;
- The City of Port Colborne extend its warmest thank you to the Port Colborne Transit Advisory Committee for their previous service and for that committee to be dissolved;
- The Chief Administrative Officer and Director of Corporate Services / Treasurer be authorized to sign and execute the necessary documents to complete the approved recommendations in this report.

...2

January 20, 2021

Resolution – Transit Enhancement Opportunity

A copy of the above-noted report is enclosed for your reference.

Sincerely,

A handwritten signature in black ink, appearing to read "Amber LaPointe".

Amber LaPointe
City Clerk

Encl.

ec: R. Salewytch, Program Manager – Transit Services, GO Implementation Office,
Niagara Region, Public Works Department
B. Boles, Director of Corporate Services / Treasurer, City of Port Colborne



Subject: Transit Enhancement Opportunity

To: Council

From: Corporate Services Department

Report Number: 2021-15

Meeting Date: January 11, 2021

Recommendation:

That Corporate Services Department Report 2021-15 be received;

That the City of Port Colborne request the Region of Niagara to submit a service order to Via Mobility LLC to amend its master terms agreement for the deployment of a turnkey, on-demand transit service to include the service area of Port Colborne and the integration and alignment of the Port Colborne service into the Niagara Regional Transit (NRT) OnDemand mobile application; and

That subject to approval by the Niagara Region's Public Works Committee and Council:

- Port Colborne Transit be integrated into the NRT OnDemand program (including related Provincial Gas Tax Funding) as outlined in this report;
 - The City of Port Colborne provide funding to the Niagara Region as outlined in this report;
 - The City of Port Colborne extend its appreciation to the City of Welland for their long-standing service as the City of Port Colborne Transit provider and for that contract to stop when the OnDemand service begins;
 - The City of Port Colborne extend its warmest thank you to the Port Colborne Transit Advisory Committee for their previous service and for that committee to be dissolved;
 - The Chief Administrative Officer and Director of Corporate Services / Treasurer be authorized to sign and execute the necessary documents to complete the approved recommendations in this report.
-

Purpose:

This report proposes service level enhancements to the current Port Colborne Transit program. It proposes moving from a fixed-route model to an on-demand model that

provides transit services to the whole City of Port Colborne (the “City”), increases the days of operation by one day per week, and the hours of service per day from 11 hours to 15 hours.

Background:

The City of Welland has been the long-standing service provider of a fixed route transit system in the City. The current route is identified in Appendix A. In 2019, the current service had approximately 35 individual riders per day (note 2019 numbers were used as COVID-19 impacted 2020 comparatives). At the time of writing this report the City is operating month to month with the City of Welland as the previous contract has expired.

On November 25, 2019 the Niagara Region presented a proposal for Niagara Region Transit (“NRT”) OnDemand to City Council. As an outcome of that meeting, staff were directed to review transit options.

The NRT OnDemand system has since been launched in the Town of Grimsby, Town of Lincoln, Town of Niagara-on-the-Lake, Town of Pelham, Township of Wainfleet, and the Township of West Lincoln.

Recent discussions with the Niagara Region identified they are currently in contract discussions with their service provider (VIA Mobility LLP) and, should the City wish to join, the City could do so in the June 2021 timeframe.

As Council is aware, Niagara Region and the local area municipalities have been engaged in a multi-year transit governance study to determine the feasibility and desirability of consolidating transit services under a single entity. A transition that, if approved, could happen between 2022 and 2023. Staff understand the Niagara Region will present the plan to the Councils of local area municipalities in the first half of 2021.

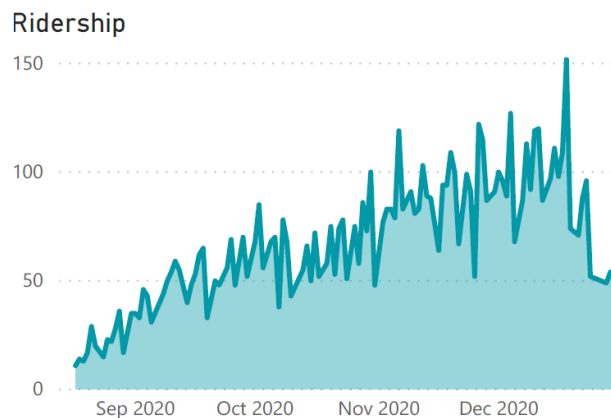
Salient to any amalgamation planning City Staff understand the service being offered at the time of consolidation will be the service that is continued with no new service additions being considered by the new transit entity for a number of years thereafter as it focuses on transitioning the operation of the service and seeks to undergo a network evaluation and design process.

Discussion:

In presenting this report City Staff identify that the City of Welland has been and continues to be a tremendous partner in providing transit to the City.

The NRT OnDemand system is currently in full operation in a number of municipalities in the Niagara Region as identified above. The website for the service is as follows: www.niagararegion.ca/transit/on-demand/default.aspx.

The following chart highlights the growth in usage of the current NRT OnDemand system in the other municipalities identified above. Staff highlight this growth has occurred despite the COVID-19 pandemic.



Key comparisons of the current and proposed NRT OnDemand options are provided in chart form below:

	Current	NRT OnDemand
Area Served	Appendix A – Limited / Fixed	Appendix B – All of Port Colborne (including Fort Erie Crystal Beach Area)
Number of Days	Monday - Friday (5 days)	Monday – Saturday (6 days)
Number of Hours	7am to 6pm (11 hours)	7am 10pm (15 hours)
Route adjustments^	Lead time required	Dynamic
Data	Limited	Significant
Boarding location	Bus stop or flag stop on route	Estimated average walk 55 to 80 m from location submitting pick-up request from (Wheelchair accessible trips will be door-to-door)
Pick-up time	Per pre-published schedule	Estimated 8 minutes or less from request pick-up time (assuming daily volume doubles from 2019 levels)
How to get a ride	Go to bus stop or flag a bus at pre-determined time	Use app or call phone number
Ride Sharing	Yes	Yes

^ The dynamic/full City coverage provided by the OnDemand system is something that ensures no matter how or where the City grows going forward the Transit system can accommodate.

The proposal from the Niagara Region is to manage the entire program, including Provincial Gas Tax reporting. Through their service provider, they proposed the use of

two vehicles for the City. As the City would be part of the larger network, should demand spike at certain times vehicles from other locations could be redirected to support those higher demand times.

Pricing of the current and OnDemand option are similar from the rider's perspective. The following table of fares enables trips that begin and end with the City of Port Colborne:

	Current (lasted updated 2018)			NRT OnDemand		
	Cash Fare	10-ride Card	Monthly Pass	Cash Fare	10-ride Card	Monthly Pass
Adults	\$3.00	\$25.00	\$85.00	\$3.00	\$27.00	\$85.00
Seniors (65+)	\$3.00	\$21.00	\$65.00	\$3.00	\$22.50	\$65.00
Elementary and High School	\$3.00	\$21.00	\$75.00	\$3.00	\$22.50	\$65.00
Children	\$1.50 (12 and under riding alone) Free (12 and under riding with paying adult)			5 and under free (Note: As of February 1 st , 2021 the child age for Regional service will change to 12 and under)		

Niagara Region also offer fares that permit intermunicipal travel using the existing fixed route network of Niagara Region Transit, such as Route 25 (Port Colborne Link). The fare table below permits riders to travel anywhere in Niagara.

	OnDemand		
	Cash Fare	10-ride Card	Monthly Pass
Adults	\$6.00	\$45.00	\$160.00
Seniors (65+)	\$5.00	\$40.00	\$130.00
Elementary and High School	\$5.00	\$40.00	\$130.00
Children	5 and under free (Note: As of February 1 st , 2021 the child age for Regional service will change to 12 and under)		

Financial Implications:

The financial implications of the current service level and the estimated financial impact of the new OnDemand service level are identified in the chart below:

	2021 – Current	2021 – OnDemand*	2022 – OnDemand*^
Current Net Levy Impact of Transit~	\$135,700	\$135,700	\$135,700
Increase cost for increase level of service with OnDemand	N/A	\$252,400	\$375,000
	\$135,700	\$388,140	\$510,700
City of Port Colborne	N/A	\$126,200	\$187,500
Niagara Region	N/A	\$126,200	\$187,500
	N/A	\$252,400	\$375,000

~ The gross cost before Provincial Gas Tax revenue and user fees is \$303,700. The net cost in the budget was \$165,700. The net cost above of \$135,700 reflects the projected revenue of approximately \$30,000 in a non-COVID period.

* The figures above assume no change in usage from the 2019 level and that Niagara Region through its Public Works Committee and Council, approve matching funding as part of their intermunicipal transit mandate since a connection to Fort Erie Transit would be established (anticipated in the Crystal Beach area). Through discussions with Niagara Region, staff understand the Niagara Region already has these funds budgeted and are financially involved with the NRT OnDemand programs in other local area municipalities. As noted the recommendation to this report is contingent on funding approval from the Niagara Region.

^ These figures are in present value dollars and may be subject to increases close to inflation. These will be dependent on negotiations between the Niagara Region and their service level provider.

These increased costs are not anticipated to have a permanent impact on the City's portion of the tax levy if the local area municipalities transit systems are consolidated into one transit entity.

For this reason, staff propose the following funding option:

- For 2021 the estimated funding requirement of \$126,200 be funded from the transit reserve that currently has a balance of \$150,000. Staff identified this

potential reserve usage in Report 2020-144, Reserve and Reserve Fund Policy dated October 13, 2020.

- For 2022, the remainder of the transit reserve would be used, and any additional funding would be internally funded from the stabilization reserve. These funds would be replenished/repaid by maintaining the current net transit levy budget up to \$135,700 in subsequent years after uploading the transit system to a regional transit entity. After the balance funded from the stabilization reserve is repaid, the net transit levy amount would be removed from the City's budget.

The risk to this funding model is the uploading process takes longer, does not happen or the City is asked to fund the regional transit entity on a go forward basis (which, at the time of writing this report, staff understand to not be the case). If the transition takes one year longer into 2023 staff propose the same funding strategy in 2022 be used (internally fund from reserves). If the transition takes longer than 2023 and/or does not gain approval staff will review other funding options and/or options to adjust service levels. The levy impact of \$187,500 (2022 estimated cost) is approximately 0.9%.

For greater clarity, staff identify the funding model identified above is based on estimates and are subject to change. If Council approves this report, Council is approving a 50/50 cost share of the increased cost of the OnDemand service with Niagara Region (which will offset the costs of the connection to Fort Erie Transit) and that the City's portion be paid first from the transit reserve and second from the stabilization reserve, to be repaid by maintaining the levy post consolidation until the stabilization reserve is repaid.

Conclusion:

The City has a unique opportunity at this time to set its level of service with the cooperation of the Niagara Region prior to the anticipated creation of a consolidated regional transit entity.

Appendices:

- Current Transit Route
- Proposed Service Map (Port Colborne going into Fort Erie Crystal Beach Area)

Respectfully submitted,

Bryan Boles

Director of Corporate Services / Treasurer

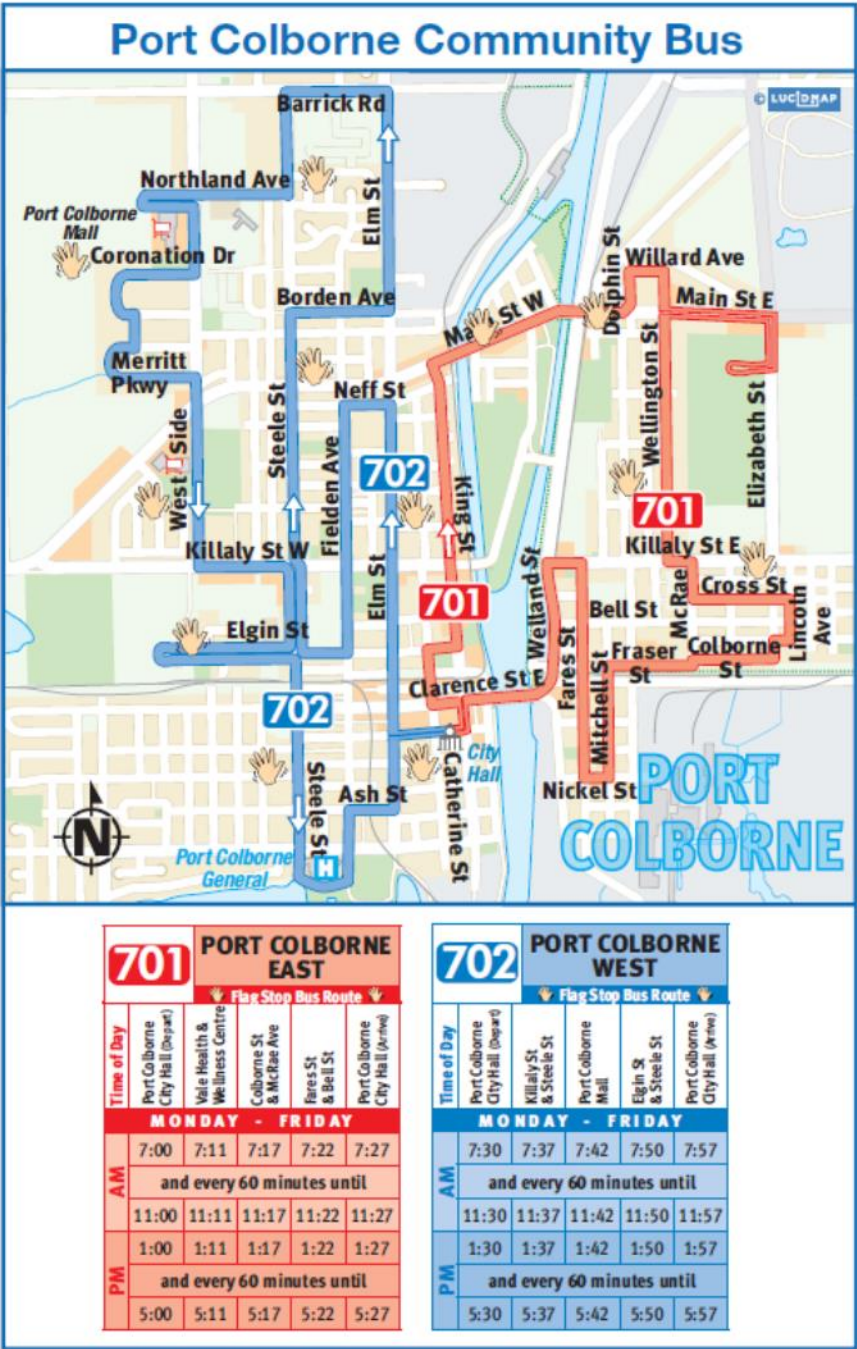
905-835-2900 ext. 105

Bryan.Boles@portcolborne.ca

Report Approval:

All reports reviewed and approved by the Department Director and also the City Treasurer when relevant. Final approval is by the Chief Administrative Officer.

Report 2021-15 Appendix A
Current Transit Route



Please see City of Port Colborne or Welland Transit web site for fare structure information for Port Colborne Community and Link bus services

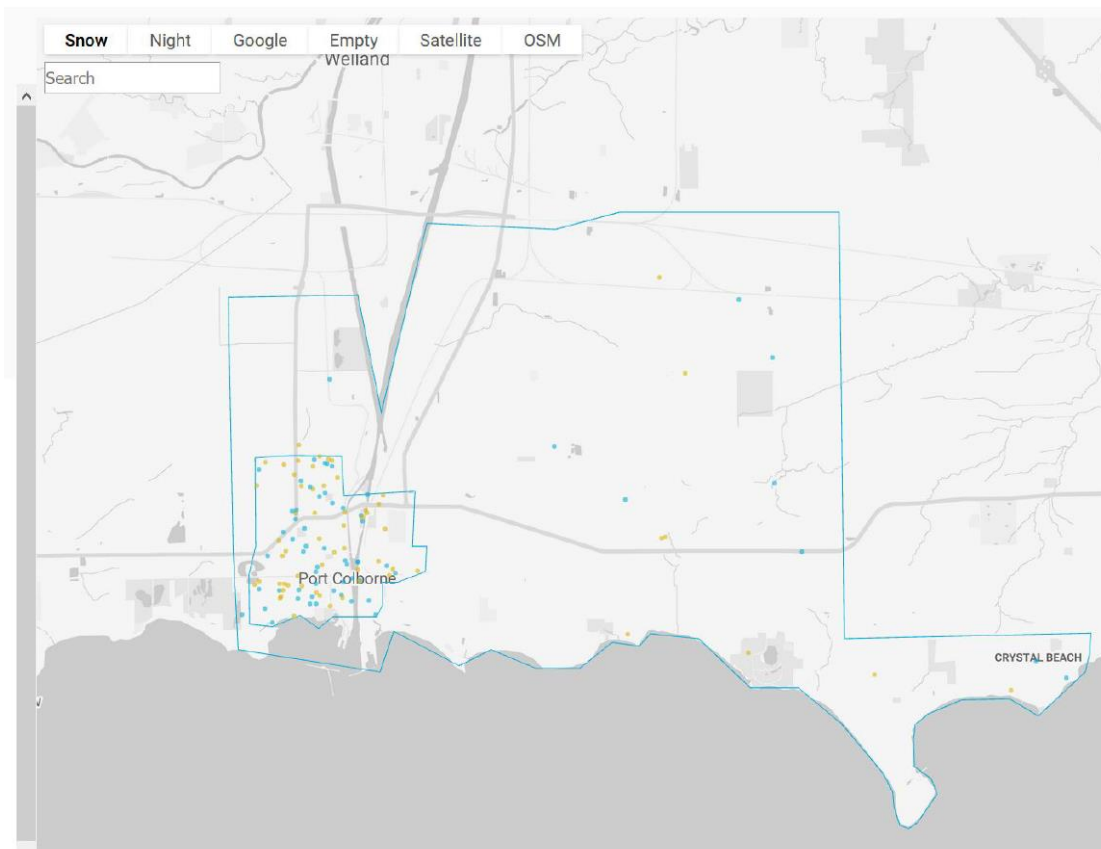


Flag Stop for Port Colborne only

You can board the bus by waving to the driver as the bus approaches. Look for the waving hand symbol on the maps, which highlights areas where Flag Stop is in effect.

Report 2021-15 Appendix B

Proposed Service Map (Port Colborne going into Fort Erie Crystal Beach Area)



Note the map above was created by the Niagara Region's service provider. The Service area is outlined by the blue line around the City. An additional blue line around the more densely populated area of the City highlights where the greater portion of rides are anticipated. The dots being blue and yellow indicate algorithmic pick-up and drop-off examples used to calculate the average wait time of 8 minutes and walking distance to a pick-up location of 55m to 80m.

Most importantly this map highlights this transit proposal would service all of the City and not just the central urban area.

Subject: Approval of Public Works Single Source Purchase Order Requests and Purchase Change Order Requests Exceeding \$100,000

Report to: Public Works Committee

Report date: Tuesday, July 13, 2021

Recommendations

1. That the Single Source Purchase Order Requests identified in Appendix 1 of Report PW 41-2021 **BE APPROVED**.

Key Facts

- At the Special Council meeting on July 30, 2020, Regional Council instructed staff that, “If any single source [Public Works] procurement [over \$5000] is deemed essential there must be approval first received by the Public Works Committee.”
- On August 18, 2020, the CAO provided Confidential Memorandum CONF-C 6-2020 providing key information in response to the July 30, 2020 staff direction. The memo identified that pursuant to a formal competitive procurement process, a change to the resulting contract (via the Change PO process) is required for any additional goods and/or services, which were not part of that formal process (consider Single Source additions). This includes most (if not all) instances where the “work” is underway when a Change PO request initiates.
- At the Council meeting on September 17, 2020, Regional Council approved an increase in the limit to \$100,000 above which approval must first be received by the Public Works Committee.

Financial Considerations

The included Single Source requests have approved funding in place from either Capital or Operating budgets in the respective divisions in Public Works.

Analysis

Niagara Region’s Procurement By-law 02-2016 as amended February 28, 2019 provides controls and methods that ensure, among other things, that the procurement processes undertaken to procure Goods and/or Services achieves, “best value for the Corporation”.

Pursuant to the formal procurement process, which culminates in contract award, there are occasions, when new information identified after award, requires further consideration of how these unforeseen additional requirements will impact the final project deliverable.

When this happens, staff consider the following alternative approaches to addressing the scope change:

1. Is the original project objective still achievable or should it be abandoned?
2. Can the project proceed as originally planned and this new information be deferred to a later time without reducing the integrity of the design, construction, etc.?
3. Is the current work at a point where it can be terminated, and a new competitive procurement for the additional scope items be initiated without excessive costs or negative impacts to the community from the delays?
4. Does the addition of this new work to the current assignment still achieve best value if Staff can validate that it represents fair value?

Staff note, that where a construction project is underway, the Ontario Occupational Health and Safety Act dictates that, "When an owner undertakes a project by contracting with more than one employer (contractor), the owner is undertaking the project and is the constructor." As a result, if Niagara Region were to initiate additional work on a project site at the same time by two contractors, Niagara Region would assume significant additional liability risk for the safety of all workers on the site. Ideally, the work of first contractor must be completed prior second contractor commencing.

Alternatives Reviewed

Staff have considered the following alternatives for each of the change order requests appended as Appendix 1:

- Closing out the current work. Abandoning the previous approach and re-considering strategy;
- Proceeding as originally planned and addressing the new information/change in scope at a later time through a competitive process; and,
- Terminating the current contract where possible and conducting a competitive procurement process to complete the work with the additional scope items added.

Staff conclude that none of the aforementioned options achieves the desired best value outcome without significant risk to the Region in terms of cost, delay and unavailability of critical infrastructure. Staff have assessed the financial impact of these additionally scoped items, deemed them fair and reasonable hence, the recommendation contained herein is presented for approval as it offers the best value for the Corporation given in the specific circumstances.

Relationship to Council Strategic Priorities

- Responsible Growth and Infrastructure Planning

Other Pertinent Reports

- CONF-C 6-2020, July 30, 2020 Closed Session - Update from Special Council Meeting
- PW 42-2020, September 8, 2020 - Approval of Various Single Source Public Works New Purchase Orders and Purchase Order Change Request
- PW 45-2020, October 13, 2020 - Approval of Public Works Single Source Purchase Requests Over \$100,000
- PW 47-2020, November 10, 2020 Approval of Public Works Single Source Purchase Requests Over \$100,000
- PW 3-2021, January 12, 2021 Approval of Public Works Single Source Purchase Requests Over \$100,000
- PW 7-2021, February 16, 2021 Approval of Public Works Single Source Purchase Requests Over \$100,000
- PW 13-2021, March 9, 2021 Approval of Public Works Single Source Purchase Requests Over \$100,000
- PW 17-2021, April 13, 2021 Approval of Public Works Single Source Purchase Requests Over \$100,000
- PW 25-2021, May 11, 2021 Approval of Public Works Single Source Purchase Requests Over \$100,000
- PW 27-2021, June 15, 2021 Approval of Public Works Single Source Purchase Requests Over \$100,000

Prepared and 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 Dan Ane, Manager Program Financial Support and Bart Menage, Director Procurement and Strategic Acquisitions

Appendices

Appendix 1 Single Source Purchase Order Requests

Purchase Order Requests for Approval

1. Request: Sole source purchase of Wastewater Treatment Facility Optimization and training consulting services

Supplier: GFI (Global Facilitation Incorporated)

Increase original sole source purchase of optimization and training services for GFI (Global Facilitation Inc.) from \$300,578.52 by \$47,364 for a new total of \$347,942.52 (exclusive of HST).

Rationale for Purchase

The Niagara Falls Wastewater Treatment Plant (NFWWTP) experienced a state of decline following an anaerobic digester failure in July of 2017. As a result of this event, persistent effluent non-compliance prevailed at the facility throughout 2017 and 2018. To this effect, Ministry of Environment, Conservation and Parks (MECP) issued a Provincial Officers Order against the NFWWTP in late 2018 to evaluate the operational state of the facility and to develop corrective actions to improve the overall facility operation and effluent quality.

In 2018 Niagara Region Wastewater operations staff engaged Global Facilitation Inc. to provide an immediate optimization and corrective program to align with MECs requirement and ultimately remedy effluent non-compliance issues at the NFWWTP Facility.

This request for a sole source purchase, in accordance with Niagara Region Procurement By-law 02-2016 as amended on February 28, 2019, is to maintain programming at the site, for training staff in the proficiency of its use and in the interpretation of the data derived to make informed process control decisions.

When initially installed, the programming and support proved very beneficial. The site went from 16 non-compliance incidents from March 2018 to March 2019, to zero (0) events for the following 24 months.

Alternatives Reviewed

- (i) Do nothing – Our Regulators, namely the MECP have issued orders to comply against the Region and this facility as a result of the historic non-compliances and are threatening to further this action by way of more orders and/or fines if we are not able to meet compliance.
- (ii) Procurement strategy under review – We are required to meet conditions in the Environmental Compliance Approval (ECA). As such, a situation of

urgency exists and these services cannot be obtained in time by means of open procurement processes.

Funding Source

Funding source for this work will come from the operating budget for Niagara Falls Wastewater Treatment Facility, DeptID: 68100

MEMORANDUM

PWC-C 25-2021

Subject: Recommendations for Consideration from the Waste Management Planning Steering Committee meeting held June 28, 2021

Date: July 13, 2021

To: Public Works Committee

From: Ann-Marie Norio, Regional Clerk

At its meeting held on June 28, 2021, the Waste Management Planning Steering Committee passed the following motion for consideration by the Public Works Committee:

Minute Item No. 5.1

WMPSC-C 23-2021

Blue Box Lids and Covers

That Report WMPSC-C 23-2021, dated June 28, 2021, respecting Blue Box Lids and Covers, **BE RECEIVED** and the following recommendation **BE APPROVED**:

1. That staff **BE DIRECTED** to continue promoting the availability of recycling box lids and covers through public retail and on-line outlets, using Regional communication avenues, in place of offering recycling box lids or covers.

Respectfully submitted and signed by

Ann-Marie Norio
Regional Clerk

Subject: Blue Box Lids and Covers

Report to: Waste Management Planning Steering Committee

Report date: Monday, June 28, 2021

Recommendations

1. That the Waste Management Planning Steering Committee **RECOMMEND** to the Public Works Committee the following:
 - a) That staff **BE DIRECTED** to continue promoting the availability of recycling box lids and covers through public retail and on-line outlets, using Regional communication avenues, in place of offering recycling box lids or covers.

Key Facts

- This report is a response to a request from Councillor Foster at the April 13, 2021 Public Works Committee meeting for staff to reinvestigate nets as covers for curbside recycling boxes to support the reduction of litter observed in Niagara region communities.
- Niagara Region permits the use of alternate containers, including lids and covers, within the criteria of the Waste Management By-Law, to contain recyclable materials.
- Municipal pilot programs that tested the use of lids and covers on recycling boxes saw: low usage rates; overfilling of containers causing spilled materials upon collection; slower collection rates and injury to collection staff; compatibility issues between boxes and covers of different sizes; and loose and lost covers resulting in requests for replacement.
- Niagara's own pilot project in 2019/2020 resulted in the same conclusions as other municipal pilots.
- On June 3, 2021, the Government of Ontario finalized the Blue Box Regulation under the Resource Recovery and Circular Economy Act, 2016 requiring producers to operate and fund the collection and processing of residential blue box materials. Under this new framework the residential Blue Box program could look very different from Niagara's current box-based recycling program. Niagara's residential Blue Box program will transition over to the new framework on January 1, 2024.

Financial Considerations

Based on the budget pressures and restrictions that will continue into 2022, and the uncertainties presented by COVID-19, Waste Management Services continues to deliver essential services to our residents, businesses and community partners. Although the few municipalities that offer recycling box covers do so at full cost recovery, the issue of box lid/cover loss (dumped into collection trucks or blown away) will initiate a demand for free replacements.

Analysis

Municipalities Using Recycling Box Covers

Appendix A provides a list of those municipalities that are currently offering recycling box covers or a container with a lid as an option to residents. These five municipalities are offering the sale of optional recycling box covers/lids to residents at full cost. While most have noted that the covers help keep material from escaping when the boxes are blown over, they have also stated that use of the covers slows down collection times; and allows residents to overfill the containers causing the material to spill out once the covers are removed. These municipalities also noted that there has been low uptake for lids and covers.

Another observation included the complications in offering one standard lid to residents due to new procurement processes/vendors resulting in new recycling box sizes every few years. In order to avoid this problem, one municipality offers an optional mesh net that can be used on different sized containers. However, they have also noted, similar to the municipalities offering lids, that the collection contractor has expressed concerns regarding the increased time needed for collection with nets, as well as the tendency for residents to overfill these covered containers causing the material to spill out during collection. This spillage can add to the litter problem.

Municipalities that Decided Against Using Recycling Box Covers

Municipalities that have considered a cover for recycling boxes have to contend with the light nature of these covers and how they can be easily lost, accidentally deposited into recycling trucks, or blown away by wind. Additionally, consideration has to be made regarding the negative impact on collection efficiency rates and the impact on collection staff (i.e. difficulty maneuvering lids/covers with gloves, injury when nets snap back).

Appendix B lists a number of municipalities that considered the use of covers, but ultimately did not proceed with them. A number of concerns are cited in the appendix, however the most significant issues are noted below:

- Overfilling/overloading by residents caused material to spill when the covers were removed leading to increased litter
- An increase in collection times up to five seconds per household in comparison to the standard recycling box
- Covers were the least favourite resident option, when compared to the 121 L round container with a lid and transparent plastic bags
- Hard covered lids can only be used together with a recycling box that was manufactured by the same manufacturer
- Loose and lost covers can become part of the overall litter problem
- Despite some nets being attached with screws to recycling boxes, the nets still have a tendency to come off of the box and wind up in the truck with the recycling material
- Nets were found to be inefficient and difficult to remove by collection staff in the winter when collection staff are wearing gloves. In the summer, nets tend to snap back at the collection staff causing injury

Niagara Region's waste management staff piloted the use of lids in 2019/2020. Three months after the pilot was completed, only 11% of households were using the lid. Of those pilot households not using the lid, 20% were using clear bags or stacking their boxes to prevent recyclables from blowing around.

Staff recently looked at the recycling box net manufactured in England (recycleboxes.co.uk). This is a string net that stretches over the recycling box made of nylon with an elasticized fabric band to hold it around the box and 'grab and pull' release ribbons. Based on the experience of other municipal pilots, despite the style of the net, the same repeat issues are recognized (extra time to collect; residents overfilling boxes adding to litter problem upon collection; lost nets; replacement costs/concerns).

Collection Contracts

With respect to the use of recycling box covers/lids, Niagara Region's current collection contract states: *"Property Owners may use covers, such as lids or netting, for their Blue/Grey Boxes to prevent materials from blowing out. At present, a minority of property Owners use covers. The Successful Proponent must remove covers with care, so not to cause damage to them. If covers are completely removed by the Successful*

Proponent, the covers must be placed inside the empty Blue/Grey box and returned to the original set-out location.”

Collection staff from both of the Region’s current contractors have indicated a preference for clear bags over recycling box lids/covers to control the potential for litter. While clear bags can support containment of recycling material placed at the curb and reduce litter, clear bags also contribute to higher levels of contamination in the recycling stream as residents may combine both grey box and blue box materials inside of one bag. Clear bags also reduces the efficiency and productivity of the process. As such, recyclable items placed loose in curbside boxes is preferred as it supports a reduction in residue and a reduction in processing costs.

Both Niagara’s current collection contractors have been involved in pilots in other municipalities, and each contractor noted experiences with lids and covers that became warped/damaged or had been blown away by wind. Also noted was a rise in complaints from residents wanting replacements for the lost or damaged recycling box lids/covers. One Region contractor had concerns about a possible decrease in productivity should the prevalence of covers or lids increase; while the other Region contractor highlighted possible health and safety concerns as a result of the repetitive motion involved with routinely removing the recycling box lids/covers if the use of these lids became more wide-spread.

Both Niagara Region’s current collection contractors are performing well. Staff are concerned that the introduction of widespread recycling box covers may negatively impede their performance.

Extended Producer Responsibility

The Government of Ontario has finalized the Blue Box Regulation under the Resource Recovery and Circular Economy Act, 2016, on June 3, 2021 requiring producers to establish, operate and fund residential Blue Box collection and processing systems. The new responsibility framework and collection model in Niagara will be determined over the next two years and will be initiated on January 1, 2024.

The new framework operated by Producers could look very different from Niagara’s current box-based recycling program. Producers may not want recycling box covers due to the potential to slow down curbside collection and the probable need to continually replace covers for residents.

Current Approach

The current educational and promotional approach to dealing with wind-blown litter from curbside recycling boxes includes the following:

- Providing recycling boxes with a larger capacity of 83 litres to minimize the overfilling of recyclables
- Allowing alternate containers with a lid that is clearly marked 'Recycling' as an alternative recycling container, similar to the 121 L containers that are permitted in Richmond Hill, the City of Greater Sudbury and in Ottawa Valley
- Using clear bags - however clear bags are not preferred due to the negative impact on the Recycling Centre operations
- Advising residents that they are able to purchase and use their own recycling box covers and that these can be purchased at local department stores or through on-line vendors, for minimal cost
- Reminding residents that there are no limits to the quantity of recyclables that they are allowed to place at the curbside; and if conditions are windy, advising them to consider holding on to their recycling for set out the following week
- Reminding residents through promotional and educational outlets not to place containers or bags on top of, or behind snowbanks and instead shovel out a space for their waste and recycling material at the curb
- Using social marketing and outreach initiatives to encourage good recycling box set-out practices (i.e. placing heavier materials on top of lighter materials), and the promotion anti-litter campaigns
- Allowing for other containers as permitted in the Regional Waste Management By-Law, providing that they meet the following criteria:
 - Height: 3 feet (91 cm) or less
 - Diameter: 2 feet (61 cm) or less
 - Weight: 22.7 kg (50 lbs.) or less when full
 - Handles: Must have handles to pick up container

An information page has been developed and posted on Niagara Region's website to communicate the above tips to combat litter from curbside waste and recycling placement. The web page reminds residents that they are able to purchase and use their own recycling box covers/lids and that these can be purchased at local department stores such as Canadian Tire and Home Depot for a minimal cost.

Review

Based on the following Niagara Region recommends continuing with the current educational and promotional approach and not distribute covers/lids for curbside recycling boxes.

- results of the municipal blue box lid trials (including Niagara's);
- the potential impact to the safety and efficiency of collection staff;
- the availability of recycling box lids and covers in popular department stores/on-line at reasonable prices, and
- the uncertainty of the collection processes after the Residential Blue Box program transition to the Extended Producer Responsibility framework.

Alternatives Reviewed

Staff researched other municipal programs to determine use and effectiveness of lids and covers. Niagara Region also undertook a pilot to trial covers and lids in 2019 and 2020. Based on the content of this report, including the results of a Niagara Region pilot project, Staff are not recommending that Niagara Region distribute covers or lids for curbside recycling boxes.

Relationship to Council Strategic Priorities

The Region's recommendation to not use curbside recycling box lids/covers supports Council's strategic priority of Responsible Growth and Infrastructure Planning. Promotion of anti-litter strategies, as well as the use of alternate containers, and the availability of recycling box lids and covers at common retail outlets will encourage those that are interested in these tools to use them as we wait on large scale transition plans of the Blue Box program to full producer responsibility beginning in Niagara on January 1, 2024.

Other Pertinent Reports

Previous updates on recycling container covers and options to reduce windblown litter were presented to the Waste Management Planning Steering Committee on:

- July 7, 2014: WMPSC-C 28-2014;
- June 26, 2017: WMPSC-C 25-2017;
- February 25, 2019: WMPSC-C 11-2019;
- October 28, 2019: WMPSC-C 37-2019; and

- February 22, 2021: WMPSC-C 11-2021

These memos outline the Region's consideration of recycling container cover options; the pros and cons related to these options; and the evaluation regarding recycling carts with lids. The memos also summarize the progression and development of how Niagara Region has addressed the issue of litter; Niagara's blue box lid pilot; and the results of recycling box cover pilots in other municipalities.

Prepared by:
Lucy McGovern
Collection and Diversion Program
Manager
Waste Management Services

Recommended by:
Bruce Zvaniga, P.Eng.
Commissioner of Public Works (Interim)
Public Works

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

This report was reviewed by Dan Ane, Manager Program Financial Support and Catherine Habermehl, Director of Waste Management Services.

Appendices

- | | |
|------------|--|
| Appendix A | Municipalities Currently Using Recycling Blue Box Covers |
| Appendix B | Municipalities Which Considered Using Recycling Box Covers |

Municipalities Currently Using Recycling Box Covers

Municipality	Manufacturer/ Cover Type	Method of Purchase	Additional Comments
Oxford County (population: 110,900) 2016	<ul style="list-style-type: none"> - Peninsula Plastics - Hard plastic cover - Fits 16 and 22 gallon boxes 	<ul style="list-style-type: none"> - The covers are sold at municipal offices only - Sold for \$2.70 each (price not subsidized) 	<ul style="list-style-type: none"> - Lids used more by residents in rural areas - Estimate participation rate to be about 25% - Encourage residents to secure material by placing heavier items on top and avoiding setting out on windy days.
Richmond Hill (population: 235,025) 2020	<ul style="list-style-type: none"> - Busch Systems - 32 gal. round container with lid 	<ul style="list-style-type: none"> - Round container with lid available for \$42.04 inclusive of HST 	<ul style="list-style-type: none"> - Large round container with lid was preferred by residents over standard blue box with lid - Do not provide separate lids. Lids only sold together with container - Small uptake, likely due to higher price point - City allows residents to buy different 121 litre round containers with lids from retailers, as long as they are blue - Noted that collection contractor reserves right to charge an additional fee for collection if these containers become common
Simcoe County (population: 307,100) 2016	<ul style="list-style-type: none"> - Various lids as the lid must change based on the changes in blue box vendors. 	<ul style="list-style-type: none"> - Lids available upon request and sold through customer service department - Can be purchased for \$5 - No subsidy 	<ul style="list-style-type: none"> - Each blue box vendor sells a corresponding lid. With each new box contract, lids must change which is problematic. - Lid is generally purchases subsequent to the boxes - Only sell about 1 to 2 lids each year, but that is likely a result of the lack of promotion. - Not making them widely available because it slows down collection.

Municipality	Manufacturer/ Cover Type	Method of Purchase	Additional Comments
			- Promotion of stacking recycling boxes with lighter material in the bottom box.
City of Greater Sudbury (population: 161,531) 2016	<ul style="list-style-type: none"> - Busch Systems - “Big Blue” round 121 litre blue can with cover (single stream) 	<ul style="list-style-type: none"> - Big Blue with lid is sold for \$10 from the Recycling Centre and from Citizen Service Centres - City subsidy on Big Blue container of \$22 per unit until 2026 - Replacement lids sell for \$12 each - no subsidy - Recycling boxes with no cover are still available for use – no charge 	<ul style="list-style-type: none"> - Typical box lids are not interchangeable with different sized recycling boxes. - The City did not want to give away a free lid with every recycling box due to cost. - Tried nets, but they injured collection staff when they snapped open - Residents needed to install nets on boxes with screws. In cold weather, boxes would crack and break more easily at the installation point. - Nets are more expensive than the recycling boxes - Limited interest in Big Blue containers with lids, despite hefty subsidy. Between 1,000 to 1,500 are sold each year. - City suggest that residents write address on lid and container in case they blow away. - Residents are dismayed at the \$12 Big Blue lid replacement cost
Ottawa Valley Town of Petawawa:	<ul style="list-style-type: none"> - VIP Group Enviroweb Mesh Nets 	<ul style="list-style-type: none"> - Available for sale at Ottawa Valley Waste Recovery Centre and through the 	<ul style="list-style-type: none"> - Nets can be used on recycling boxes and on 121 litre yellow containers - While the nets work when the containers blow over to keep material in, residents can overfill

Municipality	Manufacturer/ Cover Type	Method of Purchase	Additional Comments
<p>population 17,187) 2016</p> <p>Township of Laurentian Valley: population 9,387) 2016</p> <p>Pembroke: population 13,882) 2016</p>		<p>municipalities for \$6.00</p>	<p>the containers and when the nets are removed, the material spills out.</p>

Municipalities Which Considered Using Recycling Box Covers

Municipality	Reasons for Not Pursuing Recycling Box Covers
Town of Markham (population: 328,966)	<p>The Town decided not to provide recycling box covers for the following reasons:</p> <ol style="list-style-type: none"> 1) The contractor found the blue box covers unsuitable, as residents tended to overfill them and material would spill when cover was removed; and 2) In winter, the covers became sticky from residue and material would stick to them, especially if snowing and freezing. <p>The Town will also not be allowing residents to use blue bags for recycling, as the York Region Material Recovery Facility will not accept bags.</p>
Region of Peel (population: 1,382,000)	<p>The Region decided not to provide recycling box covers for the following reasons:</p> <ol style="list-style-type: none"> 1) The areas with the blue box covers had the highest collection time with an increase in up to 5 seconds per household, in comparison with a standard recycling box; 2) Improper use of netted recycling boxes including overloaded netted boxes; 3) Significant annual increase in collection costs for mesh nets and plastic bonnets (\$3.6 million); and 4) Covers were least favourite of three container type options (other two were 121 litre container and blue plastic bags) by collection staff. <p>The Region of Peel switched to a bi-weekly recycling cart-based collection system as part of its new collection contract, which commenced in 2016. Organic carts are collected on the alternate weeks as recycling carts.</p>
City of Kingston (population: 129,653)	<p>The City tested three types of covers in a 2013 pilot of 100 households:</p> <ol style="list-style-type: none"> 1) Peninsula Plastics snap-on cover, which can only be used with Peninsula Plastic brand recycling boxes; 2) The EnviroWeb mesh net, which can be used on most standard curbside recycling boxes; and 3) The KITEE fabric cover, produced by a local resident, which can be used on most standard curbside recycling boxes. <p>Based on the results of this pilot, it was determined that it would not be feasible to introduce the covers due to the extra time that would be added</p>

Municipality	Reasons for Not Pursuing Recycling Box Covers
	to collection routes and the potential for increased costs for collection. The City would not consider allowing covers as part of their next contract.
Region of Halton (population: 548,435)	<p>The Region considered doing a pilot project in 2010, but decided against it for the following reasons:</p> <ol style="list-style-type: none"> 1) The research the Region did on available covers at the time was not conclusive; and 2) The cost and time involved in doing a study was prohibitive. <p>Instead, the Region decided to focus on promotion and education measures to educate residents on how to avoid litter issues.</p>
City of Kawartha Lakes (population: 190,000)	<p>The City of Kawartha Lakes used to offer hard metal recycling box covers to residents for purchase for \$5. The City stopped offering this service as their supplier (Green Marketing Co.) for the hard metal covers stopped producing this product. The City of Kawartha Lakes noted that there was minimal interest from residents in purchasing these lids.</p>
County of Essex (population: 181,53)	<p>The County of Essex conducted a 3 month pilot project on 200 houses in the County and City. The pilot tested using the plastic, elasticized Bonnet to cover the Blue Box. The project was completed in 2008. At the time the product was not available by retail and cost approximately \$4.50 for a package of three. The County of Essex does not currently offer Blue Box covers or lids.</p>
Region of Durham (population: 645,862)	<p>In June of 2018, Region staff recommended a pilot project to reduce Blue Box related litter through a combination of education and the provision of additional bins to residents. Staff recommended against Blue Box lids for the following reasons:</p> <ol style="list-style-type: none"> 1) Blue box lids have not worked in the past as the lids come off and become part of the litter problem. 2) Attached lids present a pinch point hazard to recycling collectors 3) Mesh covers encourage residents to overfill boxes, leading to increased litter when the cover is removed by the collector and the compacted recycling falls out of the container. <p>In 2019, recycling box lids were distributed to 400 homes. In the fall of 2020, a litter audit was completed and it was found that only 24 households (6%) were using the provided lids. The low participation made it difficult to</p>

Municipality	Reasons for Not Pursuing Recycling Box Covers
	<p>evaluate the relationship between the litter generated and the presence of lids. Additional lids have been distributed to 600 additional homes and a follow up audit was completed in the Spring of 2021. Durham will determine how they proceed once the results of the follow up audits have been tabulated.</p>
<p>Niagara Region (population: 447,888)</p>	<p>In November 2019 one blue box and rigid lid was distributed to 349 homes with a promotional card and survey to educate on the use of the provided tools to reduce litter caused by recycling set outs. Three months after distribution in February 2020, only 72 households (21%) were observed to be using the lids in week one, and that shrunk to only 39 households (11%) using the lids in week 2. Of those pilot households that were observed <u>not</u> to use the provided box and lid, other litter reducing tactics were found to be practiced by 20% of the pilot households (i.e. stacking boxes and clear bags).</p> <p>Based on the uncertainty of the collection processes after the transition to the EPR framework, the poor results of the municipal blue box lid trials; the potential impact to the safety and efficiency of collection staff; and the availability of recycling box lids and covers in popular department stores at reasonable prices, Niagara Region did not recommend the use of recycling box covers.</p>

**THE REGIONAL MUNICIPALITY OF NIAGARA
WASTE MANAGEMENT PLANNING STEERING COMMITTEE
MINUTES**

**WMPSC 3-2021
Monday, June 28, 2021
Meeting held by Video Conference**

Committee Members Present: Councillors Bradley (Regional Chair), Butters, Diodati, Edgar, Fertich, Gibson, Rigby, Ugulini (Committee Chair), Witteveen (Committee Vice-Chair); J. Bacher, H. Washuta

Absent/Regrets: Bellows

Staff Members Present: D. Ane, Manager, Program Financial Support, C. Habermebl, Director, Waste Management Services, B. Hutchings, Program Financial Analyst, L. McGovern, Program Manager, Waste Management Services, A. Mosca, Waste Management Engagement & Education Coordinator, S. McPetrie, Waste Management Services Advisor, A. Powell, Waste Management Business Support Analyst, S. Tait, Program Manager, Waste Management Services, L. Torbicki, Manager, Waste and Policy Planning, M. Trennum, Deputy Regional Clerk, C. Ventura, Legislative Coordinator, B. Whitelaw, Program Manager, Waste Management Services, A. Winters, Waste Disposal Operations Program Manager, B. Zvaniga, Interim Commissioner, Public Works

1. CALL TO ORDER

Committee Chair Ugulini called the meeting to order at 9:01 a.m.

2. DISCLOSURES OF PECUNIARY INTEREST

There were no disclosures of pecuniary interest.

3. PRESENTATIONS

3.1 Waste Management Service Operating Budget Consideration 2021-2022

Catherine Habermebl, Director, Waste Management Services, and Blair Hutchings, Program Financial Analyst, provided information respecting Waste Management Services Operating Budget Considerations 2021-2022. Topics of the presentation included:

- Current Operating Budget Strategy
- Budget Composition (2021)
- 2021 Budget Mitigations
- 2022 Budget Pressures & Opportunities

- Future Budget Considerations
- Waste Management Reserve Projections
- 2022 Budget Process and Timetable

Councillor Information Request(s):

Provide information respecting the cost per household of the 9.98% budget planning strategy. Councillor Witteveen.

3.2 Residential Blue Box Program - Final Producer Responsibility Regulation

Sherri Tait, Program Manager, Policy and Planning, provided information respecting Residential Blue Box Program - Final Producer Responsibility Regulation. Topics of the presentation included:

- Next Steps - Blue Box Transition
- Regulation Recap
- Transition Schedule
- Draft vs. Final Regulation
- Management Requirements
- Considerations & Decision Points

4. **DELEGATIONS**

There were no delegations.

5. **ITEMS FOR CONSIDERATION**

5.1 WMPSC-C 23-2021

Blue Box Lids and Covers

Moved by Councillor Edgar

Seconded by Councillor Gibson

That Report WMPSC-C 23-2021, dated June 28, 2021, respecting Blue Box Lids and Covers, **BE RECEIVED** and the following recommendation **BE APPROVED**:

That the Waste Management Planning Steering Committee **RECOMMENDS** to the Public Works Committee:

1. That staff **BE DIRECTED** to continue promoting the availability of recycling box lids and covers through public retail and on-line outlets, using Regional communication avenues, in place of offering recycling box lids or covers.

Carried

6. CONSENT ITEMS FOR INFORMATION

Moved by Councillor Diodati
Seconded by Councillor Rigby

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

WMPSC-C 21-2021
Councillor Information Request

WMPSC-C 22-2021
Ontario Waste Management Association State of Waste in Ontario - Landfill
Report

WMPSC-C 24-2021
Hazardous and Special Products (HSP) Regulation

WMPSC-C 25-2021
Humberstone Landfill Public Liaison Committee meeting notes - May 5, 2021

WMPSC 2-2021
Waste Management Planning Steering Committee Minutes - April 19, 2021

Carried

7. OTHER BUSINESS

There were no items of other business.

8. NEXT MEETING

The next meeting will be held on Monday, August 30, 2021 at 9:00 a.m.

9. ADJOURNMENT

There being no further business, the meeting adjourned at 10:37 a.m.

Councillor Ugolini
Committee Chair

Chris Ventura
Legislative Coordinator

Ann-Marie Norio
Regional Clerk

Residential Blue Box Program – Final Producer Responsibility Program

Public Works Committee
PWC-C 24-2021

July 13, 2021

Sherri Tait, Waste Management Program Manager

Residential Blue Box Program – Final Producer Responsibility Regulation

Public Works Committee
July 13, 2021



Regulation Recap

- Niagara Region has been advocating for the transition of the Blue Box to a producer responsibility framework for many years and both municipalities and producers desire change and support the shift.
- On June 3, 2021, the Ministry released the final regulation.
- While not all municipal comments were addressed with the final Blue Box regulations, the Province did respond to many of the concerns identified by municipalities.

Regulation Recap cont'd

MECP has addressed the following the final regulation:

1. Definition and scope of designated materials;
2. Collection and accessibility requirements;
3. Determining responsible producer;
4. Management requirements that producers must meet; and
5. Transition Schedule

Regulation Recap cont'd

- Niagara Region to transition no later than January 1, 2024.
- During transition (January 1, 2023 – December 31, 2025) producers are obligated to maintain existing service levels in Niagara region (i.e. collection frequency).
- Post-transition (i.e. starting January 1, 2024) Niagara Region will have no operational program or financial control over the residential Blue Box program

Considerations & Decision Points

Provision of Collection and Haulage Services on Behalf of Producers

- It is expected that producers will be interested in having municipalities provide Blue Box services on their behalf, should mutually agreeable terms be negotiated.
- Primary factors influencing decision to enter into an agreement for collection services on behalf of a producer:
 - Full payment by producers
 - Reasonable and quantitative measures for standards and requirements
- Estimated annual savings (based on 2021 budget and current funding model) for collection and processing of the residential Blue Box program is \$7.8 million.
- Year 1 savings would be reduced due to compensation to contractors for partial early exit of contract by approx. \$6 million (based on 2021 budget).

Considerations & Decision Points cont'd

Transition Schedule

- Niagara Region could engage with producers to transition at an earlier date.

Material Recovery Facility

- Completion of the MRF Opportunity Review is required to finalize decisions related to the processing of Blue Box materials.

Service for Non-Obligated Materials

- Niagara Region would be solely responsible for collection, haulage and processing costs of non-designated materials (ex. food storage bags, books (hard cover removed)).
- Removal of currently accepted materials may generate confusion for residents but it may be difficult to find a processor for non-obligated material.

Considerations & Decision Points Cont'd

Servicing Additional Property Types

- Service to IC&I properties is not covered under regulation.
- Separate regulations related to IC&I properties will also impact how this service is provided longer-term.
- A C/B analysis must be completed.
- Decision to service these properties may hinge on:
 - Niagara Region's decision to bid on collection and haulage; and
 - Potentially availability of a processing facility to take material (dependent on outcome of MRF Opportunity Review).
- Based on several assumptions and the 2021 budget, the collection and processing costs for the IC&I sector is approximately \$3.7 million. Further refinement of assumptions may impact this cost.

Considerations & Decision Points Cont'd

Service at Depots

- Producers are not obligated to provide depot service if curbside collection provided; however, may choose to if required to meet diversion targets.
- May choose to continue with the service for community benefit but may need to find processor.
- Potential costs related to depot reconfiguration requirements based on producer requirements.
- As per PW 23-2020, if Niagara Region retains curbside collection, depot locations should also be retained as part of a comprehensive program.
- In the event that Niagara Region does not manage a curbside program, it is recommended that depots continue to be operated for an interim/transition period and then re-evaluated.
- The portion of depot costs associated with the residential Blue Box program is approximately \$342,000 based on the 2021 budget.

Considerations & Decision Points Cont'd

Promotion and Education

- Niagara Region could negotiate with producers to provide promotion and education functions related to the Blue Box.
- Allows for the continued integrated promotion and education programs and pieces
- The 2020 actual residential Blue Box promotion and education costs were approximately \$250,000.

Set Out Service

- Producers are not obligated to provide set out service to residents; however, Niagara Region may be able negotiate with producer to continue set out service for Blue Box material (at our cost).
- The 2021 budgeted costs for set out service is approximately \$35,000.

Considerations & Decision Points Cont'd

Special Events Recycling

- Producers not required to provide Special Events Recycling which is currently mainly provided by Niagara Region and Niagara Recycling staff
- 2019 special events costs which reflect pre-pandemic activity were approximately \$32,000.
- Continued provision of Special Events Recycling by Niagara Region would be contingent upon Niagara Region securing a processor and securing new service provider when contract with Niagara Recycling ends.

Considerations & Decision Points Cont'd

Public Space Recycling (PSR)

- Producers will be required to maintain service levels during the transition period, including collection from existing PSR locations collected on a residential route.
- After January 1, 2026, producers are only required to supply and collect the number of PSR bins as per the density formula
- LAMs will no longer have a say on location, bin type and collection frequency (Producers required to collect prior to becoming full).
- If LAMs wish to have more PSR bins than required under the regulation, it would be at their sole cost.
- The 2021 budget costs for PSR is approximately \$101,000 which is paid directly by those municipalities requesting this service.

Next Steps

Niagara Region

- Many of the above considerations / decision points will require further detailed analysis (ex. financial implications), negotiations and/or Council approval.
- Attend webinars hosted by the Ministry on Blue Box Regulations.
- Participation in industry sessions and subcommittees related to Blue Box transition.
- Report back to Committee and Council
- Work with municipal partners/stakeholders

Blue Box Transition

- 2021 - 2022 – Stakeholders organize and prepare for producer responsibility
- 2023 - 2025 – Producers take full responsibility

Questions?

MEMORANDUM

PWC-C 24-2021

Subject: Residential Blue Box Program – Final Producer Responsibility Regulation

Date: Tuesday July 13, 2021

To: Public Works Committee

From: Sherri Tait, Program Manager, Policy & Planning

The purpose of this memorandum is to provide Public Works Committee with information on the final regulation for the residential Blue Box program.

Key Facts

- On June 3, 2021, the Province released the final Blue Box regulation [Blue Box regulation](https://www.ontario.ca/laws/regulation/r21391) (<https://www.ontario.ca/laws/regulation/r21391>) following consultation on the draft new regulation under the Resource Recovery and Circular Economy Act (RRCEA) on which Niagara Region submitted comments in December 2020 (as per PW 48-2020).
- The final Blue Box regulation defines a timeframe for transition, ensures a common collection system, designates materials to be collected, standardizes materials accepted in the Blue Box, identifies eligible sources, sets effective targets and promotes increased diversion from the landfill.
- Staff have undertaken a review of the regulation, and have noted the differences between the draft and final regulation in this memo and identified how Niagara Region's previous comments were addressed in Appendix 1. In general, the majority of the changes made to the final regulation do not have a significant impact on municipalities.
- Under the regulation, Niagara Region would transition from the current Blue Box program to the full producer responsibility model no later than January 1, 2024.
- Under the draft regulation, the producer shall establish a collection and management system of designated materials and it is expected that producers will be interested in having municipalities provide Blue Box services on their behalf, should mutually agreeable terms be negotiated. Niagara Region will engage in discussions with producers and/or PROs to continue collection services as part of the integrated collection system and report to Committee with a recommendation.

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- Additional considerations and/or decision points that will need to be made related to the Blue Box regulation (ex. to continue to collect non-obligated materials, to continue to collect Blue Box material from non-eligible sources etc.) are outlined in this report.

Background

Under the Resource Recovery and Circular Economy Act (RRCEA), the Province is shifting to a full producer responsibility framework for products, packaging, and packaging-like products, making producers and brand holders accountable for recovering resources and reducing waste associated with products. The Waste Diversion Transition Act, 2016 (WDTA) allows for the products and packaging currently managed under existing waste diversion programs to be transitioned to the new full producer responsibility framework. The Resource Productivity and Recovery Authority (RPPRA) was created to support the transition to a circular economy and waste-free Ontario through oversight of existing waste diversion programs, including the Blue Box Program, and the transition of recycling programs to full producer responsibility models per the RRCEA. The RPPRA will be responsible for oversight and enforcement of the residential Blue Box regulation, ensuring that expected outcomes are met by producers.

As per PW 23-2020, in order to support development of the regulation associated with the framework, and to begin planning for transition, Association of Municipalities of Ontario (AMO) had requested that municipalities with residential Blue Box programs notify AMO and MECP of both preferred transition date and of intent to consider provision of collection, haulage, and/or processing of Blue Box materials on behalf of producers after transition.

As per report PW 23-2020, Niagara Region's preferred date to transition the residential Blue Box program to full producer responsibility was January 1, 2023, and expressed interest in providing curbside and depot Blue Box collection and haulage services on behalf of producers, subject to mutually agreeable commercial terms, including service duration.

On October 19, 2020, the Province released a draft new regulation under the RRECA and amendments to the Regulation 101/94 to the Environmental Registry of Ontario (ERO) for a 45 day comment period. As per PW 48-2020, staff undertook a review of the draft regulation and submitted comments on December 3, 2020.

On June 3, 2021, the Province released the final regulation. As part of the analysis of the final regulation, a comparison to the draft regulation was completed to note any

differences and also to determine how Niagara Region comments on the draft regulation were addressed. The results are highlighted below and in the majority of cases, changes do not have a significant impact to municipalities.

Niagara Region's Previous Comments on the Draft Blue Box Regulation

Niagara Region has been advocating for the transition of the Blue Box to producer responsibility framework for many years and both municipalities and producers desire the change and support the shift. While not all municipal comments were addressed with the final Blue Box regulation, the Province did respond to many concerns identified by municipalities during the extensive consultation process prior to the release of the draft regulation, including the following:

- A broad list of designated materials to be collected and managed by producers.
- The harmonized approach to material collected throughout the Province as this will help reduce confusion for residents and increase efficiencies related to promotion and education material.
- The inclusion of multi-residential, public and private schools, a subset of long term care facilities, retirement homes, etc. and specified public spaces as eligible sources.
- The three year transition period with one-third of municipalities transitioning at a time, helping to modulate the cost of the program to producers.
- That the curbside collection system must remain in place for the existing programs and expanded where possible.

Appendix 1 provides a summary of Niagara Region's comments on the draft regulation and how they were addressed in the final regulation. A subset of the comments maybe addressed at a later point and/or in another policy/regulation (e.g. designating certified compostable products and packaging, collection from public facing municipal buildings, compliance and enforcement measures, etc.).

Final versus Draft Blue Box Regulation

The final Blue Box regulation defines a timeframe for transition, ensures a common collection system, designates materials to be collected, standardizes materials accepted in the Blue Box, identifies eligible sources, sets effective targets and promotes increased diversion from the landfill.

Generally, the final regulation is consistent with the draft version. There were some notable definition changes, revisions to eligible sources, reduction in diversion targets

for paper and plastics, deletion of recycled content requirements, reduction in material volumes needed for PROs to qualify as a rule creator for the creation of the allocation table and revised requirements for supply of Blue Box receptacles and alternative collection systems. The final regulation also includes a transition schedule with specific transition dates for each community.

Transition Schedule

The draft regulation included a transition schedule that identifies the year eligible communities are to transition and the final regulation included specific dates for transition. Producers would be responsible for transitioning municipalities on or before the dates contained in the schedule.

The preferred municipal transition dates were taken into consideration while trying to balance net program costs and materials managed over the three year transition period.

The transition period will begin on July 1, 2023 and end by December 31, 2025. Niagara Region has been identified to transition no later than January 1, 2024.

The final regulation still requires that producers maintain existing service levels (i.e. materials collected, frequency of collection, etc.) during transition (January 1, 2023 to December 31, 2025) however, it is the current understanding that a community could transition sooner if mutually agreed upon by the producers and the community. Post-transition (i.e. starting January 1, 2026), Niagara Region will have no operational program control over the residential Blue Box program including collection frequency, container type and if the program will be single or dual stream.

Designated Materials

The list of designated material under the draft regulation was expanded compared to the current Blue Box program; however, there have been some changes from the draft to final regulation. The final regulation now excludes a product made from flexible plastic that is ordinarily used for the containment or handling of food such as cling wrap, sandwich bags, or freezer bags. The definition still does include aluminum foil, metal trays, plastic film, plastic wrap, wrapping paper, paper bags, beverage cups, plastic bags, plastic cutlery, straws, and cardboard boxes or envelopes.

Also the definition of alcoholic beverage product and packaging has been expanded. In the draft regulation the definition only included regulated containers as defined in the Deposit Return Program regulation. The final regulation includes all products with their

primary packaging that are alcoholic beverages, non-alcoholic beer, wine and spirits, products and packaging that are imported or supplied by Brewers Retail Inc. and the Liquor Control Board of Ontario or for which they are the brand holders. It also includes the convenience and transport packaging for these products.

The definition of certified compostable product and packaging has been amended to mean material that is only capable of being processed by composting, anaerobic digestion or other processes that result in decomposition by bacteria or other living organisms to add material that is certified as compostable by an international, national or industry standard that is listed in the Blue Box Verification and Audit Procedure. Similar to the draft regulation, producers are not required to collect or manage this material but there are reporting requirements.

Eligible Sources

Public Spaces

The definition of public space was expanded to include transit stations or stops under municipal or provincial jurisdiction as well as outdoor parks, playgrounds or sidewalks, not just in designated business areas.

Producers are required to provide a minimum number of Blue Box receptacles per person in every community based on a density formula which is population of lower tier municipality divided by:

- 400, if the eligible community has a population equal to or greater than 500,000;
- 600, if the eligible community has a population equal to or greater than 30,000, but less than 500,000;
- 800, if the eligible community has a population equal to or greater than 5,000, but less than 30,000; and
- 1000, if the eligible community has a population less than 5,000, with no less than one blue box receptacle in any eligible community.

It is the producer's responsibility to provide Blue Box receptacles appropriate for public spaces, provide repairs or replacements.

Long Term Care and Retirement Homes

Producers are required to provide services at long-term care and retirement homes currently serviced by municipal programs; however in the final Blue Box regulation, for-profit homes are excluded from collection requirements.

Obligations for Curbside Collection

Additional details regarding providing receptacles for Blue Box material are contained within the final regulation. Producers must provide a receptacle at least one week prior to the date producers start collection, repair or replace any damaged receptacles upon request and within one week of the request and provide Blue Box receptacles that are appropriate, including with respect to size.

Alternative Collection System

A new section provides requirements for producers that register an alternative collection system for Blue Box material that includes collection by mail (i.e. pre-paid postage).

Allocation Table

The regulation requires the development of an annual allocation table, according to which the common collection system would be delivered and that identifies which producers are responsible for collection and from which sources. Requirements on how the rules are created for the creation of the allocation table were amended in the final regulation.

PROs must have signed up producers with a combined total of 20,000 tonnes of Blue Box material to qualify as a rule creator where previously it was 10% of total tonnage of Blue Box material supplied to consumers in Ontario.

The rules for the allocation table must have agreement from PROs representing 66% of all producer tonnes at the negotiation stage where the previously the threshold was 90% agreement.

Producers are no longer listed as an entity that can make rules relating to the creation of an allocation table, only the PROs and the Minister can do so.

Creation of the rules for the allocation tables has been revised and has been divided into two separate sections: Creation of Rules and Creation of Allocation Table.

Creation of Rules outlines all of the elements that must be addressed in the creation of the rules for the creation of allocation tables, such as identifying the person that will create the allocation table, setting out the requirements and procedures for creating the allocation table, specifying the length of the collection period that the allocation table will apply to, etc.

Creation of Allocation Table outlines the responsibilities of the person creating the allocation table and the components that must be included in the allocation table. For example, allocation tables must have a collection period that commences July 1, 2023 and include every residence and facility that was an eligible source prior to the date the allocation table is required to be submitted to the Authority. The tables must also have mechanisms to include every residence and facility that will become an eligible source during the collection period covered by the allocation table in accordance with the rules made under the regulation.

Management Targets

The formula for calculating the management requirement has changed in the final regulation. The formula is now the weight in tonnes of the material category that the producer is required to report in the previous year multiplied by the recovery percentage for the previous year. The weight of recycled content and the redistribution factor are no longer incorporated into the equation.

Targets on management requirements for paper materials and rigid and flexible plastic have been reduced as per Table 1.

Table 1: Management Targets by Material Category

<i>Material Category</i>	<i>Target: 2026-2029</i>	<i>Target: 2030 onward</i>
<i>Paper</i>	<i>80% (90% in draft regulation)</i>	<i>85% (90% in draft regulation)</i>
<i>Glass</i>	<i>75%</i>	<i>80%</i>
<i>Metal</i>	<i>67%</i>	<i>75%</i>

Material Category	Target: 2026-2029	Target: 2030 onward
Rigid Plastic	50% (55% in draft regulation)	60%
Flexible Plastic	5% (30% in draft regulation)	40%
Non-Alcoholic Beverage Containers	75%	80%

Considerations Related to Blue Box Transition

Staff identified some considerations related to the Blue Box transition (report PW 23-2020). These considerations and important factors have been captured in this report again and with new information and additional considerations as a result of the release of the final regulation in order to represent a full set of implications and considerations.

Transition Timing

Producers have ability to transition communities prior to the date stated in the transition schedule. Niagara Region could engage with PROs to negotiate an earlier date.

Niagara Region could explore the ability to negotiate (or through other undefined process at this time) with producers an earlier transition date. As stated earlier, Niagara Region is scheduled to transition no later than January 1, 2024.

Stewardship Ontario (SO) is a not-for profit organization funded and governed by industries that are the brand owners, first importers or franchisors of products and packaging material, including those managed through the residential Blue Box Program. Under the current Blue Box Program, the municipal sector and SO each pay 50% of net residential Blue Box-related costs; however, Niagara Region's payment from SO has exceeded the 50% threshold over the last four years based on the funding formula which reflects good program performance.

The 50% payment structure would continue to be applied during the residential Blue Box Program transition period if a municipality has not yet transitioned.

Based on the 2021 budget, Niagara Region's net residential Blue Box program (collection, haulage and processing) cost is approximately \$15.6 million with taxpayers

incurring an estimated annual expense of approximately \$7.8 million based on the 50% funding structure for the existing Blue Box program. If Niagara Region were to successfully negotiate (or through another undefined process at this time) to transition earlier, the burden on the taxpayer would be reduced at approximately \$650,000 per each month that Niagara Region transitions earlier (based on the 2021 budget and the 50% funding structure). These figures also include estimated administrative costs/resourcing that will need to be further evaluated to determine if they need to be reallocated to other areas of the division. They also do not include the one-time potential pay-out to the collection contractors as noted below.

Provision of Collection and Haulage Services on Behalf of Producers

It is expected that producers will be interested in having municipalities provide Blue Box services on their behalf, should mutually agreeable terms be negotiated. These discussions are expected to commence once the allocation table is finalized. The regulation requires the allocation table be submitted to RPRA no later than July 1, 2022. As per PW 23-2020, it was recommended that Niagara Region engage in discussions with producers to continue collection as part of the integrated collection system. This would be subject to Niagara Region's expectations that there would be:

- 100% payment by producers; and
- Reasonable and quantitative measures for standards and requirements related to collection and haulage would be applied and overseen by RPRA as an independent entity.

Important factors influencing Niagara Region's decision to provide collection and haulage service on behalf of producers are:

- Definition of service areas by producers, i.e. the service area may not align with Niagara Region's current collection boundaries;
- Length of contract required by producers, i.e. length of the contract may not align with Niagara Region's existing collection and haulage contracts, upon which the bid would be based;
- Possibility of dealing with multiple producers, leading to increased administration requirements;
- Reducing confusion for residents, i.e. residents dealing with multiple agencies for collection issues (Niagara Region for garbage and organics, and a separate agency or agencies, on behalf of producers);

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- Responsibility to residents in the event that service standard changes cause a reduction in collection convenience or increased enforcement at the curb (to achieve a lower residue rate);
 - Definition of clear service standards and expectations, acceptable residue rates, and how targets will be measured; and
 - Potential for a fragmented collection system related to promotion and education and customer service.

Under the scenario that Niagara Region does not provide collection and haulage service on behalf of the producers, the estimated \$7.8 million in annual savings as noted above, may be somewhat offset by costs for exiting the component of the collection contracts related to the residential Blue Box Program. Additionally, it should be noted that even if municipalities provide collection and haulage service under contract to the producers, the full 100% of these costs may not be covered, subject to the payment formula developed. This is due to the fact that existing contracts may not reflect the new service requirements, standards and other factors on which the payments by the producers will be determined.

Niagara Region's new waste collection and haulage contracts commenced October 19, 2020 and have an end date of March 5, 2028. The new contracts include escape clauses related to early termination of the Blue Box collection and associated haulage due to changes in legislation/regulation.

If Niagara Region does not provide Blue Box collection and haulage under contract to the producers, costs may be incurred for winding down the Blue Box-related portion of the work, including the value of stranded capital assets, such as collection vehicles, with the caveat that Miller and GFL must make commercially reasonable efforts to re-deploy capital assets to other contracts or sell them at fair market value. A formula was designed and included in the contracts to calculate the maximum compensation payable by Niagara Region:

Maximum Compensation Payable = (Year 1 contract cost x 7 years x 10% capital component) x percentage of total contract terminated x (Years remaining in contract term 1 / Total years of contract term 1).

Per this formula it is estimated that the maximum one-time compensation payable to Niagara Region's current contractors based on the January 1, 2024 transition date is approximately \$6 million dollars. Therefore the estimated savings in the first year of transition is approximately \$1.8 million.

Material Recovery Facility

Niagara Region currently owns and operates (through Niagara Recycling, a not-for-profit third party) a Material Recovery Facility (MRF) in Niagara Falls. A review related to the preferred MRF ownership structure is currently underway, with the most recent fulsome project report being Confidential PW 17-2020. This review consists of an assessment, which will be based on actual market considerations, to determine the best future opportunity for the MRF.

The required notification and termination period for the contract with Niagara Recycling, for the processing and marketing of recyclables is until Niagara Region fully transitions to full producer responsibility or proceeds with a direction based on the outcome of the MRF Opportunity Review, with provision for six (6) month notification for early termination.

Completion of the MRF Opportunity Review is required for Niagara Region to finalize decisions related to the processing of Blue Box materials under full producer responsibility.

Servicing Additional Property Types

Niagara Region currently services a number of non-eligible sources (i.e. property types) which are not included in the regulation. While the current level of service must be maintained by producers until the end of the transition period on December 31, 2025, the producers are not obligated to include service to certain properties, such as the Industrial, Commercial and Industrial (IC&I) sector including municipal and regional buildings, commercial portion of mixed-use properties and for profit long term care and retirements homes. Public and private schools are included in the regulation.

The Province is proposing an update to different regulations specific to the IC&I properties at a future date, as yet unspecified. Should Niagara Region continue to collect from IC&I properties not serviced during or after the transition period, producers may have little incentive to expand programming to encompass these properties and municipalities will continue to bear the costs. These costs include existing staffing, promotion and education, processing and other expenditures for this portion of the service. On the other hand, elimination of this part of the Blue Box program, until provincially mandated service is available, would be a reduction in service to the IC&I sector in Niagara Region.

Based on several assumptions and the 2021 budget, the cost to provide the IC&I collection, haulage and processing service is approximately \$3.7 million. Further refinement of the assumptions may impact these costs.

A cost benefit analysis must be completed and the decision to service these properties may hinge on Niagara Region's decision to bid on collection and haulage and potentially availability of a processing facility to take material from these sources, depending on the outcome of the MRF Opportunity Review.

Collection of Non-Designated Material

If Niagara Region decides to collect non-designated material under the regulation, Niagara Region will be solely responsible for costs related to collection, haulage and processing of these materials. Niagara Region would also be responsible for producing extra promotion and education for the locally accepted materials (versus the provincial standard). Furthermore, Niagara Region may not be able to find a processor for non-designated material. On the other hand, removal of material from Niagara Region's Blue Box stream may generate confusion for residents and propagate a perceived reduction in service levels. Niagara Region's diversion rate could also be incrementally impacted by a change in materials collected.

Niagara Region current accepts the following materials that are non-designated materials:

- Soft cover and hard cover books (with hard covers removed);
- Alcoholic beverages, non-alcoholic beer, wine and spirits, with associated products and packaging; and
- Some flexible plastics used for containment of food such as sandwich bags and freezer bags.

Service at Depots

Under the final regulation producers are not required to provide depot collection where curbside collection is offered unless producers wish to include them in order to achieve the diversion targets. In the event that Niagara Region is not paid by producers to operate the residential Blue Box portion of depots, Council may still choose to continue with the service for community benefit, mainly resident convenience and to minimize illegal dumping. Additional enforcement may be required to ensure contamination rates enforced by producers are met, and depot reconfiguration may be required based on

producer requirements. These existing depots are integrated with the current landfill and public drop-off depot infrastructure.

As per PW 23-2020, if Niagara Region retains curbside collection, depot locations should also be retained as part of a comprehensive program. In the event that Niagara Region does not manage a curbside program, it is recommended that depots continue to be operated for an interim/transition period and then re-evaluated for the longer term, based on results of a cost benefit analysis and other factors such as customer convenience. Depending on the outcome of the MRF Opportunity Review, Niagara Region may need to find a processor for this material. The portion of depot costs associated with the residential Blue Box program is approximately \$342,000 based on the 2021 budget.

Promotion and Education

Under the final regulation, producers are required to implement promotion and education programs and services to educate consumers on the producer run program. Niagara Region could negotiate with producers to provide a subset or all promotion and education functions related to the Blue Box.

If Niagara Region provided promotion and education functions, it would allow for the continued integrated promotion and education programs and materials (ex. collection guide, brochures, Niagara Waste App) that include information on the Blue Box program to potentially reduce designated material ending up in the garbage stream.

The 2020 actual residential Blue Box promotion and education costs were approximately \$250,000.

Set Out Service

During the transition period (i.e. 2023-2025) producers are required to maintain current service levels provided by the municipality which would include provision of set out service for Blue Box materials. Set out service is a program offered via an application process for individuals with health limitations that allows their garbage, recycling and Green Bins to be collected on their property (i.e. next to front door, outside of garage) instead of bringing the material to the curb. Once the Blue Box program is fully transitioned on January 1, 2026, producers are not required under the regulation to provide a program similar to Niagara Region's set out service.

If Niagara Region wishes to continue this service for Blue Box material, Niagara Region would be responsible for the sole costs and would need to negotiate these costs with the producers. The 2021 budgeted costs for set out service which include all materials (i.e. garbage, recycling and Green Bin) are approximately \$35,000.

Special Events Recycling

Under the final regulation, there is no requirement for producers to provide recycling collection at special events such as festivals, community events, etc. beyond what is required for public space recycling.

Niagara Region currently provides special events recycling and organics collection and if Niagara Region wishes to continue to provide this service, Niagara Region would be responsible solely for these costs including collection, haulage, processing, related promotion and education, and staff resources. The 2019 actual costs, which reflect pre-pandemic activity for this program were approximately \$32,000.

As part of Niagara Recycling's contract with Niagara Region for the processing and marketing of recyclables, they also service larger special events with the delivery and collection of recycling carts and/or roll-off bins. Niagara Recycling contract terminates when Niagara Region transitions to full producer responsibility or proceeds with a direction from the MRF Opportunity Review. As a result, costs to provide Special Events Recycling could increase as a new service provider would need to be obtained, or negotiations with the producers/PROs would be required to provide the service. A processor for this material will need to be secured, subject to the outcome of the MRF Opportunity Review.

Public Space Recycling

As noted earlier, the definition of public space was expanded to include transit stations or stops under municipal or provincial jurisdiction as well as outdoor park, playgrounds or sidewalk, not just in designated business areas.

Producers are required to provide a minimum number of public space receptacles per person in every community based on a density formula.

Niagara Region provides public space recycling collection to some local area municipalities as an enhanced service. Producers will be required to maintain service levels during the transition period, including collection from all existing public space recycling bin locations. After January 1, 2026, producers are only required to supply and

collect the number of public space bins as per the density formula and local area municipalities will no longer have a say where public space bins are located, the type of bin and collection frequency. Producers are only required to collect prior to becoming full. Some local area municipalities may have more public space recycling bins than what will be required under the regulation.

If the local area municipalities wish to have more public space recycling bins than required under the regulation, it would be at their sole cost. Niagara Region could negotiate with the producers/PROs to collect on the local area municipalities' behalf.

The 2021 budget costs for public space recycling is approximately \$101,000 which is paid directly by those municipalities requesting this service.

Next Steps

The following are the next milestone steps related to transition to full producer responsibility as outlined in the Blue Box regulation.

- 2021 – Registration for eligible communities, producers, PROs
- 2022 – Submission of proposed rules, creation of allocation table and registration of processors
- July 1, 2023 – December 31, 2025, transition of eligible communities
- 2026-2029 – New eligible sources, standardized materials and established targets
- 2030 – New targets

In addition to above next steps, many of the considerations and decision points outlined in this report will require further detailed analysis (ex. financial implications) and/or negotiations which will be brought back to Committee and Council prior to any decisions being made. Niagara Region will also continue to participate in municipal/industry sessions and subcommittees related to Blue Box transition.

Respectfully submitted and signed by

Sherri Tait
Program Manager, Policy & Planning

Appendices

Appendix 1 Assessment of how Niagara Region's comments on the draft Residential Blue Box Regulation were addressed in O.Reg. 391/21: Blue Box

Appendix 1: Assessment of how Niagara Region's comments on the draft Residential Blue Box Regulation were addressed in O.Reg. 391/21: Blue Box

The table below provides an overview of Niagara Region's previous comments on the draft Blue Box regulation and how our comments were addressed. A subset of the comments maybe addressed at a later point and/or in another policy/regulation (e.g. designating certified compostable products and packaging, collection from public facing municipal buildings, compliance and enforcement measures, etc.).

Key Sections in Regulation	Comments on Draft Regulation	Status	Final Regulation
S.19 S.28 S.29 S.30	The regulations should include a requirement for producers to provide collection from community events held in public spaces where there may be a need for receptacles or an increase in receptacles.	Not addressed	<p>Every producer responsibility organization is required to establish and operate a collection system for public spaces for which they have agreed to provide services.</p> <p>The producer is required to: provide a certain number of Blue Box receptacles in public spaces, determined by a prescribed equation; ensure receptacles are appropriate (size, durability, signage; repair or replace damaged containers; and locate receptacles at exit and entry points for parks and playgrounds. While there is a requirement that the receptacle must be collected at a frequency that would normally result in the materials being collected before the container is full, there are no other specifications about when collection should occur.</p> <p>There are no requirements for collection from community events in the regulation.</p>

Key Sections in Regulation	Comments on Draft Regulation	Status	Final Regulation
S.1 S.4 S.19 S.28 S.29 S.30	Niagara Region supports the inclusion of multi-residential properties, facilities, schools and public spaces as eligible sources; however, Niagara Region also currently provides collection to small to medium industrial and commercial buildings and at a minimum the proposed regulations should include public facing municipal buildings such as libraries, community centres etc.	Not addressed	<p>Eligible source in the final regulation means any residence or facility. Facility has been defined to include multi-residential dwellings, non-profit retirement homes, non-profit long-term care homes and public or private schools. Industrial and commercial properties and public spaces are not included as eligible sources. Public facing municipal buildings are not a source that producers are required to include in their collection systems.</p> <p>Although, public spaces are not eligible sources, they are still an obligation under the legislation. Starting January 1, 2026, producers must collect Blue Box material from public spaces in each eligible community in which an eligible source is allocated to the producer. During the transition period, the producer will provide Blue Box receptacles in the same public spaces and in the same quantity as were provided in that eligible community under the WDTA Blue Box program.</p>
S.1 S.28 S.30	The regulations should include a requirement for producers to provide twinning of recycling receptacles at existing garbage street litter receptacles outside Business Improvement Areas (ex. at bus shelters).	Partially addressed	The definition of public space has been revised in the final regulation to mean an outdoor area in a park, playground or sidewalk or a public transit station or stop. This is an expansion on the draft definition which only included Business Improvement Areas. However, the final regulation does not include the requirement that Blue Box receptacles be placed next to every receptacle for garbage at the public space, as it did in the draft regulation.

Key Sections in Regulation	Comments on Draft Regulation	Status	Final Regulation
S.1	Niagara Region supports the expanded list of designated material to include materials such as straws, cutlery, wraps, laminated packaging etc., however, is not supportive of the exclusion of soft cover and hard cover books. Soft cover books and hard cover books (with cover removed) are currently accepted in Niagara Region's Blue Box program and should continue to be diverted through re-use or recycling.	Not addressed	Soft cover and hard cover books are excluded from the list of designated material. Straws, cutlery, wraps and laminated packaging are still included in the list of designated material (i.e. Blue Box material). Packaging-like products (e.g. saran wrap) are not included in the list.
S.22(c)(i)	A product designed for the containment of waste is not included in the list of proposed designated materials and although the proposed regulations specify that producers must replace receptacles used for the storage of material at least once a year upon request, it does not include language around the responsibility of producers to collect and recycle broken and/or damaged receptacles. Niagara Region recommends that wording in the proposed regulations be added to ensure producers are responsible for the collection of any broken and/or damaged receptacles and recycling same.	Not addressed	The regulation has been revised to require producers to repair or replace any damaged Blue Box receptacle upon request of a person residing at the residence, within one week of the request. It does not specify that the producers are responsible for collecting or recycling the damaged receptacles.

Key Sections in Regulation	Comments on Draft Regulation	Status	Final Regulation
S.2 S.5 S.6	Niagara Region requests the Province designate all packaging, whether it is recycling or compostable. Producers should pay for management of designated materials regardless of the stream in which they end up.	Not addressed	Certified compostable products and packaging have been removed from the list of Blue Box material. As specified in Section 6, only Blue Box material is included a designated class of material. Further, Section 5 states that Parts III – VII of the regulation do not apply to Blue Box material in the certified compostable products and packaging material category and Blue Box material in the certified compostable products and packaging material category shall not, be included in the determination of weights made by the Authority; be used for the allocation of eligible sources to producers in an allocation table made under Part III; be registered as a material category for an alternative collection system under Part V; be used for the calculation of a management requirement under Part VI; or give rise to promotion and education obligations under Part VIII.
S.42	Similar to the diversion targets set out for other materials in the proposed regulations, targets for compostable materials should also be included.	Not addressed	Diversion targets for compostable materials were not included in the regulation

Key Sections in Regulation	Comments on Draft Regulation	Status	Final Regulation
S.2	Fibre such as paper products intended for hygienic use (paper towels) diverted as part of the organics stream or other obligated/targeted materials diverted through other systems should be an eligible program cost for which municipalities should receive payment and appropriate targets/measurements should be developed.	Not addressed	Blue Box material does not include health, hygiene or safety products that, by virtue of its anticipated use, becomes unsafe or unsanitary to recycle.
S.1	Niagara Region recommends... the definition of compostable materials is refined to ensure that materials such as fibre-based products like newspaper, drink trays and take away containers that can be recycled are excluded from the definition of compostable materials.	Addressed	The definition of certified compostable products and packaging was revised in the final regulation. The definition now states that it means material that is <u>only</u> capable of being processed by composting, anaerobic digestion or other processes that result in decomposition by bacteria or other living organisms. Based on this wording, materials that can also be recycled would be excluded from the definition of certified compostable products and packaging.

Key Sections in Regulation	Comments on Draft Regulation	Status	Final Regulation
S.22	Niagara Region supports the continuation of curbside services to those municipalities currently receiving curbside service; however, is concerned with the requirement to provide collection at a minimum of every-other-week. If a producer choses to collect recycling every-other-week after January 1 2026, it would be a reduction in service to Niagara Region residents. A reduction in service could result in designated material being placed in other waste streams collected by Niagara Region. As mentioned, producers should pay for the management of the material anywhere in the waste management system.	Not addressed	The final regulation maintained the requirement for producers to collect Blue Box material from the residence at least every other week.
S.32, S.33	Consumer convenience should be maintained or improved, and access to existing services should not be negatively impacted by any changes to Blue Box program. Niagara Region has concerns that alternatives to the common collection system may result in a decrease in convenience and or negatively impact access to services.	Not addressed	Alternative collection systems are still included as an option for producers to use for one or more material categories of Blue Box material

Key Sections in Regulation	Comments on Draft Regulation	Status	Final Regulation
S.21 S.22	After January 1, 2026, the proposed regulations removes the requirement for producers to provide depot collection in communities that provide curbside collection. Niagara Region supplements curbside collection with depots and are regularly used by residents including seasonal properties who may return to their primary residences prior to their curbside collection day. If Blue Box material is changed to every other week collection, more seasonal residents may use depots to properly dispose of designated materials.	Not addressed	Producers are not required to provide depot collection in communities that provide curbside collection. If a producer is allocated an eligible source that is a residence that does not receive curbside garbage collection, the producer may provide either depot collection or curbside collection of Blue Box material for that residence.
S.36 S.42	Niagara Region encourages inclusion of positive incentives to go beyond minimum targets in addition to penalties for producers not meeting targets. Incentives supporting the use of secondary materials over virgin material such as tax incentives or other financial benefits would support and recognize producer efforts. Targets should be re-assessed on a pre-defined schedule and progress monitored to ensure continual improvement.	Not addressed	The regulation does not include incentives to go beyond minimum targets. There are no penalties, compliance or enforcement measures for not meeting targets. However, for alternative collection systems, if a producer does not meet its management obligation for that material category using only the alternative collection system twice in a three-year period, the registration for that system will be revoked. There is no schedule in the regulation for re-assessment of the targets.

Key Sections in Regulation	Comments on Draft Regulation	Status	Final Regulation
S.42	Niagara Region's position is that individual sectors should have their own measurable targets and metrics (Low Density Residential, IC&I and Multi-Residential). To increase program effectiveness, Niagara Region supports individual recovery targets for individual materials rather than the six categories proposed in the regulations.	Not addressed	The recovery targets set out in the regulation are not sector-specific and are not broken out into individual materials, only the six material categories.
S.40	Niagara Region has concerns regarding the proposed recycled content credits and the producers' ability to reduce targets by using recycled content. The concern is some products like glass, aluminum already include recycled content and this could be incenting producers who already made this business decision and recycled content is difficult to verify.	Addressed	The formula for calculating the management requirement for a material category has been revised in the final regulation. The weight of recycled content and the redistribution factor are no longer incorporated into the equation.

Key Sections in Regulation	Comments on Draft Regulation	Status	Final Regulation
	<p>To reduce financial impact on any municipalities who do not transfer in the early phase, payment of net verified costs (actual municipal costs) from Stewardship Ontario (SO) should be increased to 75% in year one increasing annually until transition is complete, through authority by the Minister. Niagara Region also does not support application of in-kind advertising (funding) for newspapers for either non-transitioned or transitioned municipalities.</p>	Not addressed	<p>Funding increases during transition are not addressed in the regulation.</p>

Key Sections in Regulation	Comments on Draft Regulation	Status	Final Regulation
	<p>Transition plans for the Blue Box program must address municipal contracts and assets and how to avoid stranded assets. Transition to a producer responsibility regime could lead to Niagara Region's Recycling Centre becoming a stranded asset depending on the strategies put forth to achieve producer responsibility. The transition plan must clearly address provision of fair market compensation for stranded municipal assets. Provisions for maximizing use of existing infrastructure should be included. For example, the plan should clearly incentivize use of existing facilities or otherwise potentially stranded assets (i.e. equipment, rolling stock, carts and boxes) and/or any amortized capital costs that extend beyond the transition date, should be factored into considerations for municipal compensation.</p>	Not addressed	Stranded assets are not addressed in the regulation.
S.67	<p>Performance audits for producers are required every three years under the proposed regulations. Niagara Region recommends that they be annually similar to the Beer Store and LCBO.</p>	Not addressed	<p>The audit frequency has not changed in the final regulation. Producers are required to cause an audit to be undertaken every three years.</p>

Key Sections in Regulation	Comments on Draft Regulation	Status	Final Regulation
	The municipal Blue Box requirements set out in Regulation 101/94 should be removed when municipalities transition.	Addressed	Ontario Regulation 101/94: Recycling and Composting of Municipal Waste was amended to require any local municipality that operates a Blue Box program as of August 15, 2019 to continue to provide the service until the municipality's Blue Box program has transitioned to producer responsibility under this new regulation. Requirements that a local municipality operate a Blue Box program would be fully repealed by 2026.

MEMORANDUM

PWC-C 23-2021

Subject: Public Works Single Source Purchases over \$100,000 - Exceptions

Date: July 13, 2021

To: Public Works Committee

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

Per Council direction on September 17, 2020, this memo has been prepared to inform Public Works Committee of Single Source procurements greater than \$100,000 processed under one of the following exceptions.

Sole Source, specifically Section 18 (a) (iii): “there is an absence of competition for technical reasons and the Goods and/or Services can only be supplied by a particular Supplier”; and/or

Special Circumstances, specifically Section 17 and Procurement By-law definition clause (ii): “An event that, unless immediately addressed, is likely to cause significant loss or damage to property”; and/or

Negotiation, specifically Section 19 (a) (iii) and (vi) respectively: “(iii) a Sole Source is being recommended”; and “(vi) the extension of an existing Contract would be more effective”

Appendix 1 provides detail of purchases made from February 1 to May 30, 2021.

Respectfully submitted and signed by

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

Appendix 1: Single Source Purchase Orders - Exceptions

1. Project Name: Highway 406 Crossing – Trunk Watermain & Sewer

Purchase Order (PO) Number: **0000060681**

Supplier: **2524964 Ontario Inc. (Empire Homes - Developer)**

Exception Category: **Single Source** in accordance with Purchasing By-law 02-2016 as amended February 28, 2019, Section 18(a)(iii) as there is an absence of competition and the services can only be supplied by 2524964 Ontario Inc. (Empire Homes)

Date Work Authorized: **December 18, 2017**

Type: **Change PO** to increase Contract Scope to cover additional costs related to the highway crossing

Original PO Amount: **\$2,923,545.60 (excl. HST)**

Cumulative Single Source Increase: **\$3,396,666.00 (excl. HST)**

Description: As part of the Port Robinson West Development on the northeast corner of Highway 406 and Merritt Street (Thorold), the Developer, 2524964 Ontario Inc (Empire Homes), constructed a new trunk watermain and trunk sanitary sewer which was transferred to the Region in accordance with the development agreement between Empire Homes and the Region. This agreement was initially approved by Council in 2015 through PDS 44-2015 and then later amended in 2017 through PDS 46-2017. Original PO was for Phase 1 payment and this Change PO is for Phase 2 payment per the agreement. Phase 2 payment represents the full and final payment due to the Developer.

2. Project Name: Supply of Polymer for Garner Rd Dewatering Facility

Purchase Order (PO) Number: **0000087501**

Supplier: **SNF Canada Ltd.**

Exception Category: **Sole Source**

Date Work Authorized: **January to March 2021**

Type: Change PO to cover additional costs of product for daily operations until award process of new contract has been completed.

Original PO Amount: **\$94,999.86 (increased to \$153,199.86)**

Cumulative Single Source Increase: **\$58,200.00**

Description: Water-soluble polyelectrolyte is required for the dewatering of sludge operations at Garner rd. The current 3-year contract had expired at the end of 2020. (2017-T-32)

Completion of a full scale polymer trial between vendors for the next approved contract was postponed due to equipment failures which left a gap in the supply of polyelectrolyte product for daily operations.

The original PO covered the time period between January to March 2021 however the process to review, submit, award and create the new contract for supply of polyelectrolyte solution has been extended due to the pandemic. The increase required will allow for daily operations to continue between April through to mid July.

The PO was increased to allow for additional polyelectrolyte product to enable the continuation of daily operations while the new contract details are finalized. (2020-T-159). The Full scale trials for the new contract has concluded and the award process is currently underway.

Negotiation 19. (a) (iii) a Sole Source is being recommended) and “(vi) the extension of an existing Contract would be more effective” We are currently in the final stages of a formal procurement process (2020-T-159). Daily operational requirements for water-soluble polyelectrolyte will exhaust current bulk storage capacity prior to completion and award of the 2021 water-soluble polyelectrolyte contract (2020-T-159). The current polyelectrolyte product has been tested and approved for use at the Garner Rd. facility.

3. **Project Name: Welland Vale PS and Forcemain Upgrades**

Purchase Order (PO) Number: **CNV0000022**

Supplier: **Cima**

Exception Category: **Negotiation** in accordance with Purchasing By-law 02-2016 as amended on February 28, 2019, Section 19(a)(vi) the extension of an existing Contract would be more effective as Cima was consultant performing Contract Administration and Inspection Services and the additional scope of work directly related to their scope during an active construction project

Date Work Authorized: **January to April, 2021**

Type: **Change PO** to increase Contract Scope to cover additional costs related to increased duration of construction contract administration and inspection services and design modifications.

Original PO Amount: **\$71,145.79**

Cumulative Single Source Increase: **\$169,053.21** (including current request of **\$9,901.00**)

Description: During Construction, additional design services were required to provide design changes as per Niagara Region request including structural revisions to accommodate davit base adjustments for maintenance purposes, addition of site lighting and replacement of inlet manhole and curb. The additional fees for these tasks include design details, the engineering effort to develop the change in price request from the contractor as well as additional effort for shop drawing reviews, follow-up during implementation, and integration into As-Built drawings, where applicable. As a result of these additions, the construction duration was increased.

An additional 40 hours of site inspection was required to oversee completion of the construction works, deficiencies and site restoration.

4. Project Name: Bar Screen Replacement Upgrades

Purchase Order (PO) Number: **0000021719**

Supplier: **Associated Engineering**

Exception Category: **Negotiation** in accordance with Purchasing By-law 02-2016 as amended on February 28, 2019, Section 19(a)(vi) the extension of an existing Contract would be more effective as Associated Engineering was consultant performing Contract Administration and Inspection Services and the additional scope of work directly related to their scope during an active construction project. Services could not be obtained in time by means of an open procurement and there would be additional costs to the Region through contractor delays.

Date Work Authorized: **March 27, 2021**

Type: **Change PO** to increase Contract Scope to cover additional costs related to increased duration of construction contract administration and inspection services and design modifications.

Original PO Amount: **\$195,154.00**

Cumulative Single Source Increase: **\$288,462** (including current request of \$90,526.00)

Description: During construction, additional design services were provided by AE for improvements to the hauled waste disposal station and screen building design modifications based on field conditions and to accommodate future hauled waste metering equipment. As a result of these improvements, the construction duration was increased and an extension of three (3) months to the contract was required for engineering contract administration and site inspection services.

5. Project Name: 2019-RFP-334 Montrose Road and Lyons Creek Road/Biggar Road – Municipal Class Environmental Assessment and Detailed Design

Purchase Order (PO) Number: **0000076921**

Supplier: **Parsons Inc.**

Exception Category: **Sole Source** in accordance with Purchasing By-law 02-2016 as amended February 28, 2019, specifically Section 18 (a) (iii): “there is an absence of competition for technical reasons and the Goods and/or Services can only be supplied by a particular Supplier”

Type: **Change PO**

Original PO Amount: **\$975,000**

Cumulative Single Source Increase: **\$465,982**

Rationale for Increase

The request is for an amendment to an existing contract.

As a result of consultation with review agencies (i.e. Ministry of Environment, Climate and Parks, Ministry of Transportation, Niagara Peninsula Conservation Authority, and Ministry of Natural Resources) and the City of Niagara Falls, additional work or tasks beyond the original project scope were identified. A detailed list of the additional works, c/w associated costs, is detailed below.

Item	Title	Description	Estimated Fee
1	Phase 1 ESA	As part of the preliminary design, a Phase 1 ESA will be completed along Montrose Road, Biggar Road and Lyons Creek Road in general accordance with the CSA Z768 1 standards (last revision 2016). The Phase I ESA is required to support future design and construction; thus, the report shall also comply with the requirements of O.Reg. 406/19, specifically the Assessment of Past Uses reporting requirements.	\$10,340.00
2	Virtual PIC	While there were efficiencies to conduct the PIC virtually, Niagara Region recommended that Parsons utilize the public material branding template for each PIC. It was agreed at the start of the project to engage a graphic design and a PIC facilitator as well as utilize MURAL to encourage comments and feedback from the public.	\$43,175.00
3	Additional Meetings	Parsons exceeded the number of meetings identified in the RFP due to additional effort need to coordinate and meet with Niagara Region staff, technical agencies and stakeholders prior to the completion of detail design.	\$56,331.00

Item	Title	Description	Estimated Fee
4	Detailed Transportation Assessment Revisions	The original DTA was prepared using the Jan 2017 Grand Niagara Secondary Plan (GNSP) Traffic Report that was supplied to Parsons. Following several meetings and formal approval of Parsons Traffic Forecast Memo (Region/MTO), it was determined that this report was outdated and therefore the DTA required revisions utilizing the June/December 2017 GNSP Traffic Report. The DTA also include the Hospital's revised Traffic Study (Dec 2020).	\$27,700.00
5	Stage 2 Archaeology Assessment	A Stage 2 AA is required to clear the project footprint of archaeological potential for the full study area. The footprint was provided to ASI on Feb 3.	\$26,674.00
6	Stormwater Resiliency Analysis	As requested by Niagara Region, the Resiliency Study will review stormwater capacity requirements for scaled 20% 5-yr IDF and MTO Climate Change IDF. This information is beneficial to understand design implications using 2080 projections.	\$4,812.50
7	Bat Species At Risk Monitoring and Permitting	Through terrestrial surveys, Parsons ecologist determined there is the potential for bats. Parsons has reviewed the bat habitat details and permitting approaches with MECP as SAR permits require long-lead times to obtain agreement with MECP to reduce future risks. SAR monitoring to occur in June 2021. The estimated budget includes a multi-phased approach.	\$53,315.00
8	Additional Topographic Survey	The RFP states that survey should be within the Road Allowance (ROW) plus 10 m. However, during design, it was noted that the footprint will likely extend outside those limits.	\$25,000.00

Item	Title	Description	Estimated Fee
9	Excess Soil Management and Testing	In order to meet the requirements of Regulation 406/19 work may include additional testing of potential materials for import/export as well as the preparation of a soil management plan.	\$14,674.00
10	Heritage Impact Assessment	Pending the recommendations of the Cultural Heritage Resource Assessment, a Heritage Impact Assessment (HIA) may be required for the cultural heritage property on the northeast corner of Montrose Road and Reixinger Road.	\$11,000.00
11	Fisheries Permit	Culvert works at two watercourse crossings in the detail design section will likely require Request for Review (RFR) from DFO and potential MECP permit for SAR mussels. This covers if additional permitting is required following the RFR and a worst-case scenario with MECP.	\$19,305.00
12	Fluvial Geomorphology Design	Due to potential realignment and offline culvert replacement at the tributary of Lyons Creek culvert (i.e. north of Reixinger), fluvial geomorphological design may be required for tie-ins and creek realignment. This work would also support the potential DFO permit.	\$22,000.00
13	Additional Boreholes and Associated D	Interchange ramp improvements at the QEW and Lyons Creek Road will require widening/alignment shift work in order to extend the three proposed terminal intersection approach lanes. Based on the Region's requirements for borehole spacing at 50m, additional boreholes and design effort will be required at the interchange.	\$90,800.00
14	Willodell Road and Lyons Creek Road Intersection –	The proposed Preliminary Design, presented to the public at PIC #3, recommended restricting the intersection of Lyons Creek Road and Willodell Road	\$60,855.50

Item	Title	Description	Estimated Fee
	Additional EA and Design Effort	to right-in/right-out due to safety and traffic operations concerns. A request has been made to revisit the design of the intersection and explore alternatives that will provide greater access to Willodell Road. Work will include the creation and evaluation of intersection design options largely focussing on the option to shift the Willodell Road intersection further west and create a new signalized intersection allowing all moves.	
Subtotal			\$465,982.00

The project schedule is being driven by the overall schedule for the South Niagara Hospital, and construction of the project must be substantially complete by Q4 2023. As a result, the project team has approved the above noted changes in order to ensure that the timeline of this crucial project is met.

The current PO has sufficient funds available to cover the cost of these changes in the interim. However, a report will be brought forward to Council recommending a project budget increase to allow for the PO to be increased, and the agreement to be amended, for the above noted changes.

Minute Item No. 5.1

PHD 7-2021

Approval of the 2020-2021 Public Health and Emergency Services Program Audits

That Report PHD 7-2021, dated July 13, 2021, respecting Approval of the 2020-2021 Public Health and Emergency Services Program Audits, **BE RECEIVED** and the following recommendations **BE APPROVED**:

1. That the draft audited schedules of revenue and expenses for the following programs for the fiscal year ended March 31, 2021, **BE APPROVED**:
 - 1.1 Ambulance Communication Services (Appendix 1 to Report PHD 7-2021);
 - 1.2 Community Mental Health Program (Appendix 2 to Report PHD 7-2021);
 - 1.3 Infant and Child Development Services ("ICDS") (Appendix 4 to Report PHD 7-2021);
 - 1.4 Healthy Babies, Healthy Children ("HBHC") (Appendix 5 to Report PHD 7-2021);
2. That the annual reconciliation return for the Community Mental Health Program for the fiscal year ended March 31, 2021 (Appendix 3 to Report PHD 7-2021), **BE APPROVED**;
3. That staff **BE DIRECTED** to co-ordinate with the auditor to finalize the statements as presented; and
4. That Report PHD 7-2021 **BE FORWARDED** to the Region's Audit Committee for information.

Minute Item No. 6

Consent Items for Information

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

COM 19-2021

Niagara Prosperity Initiative 2021 Update

COM 20-2021

Bridge Housing Design Phase Operations

COM-C 24-2021

Niagara Regional Housing 2020 Annual Report

COM-C 25-2021

Niagara Joins Built for Zero Veteran Cohort

**THE REGIONAL MUNICIPALITY OF NIAGARA
PUBLIC HEALTH & SOCIAL SERVICES COMMITTEE
OPEN SESSION**

**PHSSC 7-2021
Tuesday, July 13, 2021
Council Chamber / Video Conference
Niagara Region Headquarters, Campbell West
1815 Sir Isaac Brock Way, Thorold, ON**

Committee Members Present in the Council Chamber: Greenwood (Committee Co-Chair)

Committee Members Present via Video Conference: Bellows, Bradley (Regional Chair), Butters, Darte, Foster, Gibson, Insinna, Ip, Jordan, Nicholson, Rigby, Villella, Whalen, Witteveen

Absent/Regrets: Chiocchio (Committee Co-Chair), Sendzik

Staff Present in the Council Chamber: S. Guglielmi, Technology Support Analyst, Dr. M. M. Hirji, Acting Medical Officer of Health, A. Jugley, Commissioner, Community Services, A.-M. Norio, Regional Clerk, R. Tripp, Acting Chief Administrative Officer

Staff Present via Video Conference: B. Brens, Associate Director, Reporting & Analysis, N. Cortese, Shelter Supervisor, Homelessness Services, S. Kearns, Director, Environmental Health, Dr. A. Kasmani, Associate Medical Officer of Health, K. Lotimer, Legislative Coordinator, M. Penca, Manager, Homelessness Services, M. Todd, Manager, Social Assistance & Employment Opportunities, L. Watson, Director, Social Assistance & Employment Opportunities, D. Woiceshyn, Director, Housing Services

1. CALL TO ORDER

Committee Co-Chair Greenwood called the meeting to order at 1:00 p.m.

2. DISCLOSURES OF PECUNIARY INTEREST

There were no disclosures of pecuniary interest.

3. PRESENTATIONS

There were no presentations.

4. DELEGATIONS

There were no delegations.

5. ITEMS FOR CONSIDERATION

5.1 PHD 7-2021

Approval of the 2020-2021 Public Health and Emergency Services
Program Audits

Moved by Councillor Insinna
Seconded by Councillor Whalen

That Report PHD 7-2021, dated July 13, 2021, respecting Approval of the
2020-2021 Public Health and Emergency Services Program Audits, **BE
RECEIVED** and the following recommendations **BE APPROVED**:

1. That the draft audited schedules of revenue and expenses for the
following programs for the fiscal year ended March 31, 2021, **BE
APPROVED**:
 - 1.1 Ambulance Communication Services (Appendix 1 to Report PHD
7-2021);
 - 1.2 Community Mental Health Program (Appendix 2 to Report PHD 7-
2021);
 - 1.3 Infant and Child Development Services ("ICDS") (Appendix 4 to
Report PHD 7-2021);
 - 1.4 Healthy Babies, Healthy Children ("HBHC") (Appendix 5 to Report
PHD 7-2021);
2. That the annual reconciliation return for the Community Mental Health
Program for the fiscal year ended March 31, 2021 (Appendix 3 to
Report PHD 7-2021), **BE APPROVED**;
3. That staff **BE DIRECTED** to co-ordinate with the auditor to finalize the
statements as presented; and
4. That Report PHD 7-2021 **BE FORWARDED** to the Region's Audit
Committee for information.

Carried

6. CONSENT ITEMS FOR INFORMATION

Moved by Councillor Ip
Seconded by Councillor Rigby

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

COM 19-2021
Niagara Prosperity Initiative 2021 Update

COM 20-2021
Bridge Housing Design Phase Operations

COM-C 24-2021
Niagara Regional Housing 2020 Annual Report

COM-C 25-2021
Niagara Joins Built for Zero Veteran Cohort

Carried

7. OTHER BUSINESS

7.1 COVID-19 Update

Dr. Hirji, Acting Medical Officer of Health, provided an update respecting the status of COVID-19 and vaccinations in Niagara.

Councillor Information Request(s):

Provide a report to the Public Health and Social Services Committee meeting being held on August 10, 2021, respecting plans to provide a location for a memorial to recognize Niagara residents lost to COVID-19. Councillor Ip.

7.2 Affordable Housing

Councillors discussed affordable housing and the importance of creating a long-term strategy to alleviate the housing crisis in Niagara. Adrienne Jugley, Commissioner, Community Services, advised that an affordable housing presentation is planned for the early fall. Councillor Insinna, Niagara Regional Housing Board member, advised that Niagara Regional Housing is currently working on a Housing Master Plan that is slated for completion later this year.

7.3 Associate Medical Officer of Health

Dr. Hirji, Acting Medical Officer of Health, introduced Dr. Azim Kasmani, as the new Associate Medical Officer of Health, to Committee members. Dr. Kasmani previously worked with various health units including York Region, Durham Region, Kingston, Frontenac, Lennox and Addington Public Health and Hastings and Prince Edwards Counties.

8. **NEXT MEETING**

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

9. **ADJOURNMENT**

There being no further business, the meeting adjourned at 2:02 p.m.

Councillor Greenwood
Committee Co-Chair

Kelly Lotimer
Legislative Coordinator

Ann-Marie Norio
Regional Clerk

Subject: Approval of the 2020-2021 Public Health and Emergency Services Program Audits

Report to: Public Health and Social Services Committee

Report date: Tuesday, July 13, 2021

Recommendations

1. That the draft audited schedules of revenue and expenses for the following programs for the fiscal year ended March 31, 2021, **BE APPROVED**:
 - 1.1 Ambulance Communication Services (Appendix 1 to Report PHD 7-2021)
 - 1.2 Community Mental Health Program (Appendix 2 to Report PHD 7-2021)
 - 1.3 Infant and Child Development Services (“ICDS”) (Appendix 4 to Report PHD 7-2021)
 - 1.4 Healthy Babies, Healthy Children (“HBHC”) (Appendix 5 to Report PHD 7-2021);
2. That the annual reconciliation return for the Community Mental Health Program for the fiscal year ended March 31, 2021 (Appendix 3 to Report PHD 7-2021), **BE APPROVED**;
3. That staff **BE DIRECTED** to co-ordinate with the auditor to finalize the statements as presented; and
4. That Report PHD 7-2021 **BE FORWARDED** to the Region’s Audit Committee for information.

Key Facts

- The purpose of this report is to obtain approval of the audited schedules of revenues and expenses and annual reconciliation return in accordance with the provincial requirements.
- The Ministry submission deadline for the ICDS and HBHC programs are July 30, 2021. Arrangements have been made with the Ministry of Health and Ontario Health – West Region for the final audited statement submissions for the Ambulance Communication Services and Community Mental Health to be filed after the initial due date of June 30, 2021, upon final Council approval.
- As per Financial Reporting and Forecasting Policy (C-F-020), other financial statements or schedules performed for Ministry funding purposes, will be recommended for approval to Council by the standing Committee with oversight of the program. Upon approval by Council, the department Commissioner, or delegated authority, and the Treasurer will be authorized to sign the auditor’s representation

letter to obtain the auditor's signed report. The approved statements will then be forwarded to Audit Committee for information.

Financial Considerations

The schedules of revenue and expenses ("financial schedules") and annual reconciliation return have been prepared in compliance with legislation and in accordance with the requirements and policies stipulated by the corresponding Ministry.

Draft copies of the financial schedules and annual reconciliation return for the period ended March 31, 2021, are attached as Appendices 1 to 5 to Report PHD 7-2021.

The financial schedules are prepared specifically for the purposes of meeting the requirements as outlined in the service agreements with the respective funding Ministries. The financial schedules have been prepared in compliance with legislation and in accordance with the requirements and policies stipulated by the corresponding Ministry.

In previous years, the ICDS and HBHC programs' financial results had been reported to the Ministry using a December 31 year-end (for each year). In 2019, the Ministry provided direction that the financial schedules and the annual reconciliation return are to be reported as of March 31, to align with the reporting date of the Ministry. As a result of the reporting date change, the financial schedules for these programs contain 15 months of financial data for the comparative period of January 1, 2019 to March 31, 2020, with the current year reporting on 12 months of data with the fiscal year running April 1, 2020 to March 31, 2021.

The questionnaire for the HBHC program was included in the previous year's report and was approved by Council. The Ministry of Health has not provided this document to the Niagara Region at the time of this report and is not requesting it at this time; therefore, only the audited financial schedule is included in the report for this program. The completion of the questionnaire does not affect the audited financial schedule or results reported for the program.

The financial schedules for Public Health and Emergency Services Programs are a Ministry requirement as noted in the audit reports for each of the respective programs as follows:

Ambulance Communication Services:

“The accompanying schedule of the Program for the year ended March 31, 2021, is prepared, in all material respects, in accordance with the financial reporting provisions of the agreement between Her Majesty the Queen in Right on Ontario, as represented by the Minister of Health (formerly the Minister the Health and Long-Term Care) and the Regional Municipality of Niagara signed May 28, 2010 (the “guidelines”).”

“The schedule is prepared to assist the Region in complying with the guidelines. As a result, the schedule may not be suitable for another purpose.”

Community Mental Health Program:

“The accompanying schedule of the Program for the year ended March 31, 2021, is prepared, in all material respects, in accordance with the final reporting provision so the Multi-sector Service Accountability Agreement effective April 1, 2019, between Ontario Health – West Region (formerly the Hamilton Niagara Haldimand Brant Local Health Integration Network) and the Regional Municipality of Niagara – Mental Health and most recently amended March 31, 2020 (collectively, the “guidelines”).”

“The schedule is prepared to assist the Region in complying with the guidelines. As a result, the schedule may not be suitable for another purpose.”

Infant and Child Development Services:

“The accompanying schedule of the Program for the year ended March 31, 2021, is prepared, in all material respects, in accordance with the financial reporting provisions of the Ontario Transfer Payment Agreement effective April 1, 2020, between the Her Majesty the Queen in right of Ontario as represented by the Minister of Children, Community and Social Services and the Regional Municipality of Niagara (the “Guidelines”).”

“The schedule is prepared to assist the Program to comply with the financial reporting provisions of the Guidelines. As a result, the schedule may not be suitable for another purpose.”

Healthy Babies, Healthy Children:

“The accompanying schedule of the Program for the year ended March 31, 2021, is prepared, in all material respects, in accordance with the financial reporting provisions of the Ontario Transfer Payment Agreement effective April 1, 2020, between the Her

Majesty the Queen in right of Ontario as represented by the Minister of Children, Community and Social Services and the Regional Municipality of Niagara (the “Guidelines”).”

“The schedule is prepared to assist the Program to comply with the financial reporting provisions of the Guidelines. As a result, the schedule may not be suitable for another purpose.”

Analysis

The audits of these Public Health and Emergency Services Programs were completed by the Region’s external auditors, Deloitte. The auditors have indicated that, based on their review, nothing has come to their attention that causes them to believe that this information is not, in all material respects, in accordance with the respective Ministry requirements identified.

The recommendation for approval of audited schedules performed for Ministry funding purposes rest with the Committee to which the department responsible for the funding reports. Upon approval by the Committee, these schedules are referred to Audit Committee for information. Then the department’s Commissioner and Treasurer will be authorized to sign the auditor’s representation letter to obtain the auditor’s signed report.

Below is a summary of the results of the audited financial schedules:

- Ambulance Communication Services – This program has no funds returnable for the reporting period ending March 31, 2021, as the Region has expended \$182,392 in excess of the provincial grant for the period.
- Community Mental Health Program – This program has no funds returnable for the reporting period ending March 31, 2021, as the Region has expended \$165,349 in excess of the provincial grant for the period.
- Infant and Child Development Services – This program has no funds returnable for the reporting period ending March 31, 2021, as the Region has expended all allocated funding.
- Healthy Babies, Healthy Children – This program has no funds returnable for the reporting period ending March 31, 2021, as the Region has expended all allocated funding.

These financial schedules are subject to minor wording changes once schedules are finalized.

Alternatives Reviewed

The audited financial schedules and annual reconciliation report are a Ministry requirement and therefore no alternatives are available.

Relationship to Council Strategic Priorities

Providing formal financial reporting to Council and the public supports the Council Strategic Priority of Sustainable and Engaging Government.

Other Pertinent Reports

None.

Prepared by:

Beth Brens, CPA, CA
Acting Associate Director, Reporting &
Analysis
Corporate Services

Recommended by:

M. Mustafa Hirji, MD MPH FRCPC
Medical Officer of Health &
Commissioner (Acting)
Public Health and Emergency Services

Submitted by:

Ron Tripp, P.Eng.
Acting Chief Administrative Officer

This report was prepared in consultation with Michael Leckey, Program Financial Specialist, and Amanda Fyfe, Program Financial Specialist.

Appendices

Appendix 1 Ambulance Communication Services – Schedule of Revenue and Expenses

- Appendix 2 Community Mental Health Program – Schedule of Revenue and Expenses
- Appendix 3 Community Mental Health Program – Annual Reconciliation Return
- Appendix 4 Infant and Child Development Services – Schedule of Revenue and Expenses
- Appendix 5 Healthy Babies, Healthy Children – Schedule of Revenue and Expenses

Schedule of revenues and
expenditures
The Regional Municipality of Niagara
Public Health Department
Ambulance Communications Service

March 31, 2021

Independent Auditor's Report	1-2
Schedule of revenues and expenditures	3
Notes to the schedule of revenues and expenditures	4-5

Independent Auditor's Report

To the Regional Municipality of Niagara and the Ontario Ministry of Health

Opinion

We have audited the accompanying schedule of revenues and expenditures of the Regional Municipality of Niagara (the "Region") Public Health Department – Ambulance Communications Service (the "Program"), for the year ended March 31, 2021 and notes to the schedule (collectively referred to as the "schedule").

In our opinion, the accompanying schedule of the Program for the year ended March 31, 2021 is prepared, in all material respects, in accordance with the financial reporting provisions of the agreement between the Her Majesty the Queen in Right of Ontario, as represented by the Minister of Health (formerly the Minister of Health and Long-Term Care) and the Regional Municipality of Niagara signed May 28, 2010 (the "guidelines").

Basis for Opinion

We conducted our audit in accordance with Canadian generally accepted auditing standards ("Canadian GAAS"). Our responsibilities under those standards are further described in the *Auditor's Responsibilities for the Audit of the Schedule* section of our report. We are independent of the Region in accordance with the ethical requirements that are relevant to our audit of the schedule in Canada, and we have fulfilled our other ethical responsibilities in accordance with these requirements. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our opinion.

Emphasis of Matter - Basis of Accounting

We draw attention to Note 1 to the schedule, which describes the basis of accounting. The schedule is prepared to assist the Region in complying with the guidelines. As a result, the schedule may not be suitable for another purpose. Our opinion is not modified in respect of this matter.

Responsibilities of Management and Those Charged with Governance for the Schedule

Management is responsible for the preparation of the schedule in accordance with the guidelines, and for such internal control as management determines is necessary to enable the preparation of the schedule that is free from material misstatement, whether due to fraud or error.

Those charged with governance are responsible for overseeing the Region's financial reporting process.

Auditor's Responsibilities for the Audit of the Schedule

Our objectives are to obtain reasonable assurance about whether the schedule is free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinion. Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with Canadian GAAS will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of this schedule.

As part of an audit in accordance with Canadian GAAS, we exercise professional judgment and maintain professional skepticism throughout the audit. We also:

- Identify and assess the risks of material misstatement of the schedule, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for our opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control.
- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Region's internal control.
- Evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates, if any, and related disclosures made by management.

We communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that we identify during our audit.

Chartered Professional Accountants
Licensed Public Accountants
June 25, 2021

Draft

The Regional Municipality of Niagara Public Health Department
Ambulance Communications Service
Schedule of revenues and expenditures
Year ended March 31, 2021

	Notes	Budget \$	2021 Actual \$	2020 Actual \$
Revenues				
Provincial grant		6,828,370	6,981,919	6,196,294
Other income		10,000	8,295	8,505
		6,838,370	6,990,214	6,204,799
Expenditures				
Salaries and benefits				
Salaries and wages		4,498,250	4,624,013	4,209,239
Employee benefits		1,564,849	1,622,863	1,459,471
Transportation and communications		154,012	132,357	154,846
Services and rentals		222,620	279,496	244,415
Supplies and equipment		148,591	256,825	34,025
Administrative costs	2	250,048	268,105	287,310
Total expenditures		6,838,370	7,183,659	6,389,306
Ineligible administration costs	2	—	(11,053)	(15,252)
Total eligible expenditures		6,838,370	7,172,606	6,374,054
Excess of expenditures over revenues		—	(182,392)	(169,255)

The accompanying notes are an integral part of the Schedule.

1. Significant accounting policies

Basis for presentation

The schedule of revenues and expenditures is prepared in accordance with the agreement dated May 28, 2010 between the Ontario Ministry of Health and the Regional Municipality of Niagara.

The agreement requires the Schedule to be prepared in a manner consistent with generally accepted accounting principles ("GAAP"). Management of the Regional Municipality of Niagara Public Health Department has interpreted GAAP to be the recognition and measurement principles of the Canadian public sector accounting standards related specifically to revenues and expenditures, except that it does not provide for employee future benefits and does not capitalize and amortize tangible capital assets. Management has further interpreted that GAAP does not include the presentation principles or the presentation of all financial statements and note disclosures required by GAAP for a complete set of financial statements.

Revenues and expenditures

Revenues are reported on the accrual basis of accounting.

Expenditures are recorded if they are eligible for the program and incurred in the year.

Capital assets

Tangible capital assets acquired are reported as an expenditure, amortization is not recorded.

Employee future benefits

Employee future benefits are provided which will require funding in future periods. These benefits include sick leave, benefits under the Workplace Safety and Insurance Board ("WSIB") Act, and life insurance, extended health and dental benefits for early retirees. These benefits are recorded on a cash basis.

Use of estimates

Since precise determination of many assets and liabilities is dependent upon future events, the preparation of a periodic schedule involves the use of estimates and approximations. These have been made using careful judgements.

2. Administration costs

The program records direct operating expenditures to their respective activity. In addition, in 2013, the Region established its first consolidated allocation policy with a guiding principle of more closely aligning indirect costs with the support programs and services as defined by the Province of Ontario in the Financial Information Return (FIR). The new methodology allocates these indirect costs to end programs/services based on usage drivers.

Under this methodology, all departments providing program/service support functions will allocate their costs using drivers specific to each type of expense.

The Regional Municipality of Niagara Public Health Department
Ambulance Communications Service
Notes to the schedule of revenues and expenditures
March 31, 2021

2. Administration costs (continued)

Administration costs, which have been allocated, are:

	2021	2020
	\$	\$
Accounting services	6,049	6,492
Asset management services	1	—
Capital levy	5,921	10,252
Debt costs	5,132	4,999
Financial management	30,956	25,922
Human resources services	39,642	39,024
IT program support services and project costs	74,729	74,879
Land ambulance shared services	74,630	71,223
Legal services	2,348	1,404
Payroll services	26,583	49,525
Printing costs	36	192
Procurement services	2,120	3,317
Property management	(42)	81
	268,105	287,310

As per this program's funding agreement the following administration costs are considered ineligible and have been shown as a reduction of expense on the schedule of revenues and expenditures:

	2021	2020
	\$	\$
Capital levy	5,921	10,253
Debt costs	5,132	4,999
	11,053	15,252

3. Budget data

The budget data presented in the Schedule is based on the budget data submitted to the Ontario Ministry of Health.

Schedule of revenue and expenses
The Regional Municipality of Niagara
Public Health Department
Community Mental Health Program

March 31, 2021

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Schedule of revenue and expenses	3
Notes to the schedule of revenue and expenses	4-5

Independent Auditor's Report

To the Members of Council of the Regional Municipality of
Niagara and Ontario Health – West Region

Opinion

We have audited the accompanying schedule of revenue and expenses of the Regional Municipality of Niagara Public Health Department – Community Mental Health Program (the "Program"), for the year ended March 31, 2021 and notes to the schedule (collectively referred to as the "schedule").

In our opinion, the accompanying schedule of the Program for the year ended March 31, 2021 is prepared, in all material respects, in accordance with the financial reporting provisions of the Multi-sector Service Accountability Agreement effective April 1, 2019 between Ontario Health – West Region (formerly the Hamilton Niagara Haldimand Brant Local Health Integration Network) and the Regional Municipality of Niagara – Mental Health and most recently amended March 31, 2020 (collectively, the "guidelines").

Basis for Opinion

We conducted our audit in accordance with Canadian generally accepted auditing standards ("Canadian GAAS"). Our responsibilities under those standards are further described in the *Auditor's Responsibilities for the Audit of the Schedule* section of our report. We are independent of the Region in accordance with the ethical requirements that are relevant to our audit of the schedule in Canada, and we have fulfilled our other ethical responsibilities in accordance with these requirements. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our opinion.

Emphasis of Matter - Basis of Accounting

We draw attention to Note 1 to the schedule, which describes the basis of accounting. The schedule is prepared to assist the Region in complying with the guidelines. As a result, the schedule may not be suitable for another purpose. Our opinion is not modified in respect of this matter.

Responsibilities of Management and Those Charged with Governance for the Schedule

Management is responsible for the preparation of the schedule in accordance with the guidelines, and for such internal control as management determines is necessary to enable the preparation of the schedule that is free from material misstatement, whether due to fraud or error.

Those charged with governance are responsible for overseeing the Region's financial reporting process.

Auditor's Responsibilities for the Audit of the Schedule

Our objectives are to obtain reasonable assurance about whether the schedule is free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinion. Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with Canadian GAAS will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of this schedule.

As part of an audit in accordance with Canadian GAAS, we exercise professional judgment and maintain professional skepticism throughout the audit. We also:

- Identify and assess the risks of material misstatement of the schedule, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for our opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control.
- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Region's internal control.
- Evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates, if any, and related disclosures made by management.

We communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that we identify during our audit.

Chartered Professional Accountants
Licensed Public Accountants
June 25, 2021

Draft

The Regional Municipality of Niagara Public Health Department
Community Mental Health Program
Schedule of revenue and expenses
Year ended March 31, 2021

	Notes	Budget \$	2021 Actual \$	2020 Actual \$
Revenue				
Province of Ontario Grants		6,540,441	6,560,037	6,461,065
Miscellaneous		1,000	12,196	4,637
		6,541,441	6,572,233	6,465,702
Expenses				
Compensation				
Salaries		4,987,437	5,040,681	4,704,113
Employee benefits		989,833	978,427	913,073
		5,977,270	6,019,108	5,617,186
Service costs				
Administration costs	3	39,500	380,442	501,707
Audit and other professional fees		2,901	3,078	7,143
Computer maintenance and supplies		4,850	5,724	27,152
Other expenses		45,119	94,248	154,200
Printing, postage, stationery and office supplies		11,100	18,235	16,809
Rent and property taxes		239,696	346,108	308,360
Staff education		16,800	76,796	82,531
Telephone		17,000	16,612	17,342
Travel		187,205	118,173	205,083
		564,171	1,059,416	1,320,327
Total expenses		6,541,441	7,078,524	6,937,513
Ineligible administration costs	3	—	340,942	462,207
Total eligible expenses		6,541,441	6,737,582	6,475,306
(Deficiency) excess expenses over revenue		—	(165,349)	(9,604)

The accompanying notes are an integral part of the Schedule.

1. Significant accounting policies

The schedule of revenue and expenses has been prepared for Ontario Health – West Region. The agreement requires the Schedule to be prepared in a manner consistent with generally accepted accounting principles ("GAAP"). Management of the Regional Municipality of Niagara has interpreted GAAP to be recognition and measurement principles in accordance with Canadian Public Sector Accounting Standards, except that it does not capitalize and amortize tangible capital assets. Management has further interpreted that GAAP does not include the presentation principles or the presentation of all financial statements and note disclosures required by GAAP for a complete set of financial statements.

Revenue and expense recognition

Revenue and expenses are reported on the accrual basis of accounting, with the exception of employee future benefits.

The accrual basis of accounting recognizes revenues as they become available and measurable, expenses are recognized as they are incurred and measurable as a result of receipt of goods or services and the creation of a legal obligation to pay.

Capital assets

Tangible capital assets acquired are reported as an expense, and amortization is not recorded.

Employee future benefits

Employee future benefits are provided which will require funding in future periods. These benefits include sick leave, benefits under the Workplace Safety and Insurance Board ("WSIB") Act, and life insurance, extended health and dental benefits for early retirees. These benefits are recorded on a cash basis.

Use of estimates

Since precise determination of many assets and liabilities is dependent upon future events, the preparation of a periodic schedule involves the use of estimates and approximations. These have been made using careful judgements.

2. Grant funding repayable

The grant repayable to the Province of Ontario is subject to audit verification by the Hamilton Niagara Haldimand Brant Local Health Integration Network. The grant repayable is non-interest bearing and is normally repaid in the subsequent year. The grant repayable balance at the end of the year is comprised of the unpaid grant repayable balance from prior years plus any current year excess of revenue over eligible expenditures excluding net book value associated with capital one-time funding.

	2021	2020
	\$	\$
Grant repayable, beginning of year	491,872	491,872
Amounts repaid during the year	(373,084)	—
Excess of revenue over eligible expenditures	—	—
Grant repayable, end of year	118,788	491,872

3. Administration costs

The program records direct operating expenses to their respective activity. In addition, since 2013, the Region established a consolidated cost allocation policy with a guiding principle of more closely aligning indirect costs with the support programs and services as defined by the Province of Ontario in the Financial Information Return (FIR). This methodology allocates these indirect costs to end programs/services based on usage drivers.

Under this methodology, all departments providing program/service support functions will allocate their costs using drivers specific to each type of expense.

Administration costs are comprised of the following charges:

	2021	2020
	\$	\$
Financial services	54,421	57,975
Human resource services	67,238	163,874
IT services	229,344	240,512
Debt charges	29,439	39,346
Total administration costs	380,442	501,707

As per direction from the funding body, administration costs are limited to \$39,500 (\$39,500 in 2020) and therefore administration costs in excess of the limit are considered ineligible and have been shown as a reduction of expense on the schedule of revenue and expenses.

	2021	2020
	\$	\$
Total administration costs	380,442	501,707
Less: administration cost limit	39,500	39,500
Total ineligible administration costs	340,942	462,207

Annual Reconciliation Report
The Regional Municipality of Niagara
Public Health Department
Community Mental Health Program

March 31, 2021

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Note to the Annual Reconciliation Report	9

Independent Auditor's Report

To the Members of Council of the Regional Municipality of
Niagara, Ontario Health – West Region and the Ontario Ministry of Health

Opinion

We have audited the accompanying schedules (ARRFin1 and ARRFin2) and the Proxy Pay Equity Reconciliation Report (excluding statistics and FTEs) of the Annual Reconciliation Report of the Regional Municipality of Niagara Public Health Department Community Mental Health Program (the "Program") for the year ended March 31, 2021 and note to the schedules (collectively referred to as the "schedules").

In our opinion, the accompanying schedules of the Program for the year ended March 31, 2021 have been prepared, in all material respects, in accordance with the financial reporting provisions in the guidelines in Chapters 3 and 4 of the Ontario Healthcare Reporting Standards and the Community Financial Policy (2016) issued by the Ontario Ministry of Health (the "guidelines").

Basis for Opinion

We conducted our audit in accordance with Canadian generally accepted auditing standards ("Canadian GAAS"). Our responsibilities under those standards are further described in the *Auditor's Responsibilities for the Audit of the Schedules* section of our report. We are independent of the Region in accordance with the ethical requirements that are relevant to our audit of the schedule in Canada, and we have fulfilled our other ethical responsibilities in accordance with these requirements. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our opinion.

Emphasis of Matter - Basis of Accounting

We draw attention to Note 1 to the schedule, which describes the basis of accounting. The schedules are prepared to assist the Program in complying with the guidelines. As a result, the schedule may not be suitable for another purpose. Our opinion is not modified in respect of this matter.

Responsibilities of Management and Those Charged with Governance for the Schedules

Management is responsible for the preparation of the schedules in accordance with the guidelines, and for such internal control as management determines is necessary to enable the preparation of the schedules that are free from material misstatement, whether due to fraud or error.

Those charged with governance are responsible for overseeing the Region's financial reporting process.

Auditor's Responsibilities for the Audit of the Schedules

Our objectives are to obtain reasonable assurance about whether the schedules are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinion. Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with Canadian GAAS will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of the schedules.

As part of an audit in accordance with Canadian GAAS, we exercise professional judgment and maintain professional skepticism throughout the audit. We also:

- Identify and assess the risks of material misstatement of the schedules, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for our opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control.
- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Region's internal control.
- Evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates, if any, and related disclosures made by management.

We communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that we identify during our audit.

Chartered Professional Accountants
Licensed Public Accountants
June 25, 2021

IFIS / Recipient #	100238
SRI Organization Code	473
Report Name	2020-21 Account Reconciliation Report
LHIN Name	Hamilton Niagara Haldimand Brant (Hnhb)
Service Provider Name	Community Mental Health Program
Service Provider Legal Name	Community Mental Health Program

Service Provider Address

Address 1	1815 Sir Isaac Brock Way
Address 2	0
City	Thorold
Postal Code	L2V 4T7

HSP Contact Name	Michael Leckey
HSP Contact Position	Program Financial Specialist
HSP Contact Phone Number	905-685-4225 x 7439
HSP Contact E-mail Address	michael.leckey@niagararegion.ca

TOTAL AGENCY

Form ARRfin 1- Total LHIN & Ministry Managed- Financial
Community Mental Health Program

		TOTAL HSP
TABLE G: Total Agency Reporting Summary by Fund Type (Total Agency Financials)	Line #	
Total Revenue Fund Type 1	115	-
Total Expenses Fund Type 1	116	-
Net Surplus/Deficit Fund Type 1 (Hospital)	117	-
Total Revenue Fund Type 2 (Above)	118	6,572,233
Total Expenses Fund Type 2 (Above)	119	6,737,582
Net Surplus/Deficit Fund Type 2 (Community Programs)	120	- 165,349
Total Revenue Fund Type 3	121	-
Total Expenses Fund Type 3	122	-
Net Surplus/Deficit Fund Type 3 (Other)	123	-
Total Revenue for the Provider	124	6,572,233
Total Expenses for the Provider	125	6,737,582
Net Surplus/Deficit	126	- 165,349

		LHIN - CMHP1	
Table B	Line #	2020-21 Final	Comments (Max 255 Characters)
Funding Initiative		Select Funding Initiative (where applicable)	
LHIN Cash Flow:			
Funding - Local Health Integration Network (LHIN)	1	6,540,441	
Funding - Provincial MOHLTC	2	-	
Funding - LHIN One-Time	3	19,596	
Funding - Provincial MOHLTC One-Time	4	-	
Sessional fee funding - LHIN	5	-	
Sessional fee funding - MOHLTC	6	-	
Total LHIN/MOHLTC funding as per cash flow	7	6,560,037	
Service Recipient Revenue	8	-	
Recoveries from External/Internal Sources	9	-	
Donations	10	-	
Other Funding Sources and Other Revenue	11	12,196	
Other revenue adjustments (detailed comments required)	12	-	
Total revenue adjustments	13	12,196	
Total FUND TYPE 2 funding for settlement purposes	14	6,572,233	
Deferred LHIN/MMP funding used to purchase capitalized items in the current year (Enter as Negative Amount)	15	-	
Amortization of donation revenue and LHIN funding in the current fiscal year	16	-	
Other Adjustments including LHIN/MOHLTC recovery (detailed comments required)	18	-	
Total Revenue FUND TYPE 2	19	6,572,233	
EXPENSES- Fund Type 2			
Compensation			
Salaries and Wages (Worked + Benefit + Purchased)	20	4,263,226	
Benefit Contributions	21	961,875	
Employee Future Benefit Compensation	22	-	
Nurse Practitioner Remuneration	23	118,288	
Medical Staff Remuneration	24	715,219	
Sessional Fees	25	-	
Service Costs			
Med/Surgical Supplies and Drugs	26	-	
Supplies and Sundry Expenses (excl. Med/Surg Supplies & Drugs)	27	284,023	
Community One Time Expense	28	-	
Equipment Expenses	29	48,904	
Amortization on Major Equip and Software License and Fees	30	-	
Contracted Out Expense	31	18,833	
Buildings and Grounds Expenses	32	327,214	
Building Amortization	33	-	
TOTAL EXPENSES Fund Type 2	34	6,737,582	
Depreciation/Amortization of Capital Assets for the Program and Admin & Support	35	-	
Total Capitalized Purchases and Services in current year	36	-	
(CHC & Home Care purposes only) Inadmissible salary expenses	37	-	
(CHC & Home Care purposes only) Less: Other adjustments	38	-	
Total Expenses for Settlement Purposes	39	6,737,582	
Less sessional fee expenses (Enter as Negative Amount)	40	-	
Less one time expenses as per listing below (Negative sum of lin	42	- 19,596	
Total operating expenses for settlement purposes	43	6,717,986	
Operating Recovery	44	-	
Sessional Fee Recovery	45	-	
One Time Recovery	46	-	
Total Settlement Recovery	47	-	
TABLE C: One-Time Expenses	Line #	2020-21 Final	Comments (Max 255 Characters)
Capitalized purchases from One Time funding Section C-1			
	48	-	
	49	-	
	50	-	
	51	-	
	52	-	
	53	-	
	54	-	
	55	-	
	56	-	
	57	-	
	58	-	
	59	-	

Form ARRfin2 - LHIN Managed Programs
Community Mental Health Program

		LHIN - CMHP1	
	61		
	62	-	
	63	-	
Total One-time capitalized purchases from One-time funding		-	
Operating expenses from One Time Funding Section C-2			
	64	19,596	
	65	-	
	66	-	
	67	-	
	68	-	
	69	-	
	70	-	
	71	-	
	72	-	
	73	-	
	74	-	
	75	-	
	76	-	
	77	-	
	78	-	
Total One-time operating expenses from One-time funding		19,596	
TABLE D: Operating Expenses	Line #	2020-21 Final	Comments (Max 255 Characters)
Capitalized expenses Sourced from Operating Funding (Section D-1) (All capitalized items regardless of amount)			
	80	-	
	81	-	
	82	-	
	83	-	
	84	-	
	85	-	
	86	-	
	87	-	
	88	-	
	89	-	
	90	-	
	91	-	
	92	-	
	93	-	
	94	-	
Total Capitalized expenses from Operating Funding		-	
Non- capitalized one-time expenses > \$5,000 Sourced from Operating Funding (Section D-2)			
	96	-	
	97	-	
	98	-	
	99	-	
	100	-	
	101	-	
	102	-	
	103	-	
	104	-	
	105	-	
	106	-	
	107	-	
	108	-	
	109	-	
	110	-	
Total Non-Capitalized One-time expenses >\$5,000 from Operating Funding		-	
Total One Time Expenses		19,596	
TABLE F: Sessional Fees Summary (Enter the # of Sessions Delivered)			
# of Sessions Delivered (From Sessional Fees)	113	0	
Calculated Cost Per Session	114	0.00	

PROXY PAY EQUITY ANNUAL REPORT

This form is to be completed by transfer payment organizations who receive proxy pay equity funding from the Ministry of Health and Long-Term Care, pursuant to the April 23, 2003 Memorandum of Settlement. It must be completed on an annual basis until an organization no longer has a pay equity obligation.

SECTION 1: BASIC PROGRAM INFORMATION

Name of Agency: **Community Mental Health Program**

Vendor #:		Reporting Period: from		to	
-----------	--	------------------------	--	----	--

Contact Person:		Phone:	
-----------------	--	--------	--

SECTION 2: EXPENDITURE REPORT

Sources of Proxy Pay Equity Funds

Ministry of Health and Long-Term Care	\$	A
---------------------------------------	----	---

Other (Specify)

TOTAL	0.00
--------------	-------------

Expenditures

Actual Proxy Pay Equity Expenses		B
----------------------------------	--	----------

Surplus(Deficit)	0.00	A-B
------------------	------	-----

Current Outstanding Liabilities

Total Number of Individuals Receiving Proxy Pay Equity	
2019	1
2020	1
2021	1
2022	1
2023	1
2024	1
2025	1
2026	1
2027	1
2028	1
2029	1
2030	1
2031	1
2032	1
2033	1
2034	1
2035	1
2036	1
2037	1
2038	1
2039	1
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2041	1
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2101	1
2102	1
2103	1
2104	1
2105	1
2106	1
2107	1
2108	1
2109	1
2110	1
2111	1
2112	1
2113	1
2114	1
2115	1
2116	1
2117	1
2118	1
2119	1
2120	1
2121	1
2122	1
2123	1
2124	1
2125	1
2126	1
2127	1
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2156	1
2157	1
2158	1
2159	1
2160	1
2161	1
2162	1
2163	1
2164	1
2165	1
2166	1
2167	1
2168	1
2169	1
2170	1
2171	1
2172	1
2173	1
2174	1
2175	1
2176	1
2177	1
2178	1
2179	1
2180	1
2181	1
2182	1
2183	1
2184	1
2185	1
2186	1
2187	1

SECTION 3: CERTIFICATION

I, _____ hereby certify that to the best of my knowledge the financial data is correct and it is reflected in the year-end settlement.

(Signature of Health Service Provider Authority)

Title: _____

Certification by Provider Fiscal 2020-21

Having the authority to bind the Health Service Provider, we certify that the information provided in ARRFIn1, ARRFIn2 and ARRFIn3 are complete and accurate

Community Mental Health Program

N/A

Name of Signing Officer

Date

Signing Officer***

N/A

Title

N/A

Name of Signing Officer

Date

Signing Officer***

N/A

Title

*****I have the authority to bind the Health Service Provider**

1. Significant accounting policies

Basis of accounting

These Schedules have been prepared for the Ontario Ministry of Health and the Ontario Health – West Region. They are prepared in accordance with Canadian public sector accounting standards, except that it does not provide for employee future benefits and does not capitalize and amortize tangible capital assets. Since precise determination of many assets and liabilities is dependent upon future events, the preparation of periodic financial information necessarily involves the use of estimates and approximations. These have been made using careful judgments.

Revenues and expenses

Revenues and expenses are reported on the accrual basis of accounting, with the exception of employee future benefits below.

The accrual basis of accounting recognizes revenues as they become available and measurable, expenses are recognized as they are incurred and measurable as a result of receipt of goods or services and the creation of a legal obligation to pay.

Capital assets

Tangible capital assets acquired are reported as an expenditure, and amortization is not recorded.

Employee future benefits

Employee future benefits are provided which will require funding in future periods. These benefits include sick leave, benefits under the Workplace Safety and Insurance Board ("WSIB") Act, and life insurance, extended health and dental benefits for early retirees. These benefits are recorded on a cash basis.

Schedule of revenue and expenses

**The Regional Municipality of
Niagara Public Health Department**
Infant and Child Development Services

March 31, 2021



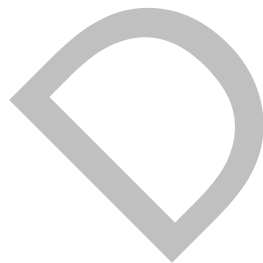
The Regional Municipality of Niagara Public Health Department

Infant and Child Development Services

March 31, 2021

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Independent Auditor's Report

To the Members of Council of the Regional Municipality of Niagara and the Ministry Children, Community and Social Services

Opinion

We have audited the accompanying schedule of revenue and expenses of the Regional Municipality of Niagara Public Health Department – Infant and Child Development Services (the "Program") for the year ended March 31, 2021 and notes to the schedule (collectively referred to as the "schedule").

In our opinion, the accompanying schedule of the Program for the year ended March 31, 2021 is prepared, in all material respects, in accordance with the financial reporting provisions of the Ontario Transfer Payment Agreement effective April 1, 2020, between the Her Majesty the Queen in right of Ontario as represented by the Minister of Children, Community and Social Services and the Regional Municipality of Niagara (the "Guidelines").

Basis for Opinion

We conducted our audit in accordance with Canadian generally accepted auditing standards ("Canadian GAAS"). Our responsibilities under those standards are further described in the *Auditor's Responsibilities for the Audit of the Schedule* section of our report. We are independent of the Program in accordance with the ethical requirements that are relevant to our audit of the schedule in Canada, and we have fulfilled our other ethical responsibilities in accordance with these requirements. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our opinion.

Emphasis of Matter - Basis of Accounting

We draw attention to Note 1 to the schedule, which describes the basis of accounting. The schedule is prepared to assist the Program to comply with the financial reporting provisions of the Guidelines. As a result, the schedule may not be suitable for another purpose. Our opinion is not modified in respect of this matter.

Responsibilities of Management and Those Charged with Governance for the Schedule

Management is responsible for the preparation of the schedule in accordance with the Guidelines, and for such internal control as management determines is necessary to enable the preparation of the schedule that is free from material misstatement, whether due to fraud or error.

Those charged with governance are responsible for overseeing the Region's financial reporting process.

Auditor's Responsibilities for the Audit of the Schedule

Our objectives are to obtain reasonable assurance about whether the schedule as a whole is free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinion. Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with Canadian GAAS will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of this schedule.

As part of an audit in accordance with Canadian GAAS, we exercise professional judgment and maintain professional skepticism throughout the audit. We also:

- Identify and assess the risks of material misstatement of the schedule, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for our opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control.
- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Region's internal control.
- Evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates, if any, and related disclosures made by management.

We communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that we identify during our audit.

Chartered Professional Accountants
Licensed Public Accountants
_____, 2021



The Regional Municipality of Niagara

Public Health Department

Infant and Child Development Services

Schedule of revenue and expenses

Year ended March 31, 2021

	2020-21 Budget (12 months)	2020-21 Actual (12 months)	2019-20 Actual (15 months)
	\$	\$	\$
Revenue			
Province of Ontario - Service Contract	568,428	568,428	710,530
	568,428	568,428	710,530
Expenses			
Salaries	426,499	441,983	546,345
Benefits	106,625	114,030	133,264
	533,124	556,013	679,609
Other service costs			
Administration costs (Note 3)	33,636	19,589	36,180
Staff travel	22,000	2,151	20,910
Audit Services	1,378	2,761	3,333
Utilities and taxes	2,000	1,572	1,998
Supplies	3,500	162	1,845
IT licences and support	2,300	-	1,668
Staff training	2,500	5,634	726
Purchased services	1,320	135	225
Fees and dues	300	-	221
	68,934	32,004	67,106
Total expenses	602,058	588,017	746,715
Deficiency of revenue over expenses	(33,630)	(19,589)	(36,185)

The accompanying notes to the financial statements are an integral part of this financial statement.

The Regional Municipality of Niagara

Public Health Department

Infant and Child Development Services

Notes to the schedule of revenues and expenses

March 31, 2021

1. Significant accounting policies

This schedule has been prepared for the Ontario Ministry of Children, Community and Social Services. The agreement requires the schedule to be prepared in a manner consistent with generally accepted accounting principles ("GAAP"). Management of the Regional Municipality of Niagara has interpreted GAAP to be recognition and measurement principles in accordance with Canadian Public Sector Accounting Standards, except that it does not provide for employee future benefits and does not capitalize and amortize tangible capital assets. Management has further interpreted that GAAP does not include the presentation principles or the presentation of all financial statements and note disclosures required by GAAP for a complete set of financial statements.

Significant accounting policies are as follows

Revenue and expenses

Revenue and expenses are reported on the accrual basis of accounting, with the exception of employee future benefits below.

The accrual basis of accounting recognizes revenues are they become available and measurable, expenses are recognized as they are incurred and measurable as a result of receipt of goods or services and the creation of a legal obligation to pay.

Capital assets

The historical cost and accumulated depreciation of capital assets are not recorded. Capital assets acquired are reported as an expenditure and amortization is not recorded on the statement of revenue and expenditure and surplus.

Employee future benefits

Employee future benefits are provided which will require funding in future periods. These benefits include sick leave, benefits under the Workplace Safety and Insurance Board ("WSIB") Act, and life insurance, extended health and dental benefits for early retirees. These benefits are recorded on a cash basis.

2. Grant repayable

	2020-21	2019-20
	\$	\$
Grant repayable beginning of period	-	-
Excess of expenditures over revenue	19,589	36,185
Expenditures in excess of the budget	(19,589)	(36,185)
Grant repayable, end of period	-	-

The Regional Municipality of Niagara

Public Health Department

Infant and Child Development Services

Notes to the schedule of revenues and expenses

March 31, 2021

3. Administration costs

Administration costs are allocated under the indirect allocation methodology included in the cost allocation policy.

Under this methodology, all departments providing program/service support functions, as identified during the budget process, will allocate their costs using a basis that best match actual costs with the most appropriate beneficial recipient of the cost.

Administration costs are comprised of the following charges:

	2020-21 Budget (12 months)	2020-21 Actual (12 months)	2019-20 Actual (15 months)
	\$	\$	\$
Accounting services	1,321	835	1,213
Payroll services	10,409	3,372	9,404
Human resources services	6,597	4,705	7,271
IT program support services	12,241	8,642	13,277
Insurance costs	297	363	270
Printing costs	1,067	200	1,081
Capital financing	1,704	1,472	3,664
	33,636	19,589	36,180

4. Budget data

The budget data presented in the schedule is based on the budget data submitted to the Ontario Ministry of Children, Community and Social Services.

Schedule of revenue and expenses

**The Regional Municipality of Niagara
Public Health Department**
Healthy Babies, Healthy Children Program

March 31, 2021

The Regional Municipality of Niagara
Public Health Department
Healthy Babies, Healthy Children Program

March 31, 2021

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Draft

Independent Auditor's Report

To the Members of Council of the Regional Municipality of Niagara and Ontario Ministry of Children, Community and Social Services

Opinion

We have audited the accompanying schedule of revenue and expenses of the Regional Municipality of Niagara Public Health Department – Healthy Babies, Healthy Children Program (the “Program”) for the year ended March 31, 2021, and notes to the schedule (collectively referred to as the “schedule”).

In our opinion, the accompanying schedule of the Program for the year ended March 31, 2021 is prepared, in all material respects, in accordance with the financial reporting provisions of the Ontario Transfer Payment Agreement effective April 1, 2020, between the Her Majesty the Queen in right of Ontario as represented by the Minister of Children, Community and Social Services and the Regional Municipality of Niagara (the “Guidelines”).

Basis for Opinion

We conducted our audit in accordance with Canadian generally accepted auditing standards (“Canadian GAAS”). Our responsibilities under those standards are further described in the *Auditor’s Responsibilities for the Audit of the Schedule* section of our report. We are independent of the Region in accordance with the ethical requirements that are relevant to our audit of the schedule in Canada, and we have fulfilled our other ethical responsibilities in accordance with these requirements. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our opinion.

Emphasis of Matter - Basis of Accounting

We draw attention to Note 1 to the schedule, which describes the basis of accounting. The schedule is prepared to assist the Program in complying with the financial reporting provisions of the Guidelines. As a result, the schedule may not be suitable for another purpose. Our opinion is not modified in respect of this matter.

Responsibilities of Management and Those Charged with Governance for the Schedule

Management is responsible for the preparation of the schedule in accordance with the Guidelines, and for such internal control as management determines is necessary to enable the preparation of the schedule that is free from material misstatement, whether due to fraud or error.

Those charged with governance are responsible for overseeing the Region’s financial reporting process.

Auditor’s Responsibilities for the Audit of the Schedule

Our objectives are to obtain reasonable assurance about whether the schedule as a whole is free from material misstatement, whether due to fraud or error, and to issue an auditor’s report that includes our opinion. Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with Canadian GAAS will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of this schedule.

As part of an audit in accordance with Canadian GAAS, we exercise professional judgment and maintain professional skepticism throughout the audit. We also:

- Identify and assess the risks of material misstatement of the schedule, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for our opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control.
- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Region's internal control.
- Evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates, if any, and related disclosures made by management.

We communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that we identify during our audit.

Chartered Professional Accountants
Licensed Public Accountants
_____, 2021

The Regional Municipality of Niagara

Public Health Department

Healthy Babies, Healthy Children Program

Schedule of revenue and expenses

year ended March 31, 2021

	2020-21 Budget (12 months)	2020-21 Actual (12 months)	2019-20 Actual (15 months)
	\$	\$	\$
Revenue			
Ministry of Children, Community and Social Services Funding	2,362,755	2,362,755	3,084,194
Province of Ontario one-time grants	-	1,159	-
Other revenue	-	157	2,296
	2,362,755	2,364,071	3,086,490
Expenses			
Salaries and wages: unionized			
Public health nurses	1,115,928	1,125,821	1,454,834
Employee benefits	350,721	336,179	463,795
Lay home visitors	327,797	361,695	402,972
Clerical	105,602	101,011	129,588
WSIB	-	-	56
Salaries and wages: non-unionized			
Management	239,923	239,286	284,428
Administration ISCIS	71,788	63,965	85,348
Employee benefits	80,266	77,634	83,059
	2,292,025	2,305,591	2,904,080
Operating costs			
Administration costs (Note 3)	124,392	88,604	141,693
Travel - mileage	51,000	26,688	66,222
Professional development	4,000	6,392	100,213
Program supplies/resources	1,500	8,213	8,738
Telephone and communications	7,000	8,015	10,132
Office supplies	1,156	2,995	5,982
Audit fees	5,574	5,829	7,149
Cleaning allowance	500	350	760
	195,122	147,086	340,889
Total expenses	2,487,147	2,452,677	3,244,969
Deficiency of revenue over expenses	(124,392)	(88,606)	(158,479)

The accompanying notes to the financial statements are an integral part of this financial statement.

The Regional Municipality of Niagara

Public Health Department

Healthy Babies, Healthy Children Program

Notes to the schedule of revenue and expenses

March 31, 2021

1. Summary of significant accounting policies

Basis of accounting

This schedule has been prepared for the Ontario Ministry of Children, Community and Social Services. The agreement requires the schedule to be prepared in a manner consistent with generally accepted accounting principles ("GAAP"). Management of the Regional Municipality of Niagara has interpreted GAAP to be recognition and measurement principles in accordance with Canadian Public Sector Accounting Standards, except that it does not provide for employee future benefits and does not capitalize and amortize tangible capital assets. Management has further interpreted that GAAP does not include the presentation principles or the presentation of all financial statements and note disclosures required by GAAP for a complete set of financial statements.

Revenue and expenses

Revenue is reported on the accrual basis of accounting.

Expenses are recorded if they are eligible for the program and incurred in the period except for employee future benefits.

Capital assets

Tangible capital assets acquired are reported as expenses and amortization is not recorded.

Employee future benefits

Employee future benefits are provided which will require funding in future periods. These benefits include sick leave, benefits under the Workplace Safety and Insurance Board ("WSIB") Act, and life insurance, extended health and dental benefits for early retirees. These benefits are recorded on a cash basis.

Use of estimates

Since precise determination of many assets and liabilities is dependent upon future events, the preparation of a periodic schedule involves the use of estimates and approximations. These have been made using careful judgments.

Certain administrative expenses are allocated to the program based on usage drivers specific to each type of expenditure.

2. Grant receivable/repayable

The grant receivable/repayable to the Province of Ontario is subject to audit verification by the Ontario Ministry of Children, Community and Social Services. The grant receivable/repayable is non-interest bearing and is normally recovered/repaid in the subsequent year. The surplus repayable to the Province of Ontario for the year ended March 31, 2021 is \$nil (2019-20 - \$nil).

	2020-21	2019-20
	\$	\$
Grant receivable (repayable), beginning of period	-	-
Excess of expenditures over revenue	(88,606)	(158,479)
Expenditures in excess of the budget	88,606	158,479
Grant receivable (repayable), end of period	-	-

The Regional Municipality of Niagara

Public Health Department

Healthy Babies, Healthy Children Program

Notes to the schedule of revenue and expenses

March 31, 2021

3. Administration costs

	2020-21 Budget (12 months) \$	2020-21 Actual (12 months) \$	2019-20 Actual (15 months) \$
Accounting services	3,230	2,140	2,506
Payroll services	38,132	14,740	36,908
Human resources services	23,729	21,169	30,290
IT program support services	46,807	37,704	55,696
Insurance costs	1,156	1,400	933
Printing costs	4,662	3,118	1,808
Capital financing allocation	6,676	8,333	13,552
	124,392	88,604	141,693

4. Budget data

The budget data presented in the schedule is based on the budget data submitted to the Ontario Ministry of Children, Community and Social Services.

Subject: Niagara Prosperity Initiative 2021 Update

Report to: Public Health and Social Services Committee

Report date: Tuesday, July 13, 2021

Recommendations

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

Key Facts

- The purpose of the report is to update committee on the 16 projects approved under the Niagara Prosperity Initiative (NPI) for June 2021 to August 2022.
- NPI focuses on neighbourhood-based interventions to help build capacity and improve the quality of life for residents living in poverty.
- Priorities for 2021 have been informed by impacts of the COVID-19 pandemic and as such, funding was targeted to identify needs in the areas of housing, health and domestic violence.
- NPI is a 100% levy funded program with a 2021 annual budget of \$1.25 million.
- In 2021, Brock University completed a three-year research project to review the impact of the NPI program.
- A comprehensive review of the analysis and recommendations outlined in “Connecting the Pieces: An Evaluation of the Niagara Prosperity Initiative and Call for a Broader Poverty Reduction Strategy for Niagara” is underway.
- Staff will present the report and staff recommendations including an approach for the future of NPI and a Niagara Poverty Reduction Strategy to Public Health and Social Services Committee (PHSSC) in September 2021.

Financial Considerations

While considering Community Services’ operating budget, Council reviews the investment of NPI funding annually. Since 2008, Regional Council has typically invested \$1.5 million annually toward increasing prosperity for Niagara residents living in poverty. In both 2020 and 2021, the investment was reduced to \$1.25 million in order to mitigate budget pressures in other areas. Each year, \$150,000 of the budgeted amount is allocated to the Convener (Niagara Community Foundation) and Secretariat (United Way Niagara) functions to support administration and stakeholder engagement associated with this initiative. Additionally, United Way Niagara reported \$44,938 in

unspent funding (including interest) from previous projects, resulting in a total project allocation of \$1,144,938, excluding administration. The total program cost for 2021 is within the 2021 approved budget. This funding does not include other additional non-mandatory levy contributions that council directs to other poverty reduction/alleviation efforts such as investments in homelessness services housing and discretionary benefits for social assistance recipients.

Analysis

NPI focuses on neighbourhood-based interventions and development to increase prosperity for Niagara residents living in poverty.

For 2021, NPI committed to providing supports to help communities rebuild and recover from the devastating impacts of COVID-19. The pandemic has exacerbated and amplified many of the issues caused by poverty. United Way Niagara and Niagara Regional staff reviewed local data, reports and spoke with experts in the community to help determine which areas of need required additional funding as a result of the pandemic. As an outcome of this review, the 2021 NPI Request for Proposals (RFP) targeted needs in the areas of housing, health and domestic violence.

1. **Housing** (improving housing stability through neighbourhood connectedness, enhancing the existing street outreach system, improving the health and well-being of individuals experiencing homelessness and expanding services that enable people to find and retain a home).
2. **Health** (expand access to free, quality mental health and addictions services, increase access to virtual or in-person addictions treatment, reduce isolation, increase access to dental health care, address the impacts of trauma, promote healthy child development and expand coordination across food bank programs).
3. **Domestic Violence** (expand crisis-based services that provide counselling and safety planning for women experiencing intimate partner violence, increase access to early intervention and family violence programs, increase access to virtual or in-person group and one-on-one counselling for those healing from the effects of violence and abuse).

The 2021 RFP was issued March 1st and closed April 2nd. Thirty-seven applications from thirty different agencies, with a total funding request of \$4,206,285 were received.

Niagara Region approves funding applications based on the recommendations of an independent review committee. Review committee members for 2021 included three Regional Councillors (B. Greenwood, L. Ip, L. Villella); two Niagara Region employees (Children's Services and Public Health); and seven members of the public including individuals with lived experience in poverty. Assessors reviewed each of their assigned proposals independently followed by group discussion on funding recommendations in three half-day meetings held in May 2021.

The criteria for assessment matched the proposal criteria and a list of review considerations were used to decide if the proposal was recommended or not recommended. After discussing all proposals, the group completed their final approvals and corresponding proposed budget recommendations. United Way Niagara finalized contracts based on these recommendations and a list of the approved projects by municipality is attached as Appendix 1.

Within the three streams of funding, eight projects are under Health, six projects are under Housing and two projects are under Domestic Violence.

Types of Projects	\$	%	# of Projects
Health – Mental Health/Addictions, Dental, Food	\$592,576	52%	8
Housing – Access, Outreach, Stability	\$400,154	35%	6
Domestic Violence – Early Intervention	\$152,208	13%	2
Total	\$1,144,938	100%	16

All sixteen projects will be funded to a maximum of 15 months with contracts ending August 30, 2022. Agencies have been advised that if they are unable to execute the project fully as a result of COVID-19, Niagara Region will recover unspent funds as soon as possible to ensure they can be redirected to urgent needs.

NPI Review

In 2018, Niagara Region's Social Assistance & Employment Opportunities (SAEO) division obtained funding of \$476,763 from the province's Local Poverty Reduction Fund (LPRF) for a three-year research project.

SAEO contracted with Brock University to complete the research. Brock University completed their review of NPI and the executive summary of the “Connecting the Pieces: An Evaluation of the Niagara Prosperity Initiative and Call for a Broader Poverty Reduction Strategy for Niagara” report was presented to PHSSC in March 2021. Within the executive summary, Brock proposed five recommendations to enhance Niagara Region’s response to poverty; develop a comprehensive poverty reduction strategy, increase investment, offer longer term and more deliberate funding, enhance research and design services for social inclusion aligned with poverty reduction priorities.

To support Niagara Region’s future responses to poverty, SAEO staff are working with Clarico Group Inc. to use the results of the Brock study to:

- Gain an understanding of the Region’s broader investments in poverty reduction;
- Propose an approach for the implementation of a broader Poverty Reduction strategy that would consider the investments into poverty reduction; and
- Propose to Council a new approach for NPI investments in the context of a broader Poverty Reduction strategy

The report will be presented at the September 2021 PHSSC meeting with the intent to implement Council-approved recommendations for NPI in 2022.

Alternatives Reviewed

Not applicable.

Relationship to Council Strategic Priorities

Investing funding and collaborative action in neighbourhoods in need supports Council’s strategic priority of Fostering an Environment for Economic Prosperity. Outcomes are realized by helping residents thrive through greater opportunities and relate to employment and improved community symptoms.

Other Pertinent Reports

COM 4 – 2021 Niagara Prosperity Initiative Review

COM 2 – 2021 Evaluation of 2108 Niagara Prosperity Initiatives Projects

COM 44-2011 Niagara Prosperity Initiative Update (Building a New Legacy: Building Prosperity by Improving the Quality of Neighbourhood Life)

COM 04-2008 A Legacy of Poverty Addressing Cycles of Poverty and the Impact on
Child Health in Niagara Region

Prepared by:

Lori Watson
Director
Community Services

Recommended by:

Adrienne Jugley, MSW, RSW, CHE
Commissioner
Community Services

Submitted by:

Ron Tripp, P.Eng.
Acting Chief Administrative Officer

This report was prepared in consultation with Marc Todd, Manager, Community Services.

Appendices

Appendix 1 List of approved 2021 NPI projects by agency & municipality

Appendix 1– 2021 Niagara Prosperity Initiatives

Regional

Agency	Project Name	Project Description	Funding Stream	Contract
Community Care St. Catharines and Thorold	Brushed Aside 2020	This program funds either the dental needs of individuals who are ineligible for publicly funded programs, or the unfunded portion of those who are eligible. Community Care is the lead agency working with five partners across Niagara. The maximum annual allotment per client is \$1,000.	Health - Dental	\$110,572
Gateway Residential & Community Support Services	Specialized Outreach – Niagara Assertive Street Outreach	This project will enhance the Niagara Assertive Street Outreach Team throughout the Niagara Region with the addition of two specialized outreach workers. The focus will be working with individuals living rough with a Dual Diagnosis and or Concurrent Disorder.	Housing - Outreach	\$72,214
Gillian's Place	Domestic Violence Response Initiative	This project is in collaboration with FACS Niagara and is designed to enhance services to families experiencing domestic violence who are also being served by child welfare.	Domestic Violence – Early Intervention	\$68,180
John Howard Society of Niagara	Navigating Harm Reduction Peer Outreach Program	This is a 10-week psychoeducational program designed to assist individuals who are struggling to maintain positive and pro-social relationships build practical skills to improve how they interact with others.	Domestic Violence – Early Intervention	\$84,028
Niagara Regional Native Centre	MNO Endayaan (The Good Home)	A project to enhance the Homeward Bound program by offering home supports that coincide with Indigenous pedagogies of holistic support.	Housing - Access/Find/Retain	\$78,500
Positive Living Niagara	Niagara Harm Reduction Peer Outreach Program	Peer workers will distribute harm reduction supplies and naloxone coupled with education to reduce infections, lower overdose rates and death.	Health - Mental Health / Addictions	\$42,988

Agency	Project Name	Project Description	Funding Stream	Contract
Project SHARE of Niagara Falls Inc.	Niagara Food Hub	This project will increase coordination among foodbanks to provide more essential food items like fresh protein to distribute to families who are living below the poverty line in Niagara.	Health- Food	\$28,996
Quest Community Health Centre	Niagara Homelessness Emergency Liaison & Peer Support	Individuals with lived experience of homelessness will provide counseling, assistance & referrals to community agencies to meet the needs of people experiencing homelessness who visit Emergency Departments (ED) in Niagara.	Health - Mental Health / Addictions	\$129,325
The RAFT	Landlords / Family Engagement	This project will further expand on the existing Landlord/Family Engagement program, initially a function of Youth Reconnect. Workers will help at risk youth acquire and/or maintain suitable market rent housing and family reunifications.	Housing - Access/Find/Retain	\$72,118

West Lincoln

Agency	Project Name	Project Description	Funding Stream	Contract
Links for Greener Learning	West Lincoln Community Care Housing Assistance	To provide housing cost relief to West Lincoln Community Care low income clients. This will help individuals meet their financial commitments, while providing the opportunity for goal setting and action plan development.	Housing - Access/ Find / Retain	\$45,000

St. Catharines

Agency	Project Name	Project Description	Funding Stream	Contract
Community Addiction Services of Niagara	Addiction Services in Women's Shelter Project	CASON will employ an Addiction Coach to work onsite with YWCA, Gillian's Place and Women's Place South Niagara participants who present addiction issues.	Health - Mental Health / Addictions	\$26,422

Agency	Project Name	Project Description	Funding Stream	Contract
YMCA of Niagara	YMCA Adventure Club	This is a program for children and families who are at-risk or in vulnerable situations and has been developed in response to the COVID-19 pandemic.	Health- Child	\$25,000
Westview Christian Fellowship	Westview Centre4Women	This project provides services in the sphere of housing and health in the Queenston Street and surrounding areas to women and families, dealing with issues of homelessness, addiction, sex trade / human trafficking, LGBTQ discrimination, and any other barriers preventing safe housing.	Housing - Stability	\$92,658

Welland

Agency	Project Name	Project Description	Funding Stream	Contract
Community Addiction Services of Niagara	Addiction Services in Women's Shelter Project	CASON will employ an Addiction Coach to work onsite with YWCA, Gillian's Place and Women's Place South Niagara participants who present addiction issues.	Health - Mental Health / Addictions	\$26,421
The Hope Centre	Return 2 Hope Counselling Services	A team of registered psychotherapists will provide supports to vulnerable members of the community to address adverse childhood trauma such as physical, emotional or sexual abuse which have been exacerbated with pandemic related anxiety and restrictions.	Health- Mental Health / Addictions	\$93,600
Welland Heritage Council and Multicultural Centre	Housing Coordinator	This project will serve newcomer clients with safe, secure, and clean emergency shelter apartments. Opportunities will be offered for select clients in the shelter to assist the Housing Coordinator with shelter tasks to gain Canadian work experience.	Housing - Stability	\$39,665

Niagara Falls

Agency	Project Name	Project Description	Funding Stream	Contract
Community Addiction Services of Niagara	Addiction Services in Women's Shelter Project	CASON will employ an Addiction Coach to work onsite with YWCA, Gillian's Place and Women's Place South Niagara participants who present addiction issues.	Health - Mental Health / Addictions	\$26,421
YMCA of Niagara	YMCA Adventure Club	This is a program for children and families who are at-risk or in vulnerable situations and has been developed in response to the COVID-19 pandemic.	Health- Child	\$25,000
Project SHARE of Niagara Falls Inc.	Dental Cleaning Program	This project will provide funding for dental cleaning for eligible adults who are living below the poverty line in Niagara Falls and without any dental coverage. This cleaning will increase their oral and overall health.	Health - Dental	\$57,830

Subject: Bridge Housing Design Phase Operations
Report to: Public Health and Social Services Committee
Report date: Tuesday, July 13, 2021

Recommendations

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

Key Facts

- The purpose of this report is to provide an update to Council with regard to the planning for the new Bridge Housing facility.
- Bridge Housing is a leading edge, short term supportive housing program addressing the needs of clients who are chronically homeless and present with complex and multiple barriers.
- The facility is planned to include recuperative beds as part of the offering to support homeless individuals who require additional health care, but do not require hospitalization. The Region continues to work with a number of partners to determine who will operate or direct the work of these beds.
- Policies and procedures to optimize the outcomes of bridge housing remain in development with limited similar programs operating, and none in an Ontario context. Homelessness Services has been piloting many of the policies and concepts as part of the pilot project currently operating, with encouraging housing outcomes to date. OrgCode has offered to partner with the Region in the development of programming, policies and procedures, as well as evaluation methods to ensure best practices are developed/implemented and create the program expectations for this facility going forward.
- After a presentation with funded agencies, it was requested that the Region operate the asset during the design phase period. Once satisfied that programming, policies and procedures for Bridge Housing are established, and an operational plan and linkages are developed the recuperative beds, the Region will then procure an operator, and transition the operations to a third party supportive housing provider.

Financial Considerations

The annual estimate to operate the bridge housing asset is \$1 million. This estimate was provided in Confidential report COM-C 30-2020 NRH. As directed by council, Community Services has been advocating, and identifying the need for operating dollars to our upper tier government funders, and will continue to do so, in order to receive on-going and sustainable funding for this asset. It should be noted that several other municipalities, also leveraging one-time COVID funding to purchase properties for supportive housing, are making similar requests to the Provincial government for operating dollars. However, funding has not been secured at the time of writing this report. The 2021 budget was approved with planned base budget reductions to homelessness prevention programs and included a one-time allocation back to the homelessness program as the facility is not expected to be operational until December 31, 2021. If funding is not secured, the 2022 budget will continue to reflect the base budget reductions to prevention programs in order to operate the bridge housing asset as this is considered to be more impactful to the Region's objective to reduce chronic homelessness. The reductions will be made through program redesign and policy revisions. This includes revisions to the policies around housing stability plan and Niagara emergency energy fund programs, similar to other municipal counterparts.

Analysis

Bridge Housing is identified as a newer model of service intended for a population of chronically homeless clients with multiple and/or complex needs. Many of the clients participating in the current bridge housing pilot are living with mental illness, addictions and chronic health issues. This cohort of homeless clients are often identified as "hard to serve" or "service resistant". These individual adults are more likely to be overlooked, or under-served in any broader effort to assist homeless individuals to achieving permanent housing as there is little in the way of resources that would meet their needs. Bridge housing will provide a more appropriate service option for this group of people, known currently to consume a considerable volume of shelter services/bed days and community resources while "stuck" in a state of homelessness.

Bridge housing is an intensive support program, with shorter-term accommodation that closes the gap for chronically homeless individuals as they continue in their journey towards permanent housing. Clients are supported in a manner that addresses their complex needs, in an environment that allows for individually designed programming to assist them in achieving their housing goals. Staff will be on site 24/7 and will be dedicated to accelerating the securing of housing with supports or supportive housing

for the individual while concurrently providing intensive supports to allow people to live in a self-contained unit, much like they will experience when they move out of bridge housing. Service offerings will include mental health and addictions programming, securing identification and income, and case management as they continue to access the supports they need to ensure housing success,. Connecting participants to community-based resources including primary health care, trusteeships, peer support groups, socio-recreational activities, and life-skill training will support individuals as they prepare to move in to their permanent housing.

Community Services has been piloting elements of this program at the Housing Focused shelter pilot offered during the pandemic, supported with provincial COVID funding. To date this program has had 127 intakes, with 43 successful exits to permanent housing. The program has experienced 53 exits due to clients self discharging or being unsuccessful in the program. This demonstrates the continued need to redesign programming, policy and procedures, through a continuous improvement approach, to achieve maximum outcomes for this client group.

Based on the work currently being performed at the pilot, staff considered taking on the direct operations of the bridge housing project, to allow for time to further develop the programming, policy and procedures necessary to operate a successful program. At this juncture, staff determined that input from the homeless serving agencies of Niagara was integral to the decision to move forward with temporary direct operations during the design phase of the this program. Staff invited all funded agencies to a meeting to discuss the next steps of the Bridge Housing project and to receive their input on the temporarily continue with direct operations post pandemic, as the owners of the design phase. At the end of the presentation, and question and answer session, agencies were asked to vote anonymously on their support of the Region operating the facility for the design period. Community agencies were all in favour of the Region continuing this work with the exception of one.

With the support of the Community and the commitment and expertise of the Homeless staff, work has already begun on the necessary project planning, start up policies, procedures and human resources efforts to be prepared to commence operations in December of 2021.

This initial work also includes working with Reach Niagara and local health care providers including NHS, Niagara's Ontario Health team and the Niagara Falls CHC to confirm needs and develop program design for the recuperative beds within the same facility.

Homelessness Services is excited to share that Iain De Jong, CEO OrgCode has worked extensively with the Homelessness team during this initial work. As part of their interest in this Bridge Housing project, OrgCode has indicated a desire to partner with the Region on the development of programming, policy and procedures for operations, eligibility criteria and discharge from the program. In addition, the intent of OrgCode is once the work is complete, is to ensure that the final program will be identified as a Canadian best practice model and available to all interested jurisdictions. As part of the work to ensure the program is successful, OrgCode has offered support in the evaluation process during and at the conclusion of the design phase.

Staff are working collaboratively with Human Resources to establish a staffing model, job descriptions and job ratings for the new facility. All positions will be temporary, reflective of the temporary nature of these operations. Once more, the learnings of what expertise, training and certification of staff/positions will be shared with any future operator.

The design phase is anticipated to be complete after one to two years, at which time the Region will undertake a procurement process to establish a contract with a third party provider to assume the operations (similar to how the Region provides shelter and other supportive housing services). It is anticipated, the scope of work provided during the procurement process, will reflect the expected best practices, performance targets, policies and procedures established during the design phase to ensure that the continued operations reflect the success and unique opportunity of Bridge Housing in Niagara.

Alternatives Reviewed

Staff did consider moving immediately to a public procurement process to award the operations of the Bridge Housing program to a third party provider. However, as there was concern that the program and performance expectations are not completely confirmed, that most local providers indicated that they preferred temporary Regional operations, and that there is an opportunity to receive a high level of expertise during the design phase, staff are not recommending moving immediately to find a third party operator. It is important to be clear, however, that staff are not recommending that the facility is directly operated beyond the Design phase.

Relationship to Council Strategic Priorities

The Bridge Housing Program is a homelessness system service that supports the Council Priority of a Healthy and Vibrant Community and contributes to Council's direction to develop and implement an affordable housing strategy.

Other Pertinent Reports

- Confidential COM-C 30-2020 NRH

Prepared by:

Cathy Cousins, CPA, CA
Director Homelessness Services
Community Services

Recommended by:

Adrienne Jugley, MSW, RSW, CHE
Commissioner
Community Services

Submitted by:

Ron Tripp, P.Eng.
Acting Chief Administrative Officer

This report was reviewed by Lisa Castellen, Human Resources Consultant, Stephanie Muhic, Program Financial Specialist, Nicole Cortese, Supervisor, Shelter Operations and Margaret Penca, Manager Homelessness Services.

MEMORANDUM

COM-C 24-2021

Subject: Niagara Regional Housing 2020 Annual Report

Date: July 13, 2021

To: Public Health and Social Services Committee

From: Ann-Marie Norio, Regional Clerk

Further to correspondence dated June 11, 2021, received from Niagara Regional Housing (NRH), respecting the NRH 2020 Annual Report (attached as Appendix 1), NRH has prepared a video highlighting their 2020 accomplishments that can be viewed by copying the link provided below and pasting into your browser.

<https://www.youtube.com/watch?v=a8RKayjiUg>

Respectfully submitted and signed by

Ann-Marie Norio
Regional Clerk



Mailing Address:
P.O. Box 344
Thorold ON L2V 3Z3

Street Address:
Campbell East
1815 Sir Isaac Brock Way
Thorold ON

Phone: 905-682-9201
Toll Free: 1-800-232-3292
(from Grimsby and beyond Niagara region only)

Main Fax: 905-687-4844
Fax – Applications: 905-935-0476
Fax – Contractors: 905-682-8301
Web site: www.nrh.ca

June 11, 2021

Ann-Marie Norio, Regional Clerk
Niagara Region
1815 Sir Isaac Brock Way
Thorold, ON L2V 4T7

Dear Ms. Norio,

In compliance with Section 11.3. of The Regional Municipality of Niagara/Niagara Regional Housing Operating Agreement, please see attached the NRH 2020 Annual Report on the Corporation's activities and achievements, consisting of a letter with an embedded short video report.

Your assistance is requested in moving report NRH 9-2021, the NRH 2020 Annual Report, through the Public Health & Social Services Committee to Regional Council for information.

Sincerely,

A handwritten signature in black ink, appearing to read 'Walter Sendzik', with a long horizontal flourish extending to the right.

Councillor Walter Sendzik
Chair



ANNUAL REPORT 2020



Like so many organizations, Niagara Regional Housing (NRH) was challenged like never before in 2020. The global pandemic forced the shut down of many of the

supports and services that our clients depend upon to live healthy lives. Fortunately, staff were able to adapt service delivery without sacrificing the high quality of work to which NRH clients and stakeholders have become accustomed. As you will see in the NRH 2020 Annual Report video, NRH and our partners worked together to come up with creative solutions to help our clients through the unfamiliar and frightening year.

Recognizing that vulnerable populations were disproportionately affected by the pandemic, NRH worked tirelessly to minimize its

impact. Throughout the year, we continued to serve Niagara residents and support the construction of new affordable housing across the region. The Annual Report video highlights NRH's many accomplishments through this incredibly difficult year.

And now, we have begun to see light at the end of the tunnel for the pandemic and NRH is moving toward an even stronger relationship with Niagara Region with a new organizational model. I am confident that this will bring a renewed emphasis on the needs of our community and that NRH and Niagara Region will work together to be even more creative, adaptable and collaborative.

On behalf of the Board and Staff of NRH, I would like to thank all those who have been so dedicated to Community Housing in Niagara. We share the same goal to provide quality community housing opportunities for individuals and families across our region. I look forward to creating better futures together.

I hope you enjoy our [2020 Annual Report](#) video.

Sincerely,
Walter Sendzik | NRH Chair

MEMORANDUM

COM-C 25-2021

Subject: Niagara Joins Built for Zero Veteran Cohort

Date: July 13, 2021

To: Public Health & Social Services Committee

From: Adrienne Jugley, Commissioner, Community Services

It is with pleasure I can announce that in May 2021, Niagara was chosen to participate in the Built for Zero Canada (BFZ-C) Veterans cohort. Niagara now joins a core group of leading Canadian communities working to end veteran homelessness.

Niagara first joined BFZ-C in July of 2019. Built for Zero is a Canadian movement, led by the Canadian Alliance to End Homelessness, which supports participating communities to work toward an end to chronic and/or veteran homelessness. Communities are coached in the adoption of proven practices and strategies, targeted to their local context. When Niagara was first accepted into BFZ-C it was to advance its work on ending chronic homelessness. By joining the Veterans cohort, Niagara will now expand the use of BFZ-C's structured, data-driven approach and proven practices to drive continuous improvement to end veteran homelessness.

In 2020 Niagara's homeless serving system supported 26 people who identified as a veteran. In March 2021 there were ten individuals who identified as a veteran on Niagara's By Name List (BNL), with five of these individuals experiencing chronic homelessness. Participation in the BFZ-C Veterans cohort will provide an opportunity to further increase collaboration between Niagara's homeless serving system and key veteran service organizations, including the Royal Canadian Legion and Veterans Affairs Canada to better support this population.

For more information visit the [Built for Zero Canada website](https://bfzcanada.ca/) (<https://bfzcanada.ca/>).

Respectfully submitted and signed by,

Adrienne Jugley, MSW, RSW, CHE
Commissioner

Minute Item No. 3.2.1

CSD 44-2021

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

That Report CSD 44-2021, dated July 14, 2021, respecting Stop Up and Close a Portion of Regional Road 1 (Dominion Road) in the Town of Fort Erie, **BE RECEIVED** and the following recommendations **BE APPROVED**:

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-law **BE PREPARED** and **PRESENTED** to Council for consideration.

Minute Item No. 4.2.1

CLK 8-2021

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

That Report CLK 8-2021, dated July 14, 2021, respecting Application for Tourism Exemption for Holiday Openings under the Retail Business Holidays Act - Home Depot Store - 7190 Morrison Street, City of Niagara Falls, **BE RECEIVED** and the following recommendations **BE APPROVED**:

1. 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
2. That the necessary by-law **BE PREPARED** and **PRESENTED** to Regional Council for consideration.

Minute Item No. 7.1

CSD 37-2021

Development Charge Demolition Credit Extension Request – Brownfield Redevelopment, Grimsby

That Report CSD 37-2021, dated July 14, 2021, respecting Development Charge Demolition Credit Extension Request – Brownfield Redevelopment, Grimsby, **BE RECEIVED** and the following recommendation **BE APPROVED**:

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 of Report CSD 37-2021, in accordance with section 18 (c) of By-law 2017-98.

Minute Item No. 7.2

CSD 45-2021

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

That Report CSD 45-2021, dated July 14, 2021, respecting 2018-RFP-33 Architectural Services for Two Long Term Care Homes in the City of St. Catharines and the Town of Fort Erie, **BE RECEIVED** and the following recommendations **BE APPROVED**:

1. That Contract Administration Services identified in “2018-RFP-33 Architectural Services for Two Long Term Care 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 of Report CSD 45-2021.

Minute Item No. 7.3

CSD 46-2021

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

That Report CSD 46-2021, dated July 14, 2021, respecting Engineering Roster Extension - Water, Wastewater, Transportation, Waste Management and Facilities, **BE RECEIVED** and the following recommendation **BE APPROVED**:

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).

Minute Item No. 7.4

CSC-C 19-2021

Deferred Motion Respecting Hospice Niagara Request for Funding

That Correspondence Item CSC-C 19-2021, being a memorandum from A.-M. Norio, Regional Clerk, dated July 14, 2021, respecting Deferred Motion - Hospice Niagara Request for Funding (Report CSD 24-2021), **BE RECEIVED** and the following recommendations **BE APPROVED**:

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.

Minute Item No. 8

Consent Items for Information

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

CSD 48-2021

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

CSC-C 20-2021

Minutes of the Regional Development Charges Policy Task Force

Minute Item No. 11.1

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”)

That Confidential Report CSD 38-2021, dated July 14, 2021, respecting A Matter Respecting Litigation and A Matter of Advice that is Subject to Solicitor-Client privilege under s. 239(2) of the Municipal Act, 2001 – Update Regarding Niagara-on-the-Lake Wastewater Treatment Plant (“NOTL WWTP”), Niagara-on-the-Lake Sewage Pumping Station (“NOTL SPS”), and Welland Wastewater Treatment Plant Upgrades (“Welland WWTP”), **BE RECEIVED** for information.

Minute Item No. 11.2

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

That Confidential Report CSD 43-2021, dated July 14, 2021, respecting 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, **BE RECEIVED** and the recommendations contained therein, **BE APPROVED**.

Minute Item No. 11.3

South Niagara Falls Wastewater Treatment Plant

That staff **BE DIRECTED** to provide a project management report directly to Council, related to the new South Niagara Falls Water and Wastewater Treatment plant, that includes a project road map with timelines, projected costs and milestones.

**THE REGIONAL MUNICIPALITY OF NIAGARA
CORPORATE SERVICES COMMITTEE
OPEN SESSION**

**CSC 7-2021
Wednesday, July 14, 2021
Council Chamber / Video Conference
Niagara Region Headquarters, Campbell West
1815 Sir Isaac Brock Way, Thorold, ON**

Committee Members Present in the Council Chamber: Foster (Committee Chair)

Committee Members Present via Video Conference: Butters, Campion, Diodati, Easton, Edgar, Fertich, Gale, Heit, Ip, Redekop, Rigby, Whalen (Committee Vice-Chair)

Absent/Regrets: Bradley (Regional Chair)

Staff Present in the Council Chamber: H. Chamberlain, Director, Financial Management & Planning/Deputy Treasurer, E. Fabiani, Technology Support Analyst, T. Harrison, Commissioner/Treasurer, Corporate Services, B. Menage, Director, Procurement & Strategic Acquisitions, A.-M. Norio, Regional Clerk, M. Trennum, Deputy Regional Clerk, R. Tripp, Acting Chief Administrative Officer, B. Zvaniga, Interim Commissioner, Public Works

Staff Present via Video Conference: D. Ane, Manager, Program Financial Support, T. Cimino, Associate Director, Water, Wastewater Engineering, S. Crocco, Legal Counsel, N. Early, Director, Corporate Strategy & Innovation, D. Gibbs, Director, Legal & Court Services, R. Fleming, Senior Tax & Revenue Analyst, F. Fucile, Manager, Real Estate, K. Lotimer, Legislative Coordinator, R. McDougall, Commander, Emergency Management Services Logistics, M. Murphy, Associate Director, Budget Planning & Strategy, E. Prpic, Associate Director, Waste Disposal Operations & Engineering, D. Rurak, Director, Asset Management, K. Smith, Chief/Director, Emergency Medical Services, F. Tassone, Associate Director, Transportation Engineering, N. Wolfe, Director, Construction, Energy & Facilities

1. CALL TO ORDER

Committee Chair Foster called the meeting to order at 9:30 a.m.

2. DISCLOSURES OF PECUNIARY INTEREST

Councillor Gale declared an indirect pecuniary interest with respect to Report CSD 45-2021 (Agenda Item 7.2), respecting 2018-RFP-33 Architectural Services for Two Long Term Care Homes in the City of St. Catharines and the Town of Fort Erie, as his daughter-in-law is employed at a Niagara Region long term care home.

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

At 9:32 a.m., Committee Chair Foster called the public participation meeting pursuant to the *Municipal Act, 2001*, and Regional Policy to order.

The Committee Chair advised that the purpose of this meeting was to receive comments and answer questions from the public respecting the proposed stop up and close of a portion of Regional Road 1 (Dominion Road) in the Town of Fort Erie and for the consideration of Report CSD 44-2021 following the opportunity for the public to provide comments.

The Committee Chair stated that in accordance with Regional Policy, public notice of the meeting was advertised on June 29, 2021, on the Region's website.

3.1 Registered Speakers

The Committee Chair advised that there were no registered speakers for today's meeting and that members of the public could submit written comments after the public meeting by sending them to the Regional Clerk.

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

Moved by Councillor Redekop
Seconded by Councillor Easton

That Report CSD 44-2021, dated July 14, 2021, respecting Stop Up and Close a Portion of Regional Road 1 (Dominion Road) in the Town of Fort Erie, **BE RECEIVED** and the following recommendations **BE APPROVED**:

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-law **BE PREPARED** and **PRESENTED** to Council for consideration.

Carried

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

The Committee Chair declared the public participation meeting pursuant to the *Municipal Act, 2001*, and Regional Policy adjourned at 9:35 a.m.

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

At 9:36 a.m., Committee Chair Foster called the public participation meeting pursuant to the *Retail Business Holidays Act* to order.

The Committee Chair advised that the purpose of the meeting was to receive comments and answer questions from the public regarding the application for tourism exemption under the *Retail Business Holidays Act* from Home Depot Store - 7190 Morrison Street in the City of Niagara Falls.

The Committee Chair stated that, in accordance with Regional Policy, public notice of the meeting was advertised on the Region's website on June 7, 2021. Additionally, public notice was advertised in the Niagara Falls Review on June 5 and June 8, 2021.

4.1 Registered Speakers

The Committee Chair advised that there were no registered speakers for today's meeting and that members of the public could submit written comments after the public meeting by sending them to the Regional Clerk.

4.2 Report for Consideration

4.2.1 CLK 8-2021

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

Moved by Councillor Diodati
Seconded by Councillor Gale

That Report CLK 8-2021, dated July 14, 2021, respecting Application for Tourism Exemption for Holiday Openings under the Retail Business Holidays Act - Home Depot Store - 7190 Morrison Street, City of Niagara Falls, **BE RECEIVED** and the following recommendations **BE APPROVED**:

1. 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
2. That the necessary by-law **BE PREPARED** and **PRESENTED** to Regional Council for consideration.

Carried

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

The Committee Chair declared the public participation meeting pursuant to the Retail Business Holidays Act adjourned at 9:43 a.m.

5. **PRESENTATIONS**

There were no presentations.

6. **DELEGATIONS**

There were no delegations.

7. ITEMS FOR CONSIDERATION

7.1 CSD 37-2021

Development Charge Demolition Credit Extension Request – Brownfield Redevelopment, Grimsby

Moved by Councillor Fertich

Seconded by Councillor Whalen

That Report CSD 37-2021, dated July 14, 2021, respecting Development Charge Demolition Credit Extension Request – Brownfield Redevelopment, Grimsby, **BE RECEIVED** and the following recommendations **BE APPROVED**:

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 of Report CSD 37-2021, 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**.

Moved by Councillor Gale

Seconded by Councillor Whalen

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

2. That the eligibility period extension request for the Regional Development Charge demolition credits associated with 2 Winston Rd., Grimsby, ~~**BE DENIED**~~ **BE APPROVED**; 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. That any extensions to brownfield grant agreements between the Regional Municipality of Niagara and Losani Homes (1998) LTD. BE APPROVED if the extension aligns with the Town of Grimsby’s Development Charges By-law.**

Moved by Councillor Butters
Seconded by Councillor Redekop

That the following amendments **BE DEFERRED** to the Corporate Services Committee meeting being held on August 11, 2021:

2. That the eligibility period extension request for the Regional Development Charge demolition credits associated with 2 Winston Rd., Grimsby, ~~**BE DENIED**~~ **BE APPROVED**; 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. That any extensions to brownfield grant agreements between the Regional Municipality of Niagara and Losani Homes (1998) LTD. BE APPROVED if the extension aligns with the Town of Grimsby's Development Charges By-law.**

Carried

The Committee Chair called the vote on Clause 1 of the motion and declared it,

Carried

7.2 CSD 45-2021

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

Moved by Councillor Butters
Seconded by Councillor Edgar

That Report CSD 45-2021, dated July 14, 2021, respecting 2018-RFP-33 Architectural Services for Two Long Term Care Homes in the City of St. Catharines and the Town of Fort Erie, **BE RECEIVED** and the following recommendations **BE APPROVED**:

1. That Contract Administration Services identified in "2018-RFP-33 Architectural Services for Two Long Term Care 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 of Report CSD 45-2021.

Carried

7.3 CSD 46-2021

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

Moved by Councillor Heit

Seconded by Councillor Campion

That Report CSD 46-2021, dated July 14, 2021, respecting Engineering Roster Extension - Water, Wastewater, Transportation, Waste Management and Facilities, **BE RECEIVED** and the following recommendation **BE APPROVED**:

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).

Carried

7.4 CSC-C 19-2021

Deferred Motion Respecting Hospice Niagara Request for Funding

Moved by Councillor Ip

Seconded by Councillor Easton

That Correspondence Item CSC-C 19-2021, being a memorandum from A.-M. Norio, Regional Clerk, dated July 14, 2021, respecting Deferred Motion - Hospice Niagara Request for Funding (Report CSD 24-2021), **BE RECEIVED** and the following recommendations **BE APPROVED**:

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.

Carried

8. CONSENT ITEMS FOR INFORMATION

Moved by Councillor Campion
Seconded by Councillor Fertich

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

CSD 48-2021

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

CSC-C 20-2021

Minutes of the Regional Development Charges Policy Task Force

Carried

9. OTHER BUSINESS

9.1 Provincial Downloading of Responsibilities

Councillor Redekop enquired whether Regional Council had passed a resolution or taken any steps to organize other Ontario municipalities to approach the provincial government respecting downloading of various responsibilities that have occurred. Ann-Marie Norio, Regional Clerk, advised that she would confirm if a resolution had been passed.

10. CLOSED SESSION

Moved by Councillor Gale
Seconded by Councillor Whalen

That this Committee **DO NOW MOVE** into closed session for the purpose of receiving information of a confidential nature respecting A Matter Respecting Litigation and A Matter of Advice that is Subject to Solicitor-Client privilege under s. 239(2) of the Municipal Act, 2001 – Update Regarding Niagara-on-the-Lake Wastewater Treatment Plant (“NOTL WWTP”), Niagara-on-the-Lake Sewage Pumping Station (“NOTL SPS”), and Welland Wastewater Treatment Plant Upgrades (“Welland WWTP”).

Carried

Committee resolved into closed session at 10:32 a.m.

11. BUSINESS ARISING FROM CLOSED SESSION ITEMS

Committee reconvened in open session at 10:44 a.m. with the following individuals in attendance:

Committee Members Foster (Committee Chair)
Present in the Council
Chamber:

Committee Members Butters, Campion, Diodati, Easton, Edgar, Fertich, Gale, Heit, Ip,
Present via Video Redekop, Rigby, Whalen (Committee Vice-Chair)
Conference:

Absent/Regrets: Bradley (Regional Chair)

Staff Present in the H. Chamberlain, Director, Financial Management &
Council Chamber: Planning/Deputy Treasurer, E. Fabiani, Technology Support
Analyst, T. Harrison, Commissioner/Treasurer, Corporate
Services, B. Menage, Director, Procurement & Strategic
Acquisitions, A.-M. Norio, Regional Clerk, M. Trennum, Deputy
Regional Clerk, R. Tripp, Acting Chief Administrative Officer, B.
Zvaniga, Interim Commissioner, Public Works

Staff Present via D. Ane, Manager, Program Financial Support, T. Cimino,
Video Conference: Associate Director, Water, Wastewater Engineering, S. Crocco,
Legal Counsel, D. Gibbs, Director, Legal & Court Services, F.
Fucile, Manager, Real Estate, K. Lotimer, Legislative
Coordinator, R. McDougall, Commander, Emergency
Management Services Logistics, K. Smith, Chief/Director,
Emergency Medical Services

11.1 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”)

Moved by Councillor Redekop
Seconded by Councillor Easton

That Confidential Report CSD 38-2021, dated July 14, 2021, respecting A Matter Respecting Litigation and A Matter of Advice that is Subject to Solicitor-Client privilege under s. 239(2) of the Municipal Act, 2001 – Update Regarding Niagara-on-the-Lake Wastewater Treatment Plant (“NOTL WWTP”), Niagara-on-the-Lake Sewage Pumping Station (“NOTL SPS”), and Welland Wastewater Treatment Plant Upgrades (“Welland WWTP”), **BE RECEIVED** for information.

Carried

11.2 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

Moved by Councillor Rigby
Seconded by Councillor Fertich

That Confidential Report CSD 43-2021, dated July 14, 2021, respecting 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, **BE RECEIVED** and the recommendations contained therein, **BE APPROVED**.

Carried

11.3 South Niagara Falls Wastewater Treatment Plant

Moved by Councillor Gale
Seconded by Councillor Heit

That staff **BE DIRECTED** to provide a project management report directly to Council, related to the new South Niagara Falls Water and Wastewater Treatment plant, that includes a project road map with timelines, projected costs and milestones.

Carried

12. **NEXT MEETING**

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

13. ADJOURNMENT

There being no further business, the meeting adjourned at 10:52 a.m.

Councillor Foster
Committee Chair

Kelly Lotimer
Legislative Coordinator

Ann-Marie Norio
Regional Clerk

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

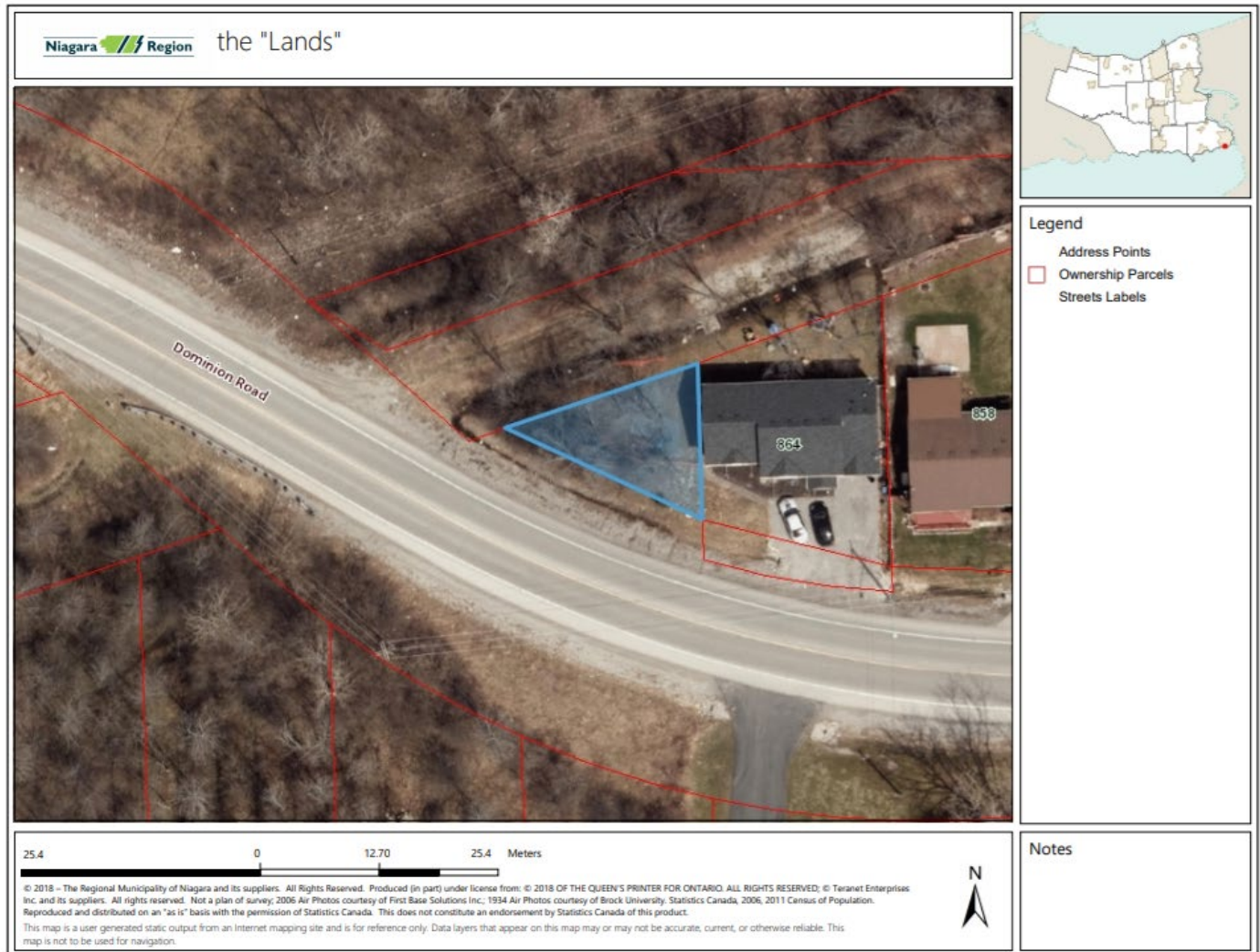
Submitted by:

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.

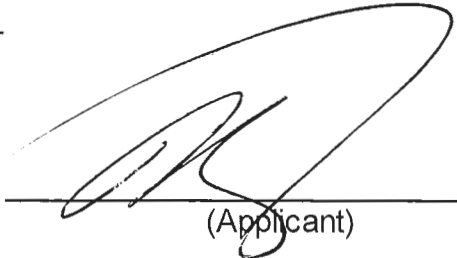
Declared before me at the City

~~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:

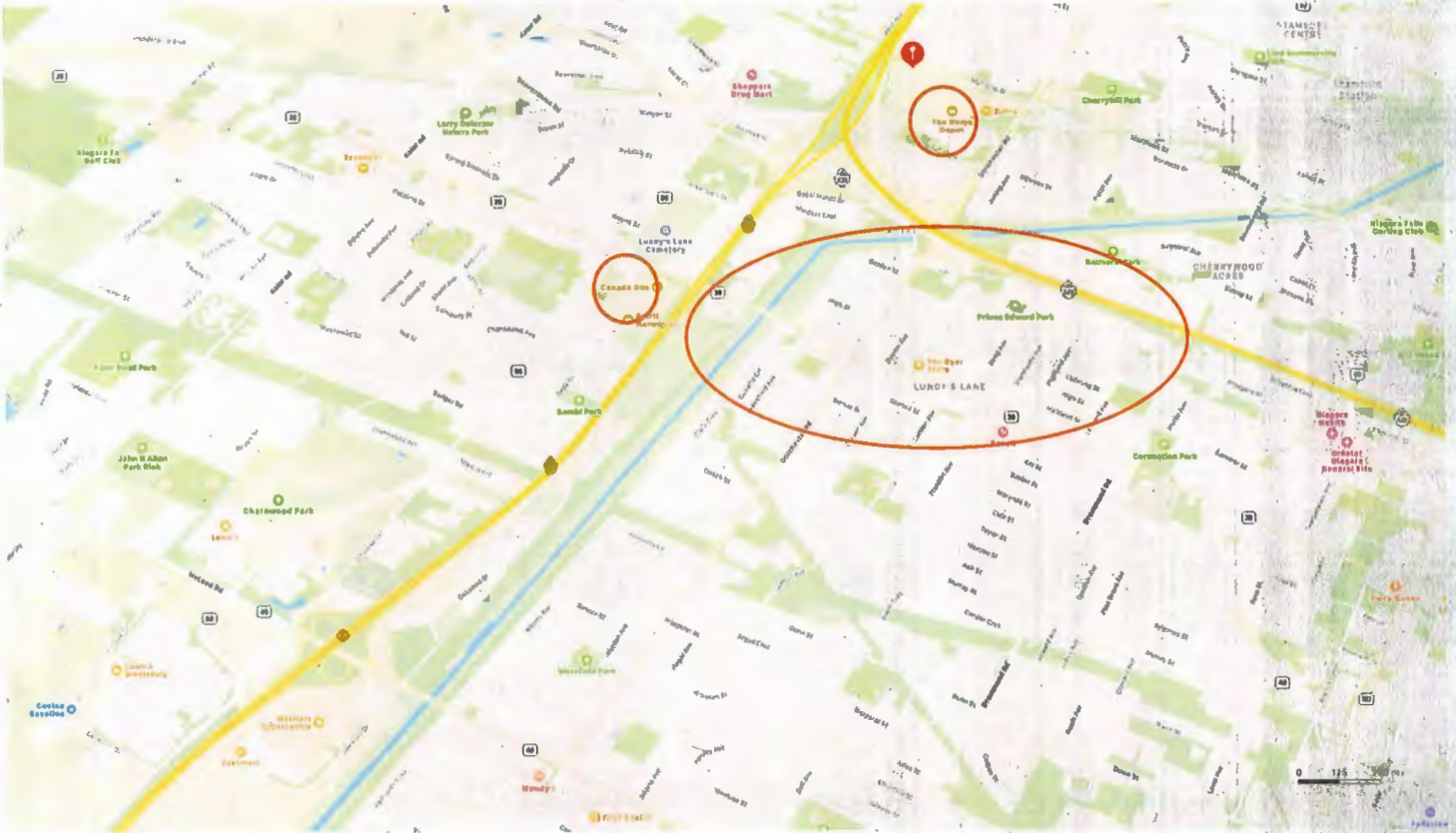
1. It is required that the original application be filed with the Regional Clerk, together with appropriate documentation, accompanied by a cheque in the amount of \$750, made payable to:

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.

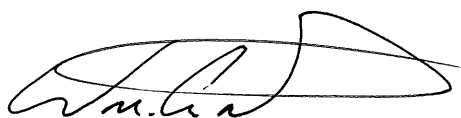
There is a process to apply for a tourist exemption through the Clerks Office at the Region. There is a fee and the Region will hold a public meeting to be held before the Region's Corporate Services Committee on Monday June 28, 2021.

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 to 9:00 PM, including:*

New Year's Day	from 7:00	a.m.	to 9:00	p.m.
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:

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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.

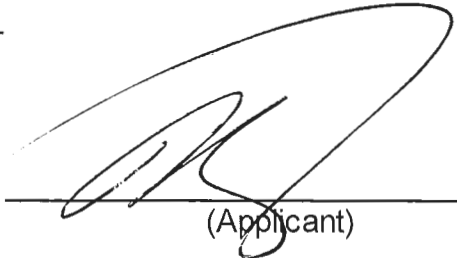
Declared before me at the City

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:

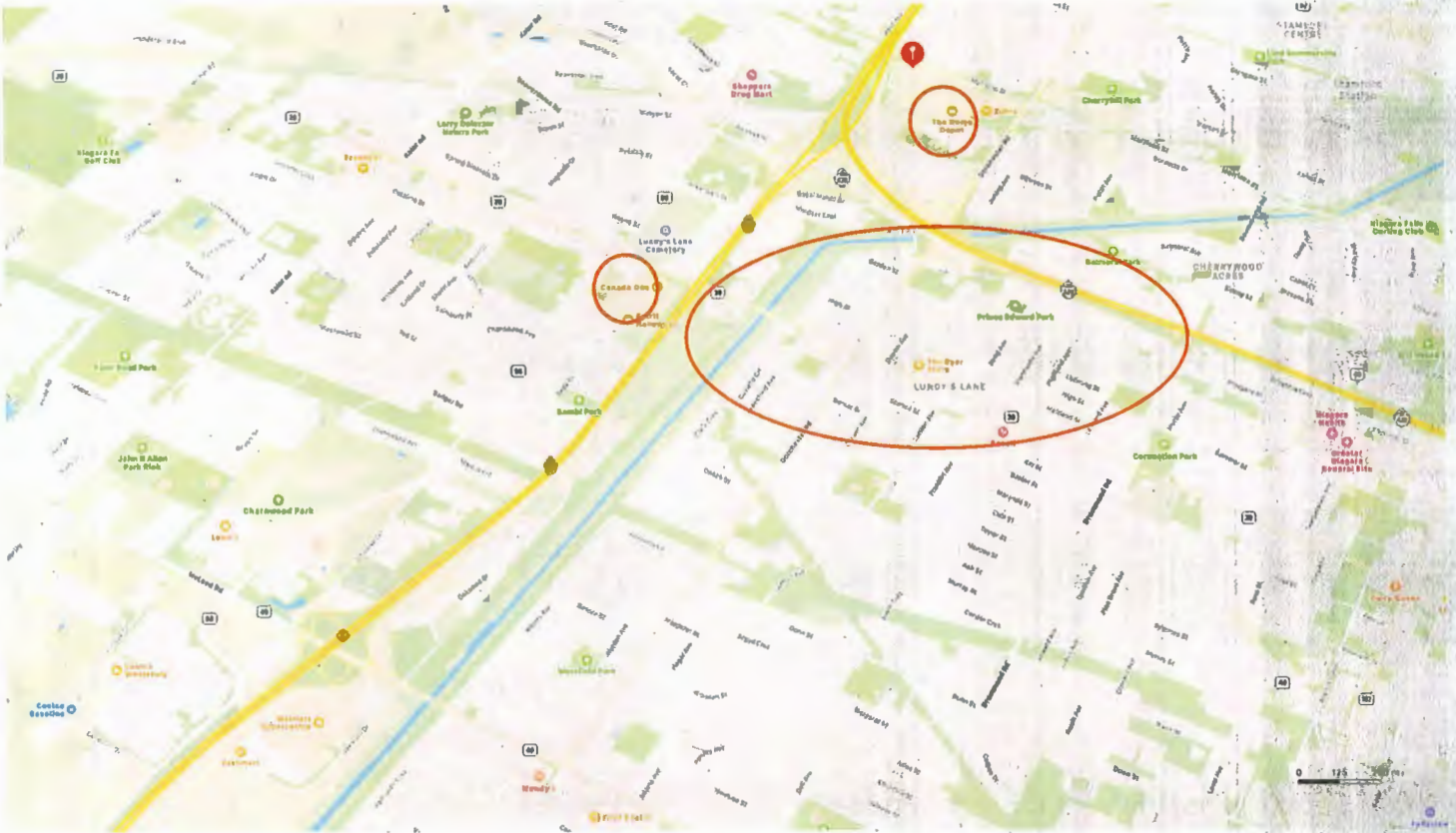
1. It is required that the original application be filed with the Regional Clerk, together with appropriate documentation, accompanied by a cheque in the amount of \$750, made payable to:

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 - (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 'Brandon 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



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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.

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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



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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 – WWW, 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 WWW, 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: 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-WW 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
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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

Minute Item No. 5.1

PDS 29-2021 – Northwest Welland Secondary Plan (OPA 29) – City of Welland

That Report PDS 29-2021, dated July 14, 2021, respecting Northwest Welland Secondary Plan (OPA 29) – City of Welland, **BE RECEIVED** and the following recommendations **BE APPROVED**:

1. That Local Official Plan Amendment No. 29 to the City of Welland Official Plan (Appendix 1 of Report PDS 29-2021) **BE APPROVED**, as modified;
2. That all parties **BE NOTIFIED** of Regional Council's decision in accordance with *Planning Act, 1990* requirements;
3. That staff **ISSUE** a declaration of final approval for Local Official Plan Amendment No. 29, 20 days after notice of Council's decision has been given, provided that no appeals have been filed against the decision, in accordance with *Planning Act, 1990* requirements; and
4. That this report **BE CIRCULATED** to the City of Welland, the City of Thorold and the Town of Pelham.

Minute Item No. 6

Consent Items for Information

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

ED 14-2021

Economic Development Marketing Update

PDS-C 44-2021

Regional Greening Initiative Update

PDS-C 45-2021

Tree Planting at Decew Falls Water Treatment Plant

**THE REGIONAL MUNICIPALITY OF NIAGARA
PLANNING & ECONOMIC DEVELOPMENT COMMITTEE
MINUTES**

**PEDC 7-2021
Wednesday, July 14, 2021
Council Chamber/Video Conference
Regional Headquarters, Campbell West
1815 Sir Isaac Brock Way, Thorold, ON**

Committee Members Present in the Council Chamber: Huson (Committee Chair), Witteveen (Committee Vice Chair)

Committee Members Present via Video Conference: Bradley (Regional Chair), Butters, Bylsma, Campion, Darte, Easton, Fertich, Foster, Greenwood, Heit, Junkin, Redekop, Rigby, Sendzik, Ugulini

Absent/Regrets: Bellows, Zalepa

Staff Present in the Council Chamber: E. Acs, Manager, Community Planning, M. Elia, Technology Support Analyst, D. Giles, Acting Commissioner, Planning & Development Services, G. Spezza, Director, Economic Development, M. Trennum, Deputy Regional Clerk, C. Ventura, Legislative Coordinator

Staff Present via Video Conference: I. Banach, Acting Director, Community & Long Range Planning, P. Busnello, Manager, Development Planning, K. Desharnais, Strategic Marketing Manager, S. Dunsmore, Manager, Development Engineering, D. Heyworth, Official Plan Policy Consultant, K. McCauley, Acting Manager, Long Range Planning, D. Morreale, Director, Development Approvals, A.-M. Norio, Regional Clerk, K. Young, Planner, B. Zvaniga, Interim Commissioner, Public Works

1. CALL TO ORDER

Committee Chair Huson called the meeting to order at 1:00 p.m.

2. DISCLOSURES OF PECUNIARY INTEREST

There were no disclosures of pecuniary interest.

3. PRESENTATIONS

There were no presentations.

4. **DELEGATIONS**

There were no delegations.

5. **ITEMS FOR CONSIDERATION**

5.1 **PDS 29-2021**

Northwest Welland Secondary Plan (OPA 29) – City of Welland

Kirsten McCauley, Acting Manager, Long Range Planning, provided information respecting the Northwest Welland Secondary Plan (OPA 29). Topics of the presentation included:

- Northwest Welland Secondary Plan Area
- Northwest Welland Timeline
- Vision and Objectives
- Northwest Welland Land Use Schedule
- Supporting Technical Studies
- Modifications to Local Official Plan Amendment (LOPA) 29
- Recommendation for LOPA 29

Moved by Councillor Campion
Seconded by Councillor Ugolini

That Report PDS 29-2021, dated July 14, 2021, respecting Northwest Welland Secondary Plan (OPA 29) – City of Welland, **BE RECEIVED** and the following recommendations **BE APPROVED**:

1. That Local Official Plan Amendment No. 29 to the City of Welland Official Plan (Appendix 1 of Report PDS 29-2021) **BE APPROVED**, as modified;
2. That all parties **BE NOTIFIED** of Regional Council's decision in accordance with *Planning Act, 1990* requirements;
3. That staff **ISSUE** a declaration of final approval for Local Official Plan Amendment No. 29, 20 days after notice of Council's decision has been given, provided that no appeals have been filed against the decision, in accordance with *Planning Act, 1990* requirements; and
4. That this report **BE CIRCULATED** to the City of Welland, the City of Thorold and the Town of Pelham.

Carried

Councillor Information Request(s):

Provide information respecting the natural heritage system mapping of the Northwest Welland Secondary Plan and any supporting documentation.
Councillor Easton

6. CONSENT ITEMS FOR INFORMATION

6.1 ED 14-2021

Economic Development Marketing Update

Katie Desharnais, Manager, Strategic Marketing, provided information on the Economic Development Marketing Update. Topics of the presentation included:

- Overview
- Executed Marketing Campaigns
- Upcoming Marketing Campaigns

Councillor Information Request(s):

Circulate the articles referred to in the presentation. Councillor Heit

6. CONSENT ITEMS FOR INFORMATION

Moved by Councillor Foster

Seconded by Councillor Greenwood

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

ED 14-2021

Economic Development Marketing Update

PDS-C 44-2021

Regional Greening Initiative Update

PDS-C 45-2021

Tree Planting at Decew Falls Water Treatment Plant

Carried

Councillor Information Request(s):

Provide information respecting the Region's approach to tree planting on lands owned by Niagara Region as it relates to the Niagara Region Greening Initiative and Government of Canada two billion trees program. Councillor Sendzik

7. OTHER BUSINESS

7.1 Rain Barrel Initiative

Councillor Junkin requested information respecting the discontinuation of the sale of rain barrels to residents that Niagara Region previously offered.

7.2 New Commissioner of Planning & Development Services

Committee Chair Huson announced that Michelle Sergi would be starting as the Commissioner, Planning and Development Services, on Monday July 19.

8. NEXT MEETING

The next meeting will be held on Wednesday, August 11, 2021 at 1:00 p.m.

9. ADJOURNMENT

There being no further business, the meeting adjourned at 2:29 p.m.

Councillor Huson
Committee Chair

Chris Ventura
Legislative Coordinator

Ann-Marie Norio
Regional Clerk

Northwest Welland Secondary Plan (LOPA 29) Recommendation Report

Planning and Economic Development Committee
PDS 29-2021

July 14, 2021

Kirsten McCauley, Acting Manager Long Range Planning

Northwest Welland Secondary Plan Recommendation Report

Presented by:

Kirsten McCauley, MCIP, RPP

Acting Manager, Long Range Planning

kirsten.mccauley@niagararegion.ca



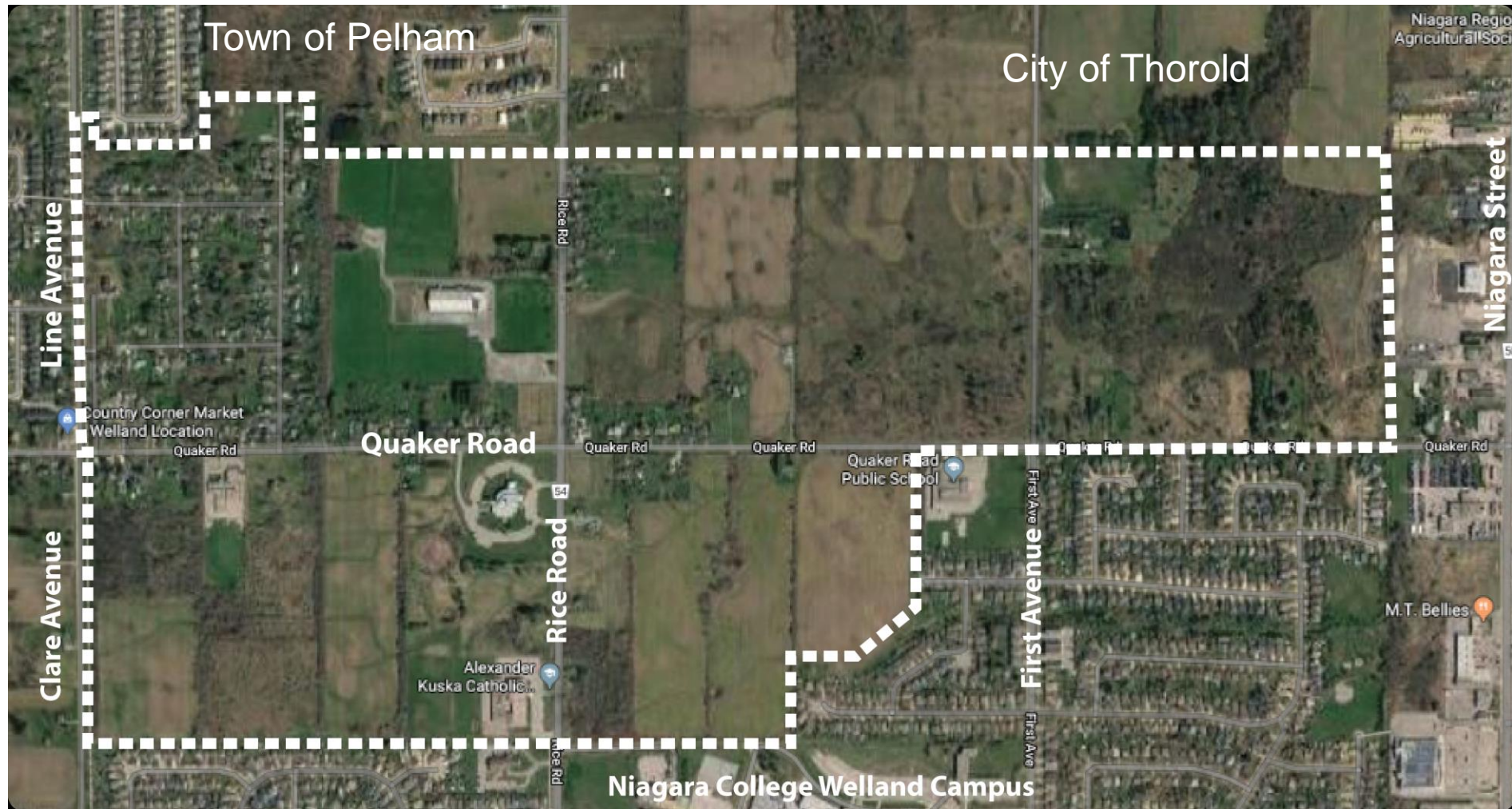
Associated report:

PDS 29-2021

July 14, 2021

Official Plan Amendment 29

Northwest Welland Secondary Plan Area



Northwest Welland Timeline

2017

NW Welland
UBE and SP
commenced

September -
Region and City
partnered on
project

2018/2019

Background and
existing conditions
review and public
consultation

2019/2020

November
2019/July 2020 City
makes application
for urban boundary
expansion
(pre-MCR)

October 2020
City adopts NW
Welland Secondary
Plan

2021

January 2021
Urban boundary
expansion approved
by Regional Council

May 2021
Additional study work
submitted to address
outstanding items

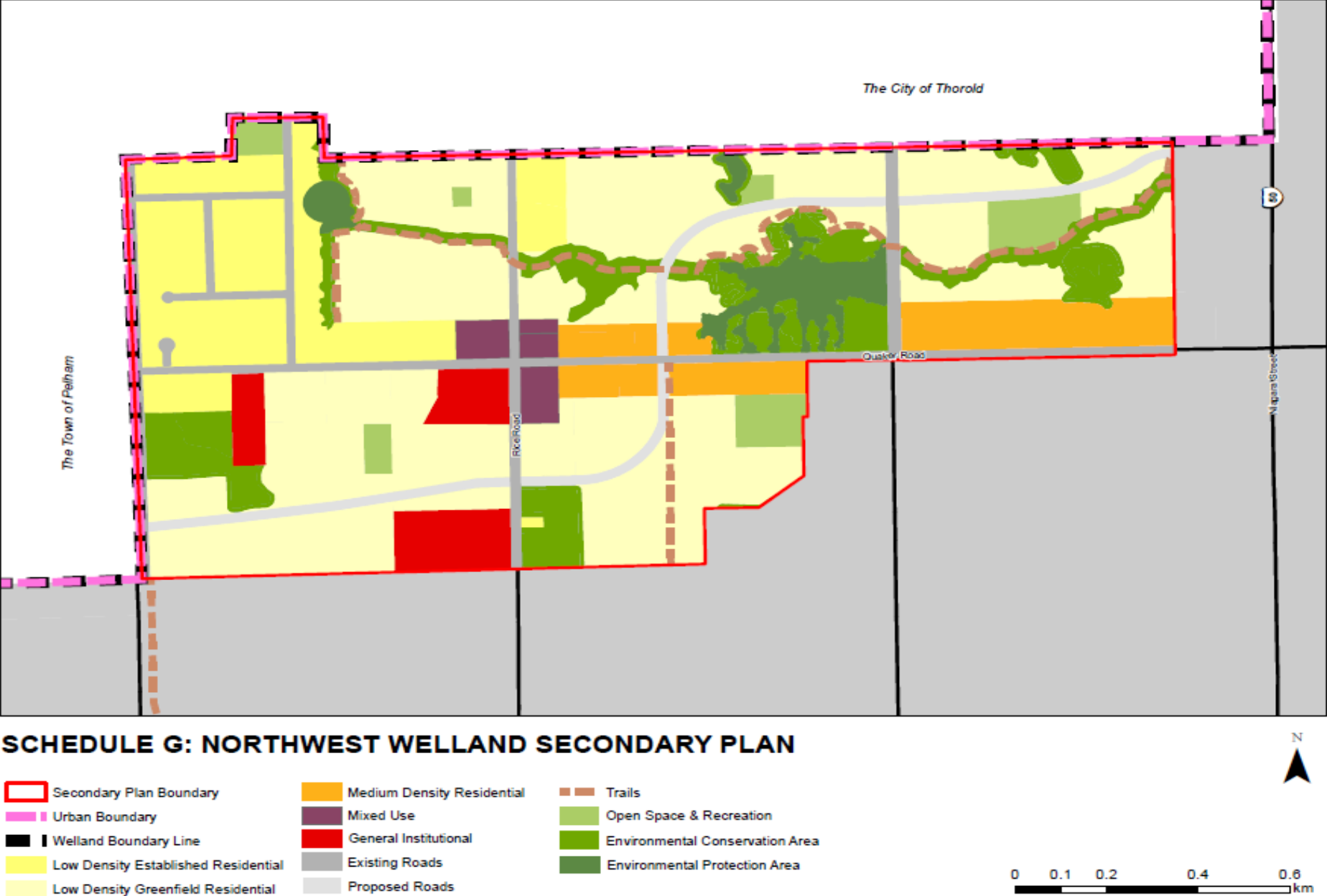
Vision and Objectives

Northwest Welland is envisioned as a complete, balanced community that:

- Promotes a mix of land uses and built form;
- Protects and enhances natural heritage features, areas, and corridors linked to the broader linked natural heritage system;
- Provides active transportation options through a connected, safe and walkable public realm that links to community destinations;
- Incorporates sustainable community design initiatives.



NW Welland Land Use Schedule



Supporting Technical Studies

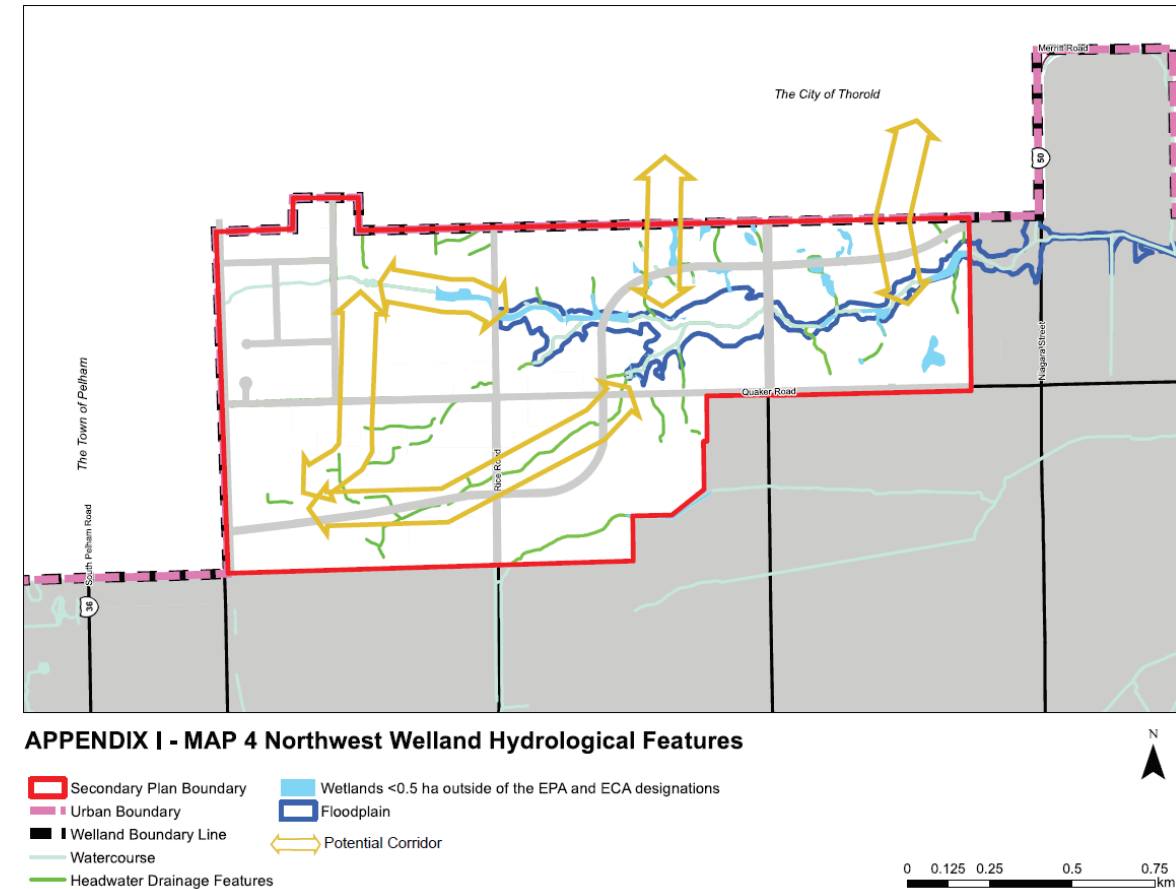
Prepared with the following technical inputs:

- Background Report and Key Directions Report
- Transportation Impact Study
- Functional Servicing Study
- Stormwater Management Report
- Natural Heritage Study/Environmental Impact Study
- Archaeological and Cultural Heritage Assessment



Modifications to LOPA 29

- Natural heritage corridor policies
- Transportation policies
- Direction for infrastructure
- Phasing and cost sharing



Recommendation for LOPA 29

- ✓ Public and agency comments reviewed and considered.
- ✓ Consistent with and conforms with Provincial and Regional policy.
- ✓ Modifications supported by Welland.
- ✓ Consulted with Thorold and Pelham.
- ✓ Represents a proactive plan for growth that has been sufficiently justified through the required technical studies.



Subject: Recommendation Report – Northwest Welland Secondary Plan (OPA 29) – City of Welland

Report to: Planning and Economic Development Committee

Report date: Wednesday, July 14, 2021

Recommendations

1. That Local Official Plan Amendment No. 29 to the City of Welland Official Plan **BE APPROVED**, as modified (Attached as Appendix 1 to Report PDS 29-2021);
2. That all parties **BE NOTIFIED** of Regional Council's decision in accordance with *Planning Act, 1990* requirements;
3. That staff **ISSUE** a declaration of final approval for Local Official Plan Amendment No. 29, 20 days after notice of Council's decision has been given, provided that no appeals have been filed against the decision, in accordance with *Planning Act, 1990* requirements; and
4. That this report **BE CIRCULATED** to the City of Welland, the City of Thorold and the Town of Pelham.

Key Facts

- This report recommends approval of Local Official Plan Amendment 29 ("LOPA 29"), as modified, to the City of Welland Official Plan. LOPA 29 implements the Northwest Welland Secondary Plan ("NWSP").
- Earlier this year, the Region approved Regional Official Plan Amendment 18 ("ROPA 18") and LOPA 24 to expand Welland's urban area boundary to include the NWSP area.
- The NWSP will provide specific land use and policy direction for the development of the plan area. Its direction is supported by a number of technical studies.
- The City of Welland held a series of engagement events for the NWSP. A formal Public Meeting was held on September 22, 2020 in accordance with the

requirements of the *Planning Act, 1990* and the City adopted the LOPA 29 at its meeting on October 27, 2020.

- Prior to the adoption of LOPA 29, the Region requested additional information related to infrastructure servicing, transportation and policies related to the natural heritage system. These changes were not made to the Secondary Plan prior to adoption and, therefore the Region retained approval authority.
- The City submitted the updated Northwest Welland Secondary Plan Municipal Servicing Conceptual Design Report on May 19, 2021 to address the Region's infrastructure comments.
- The Region modified the NWSP to reflect comments related to infrastructure, as well as outstanding matters on natural heritage corridors, transportation, phasing and cost sharing. City of Welland Staff support these modifications.
- LOPA 29, as modified, is consistent with and conforms with Provincial and Regional policy.

Financial Considerations

There are no direct financial implications arising from this report.

The cost to process LOPA 29 has been accommodated within the Planning and Development Services Department 2021 Operating Budget.

In the event Council's decision is appealed to the Ontario Lands Tribunal, additional resources would be needed. In such case, a further report on financial implications will be provided.

The Region awarded a Smarter Niagara Incentive Program – Planning Grant to this project. The SNIP planning grant will fund 50% of the cost of a secondary plan project to an established limit. In this case, the limit is \$125,000.

Analysis

The NWSP is comprised of approximately 190 hectares generally running along Quaker Road and bound by the Town of Pelham and City of Thorold to the north, the rear lot

lines of properties along Niagara Street to the east, Niagara College's Welland Campus to the south and Line Avenue and Clare Avenue on the west.

The NWSP was initiated as a 2 phase process in 2017, supported by the Region, to consider the northwest urban area expansion and secondary plan process.

Phase 1, the expansion of Welland's urban area boundary, was successfully concluded earlier this year with the approval of ROPA 18 and LOPA 24 to include the Northwest lands. The NWSP area is now designated urban.

Phase 2 is the Secondary Plan. The Secondary Plan considers how development will logically occur and ensures a coordinated approach to land use and mix of built form, consideration of infrastructure and transportation requirements, natural and cultural heritage protection, urban design, and similar matters beyond the general policy of the Official Plan.

The NWSP establishes land use and policy direction for the future development of the plan area. Studies submitted in support of NWSP were used to inform and refine the specific land use direction. These technical studies include:

- **Background Report and Key Direction Report:** summarizes the applicable planning policy, existing conditions and key inputs from the below studies to provide a planning rationale for the recommended land use plan and policy direction for the NWSP.
- **Transportation Impact Study:** identifies the capacity of the existing road network within the study area to determine the level of service and informed the Secondary Plan work in terms of new road connections and active transportation facilities.
- **Functional Servicing Study:** sets out the capacity of the existing infrastructure network to service the expansion lands and made recommendations for future servicing requirements.
- **Stormwater Management Report:** demonstrates how stormwater runoff generated by the NWSP lands will address water quality and quantity.
- **Natural Heritage Study / Floodplain and Natural Hazards Study:** identifies impact on key hydrologic areas, natural heritage systems and how to mitigate any impact on

natural heritage features. Information from this report was used to designate environmental areas accordingly.

- **Archaeological and Cultural Heritage Assessment:** identifies the archaeological and built heritage features within the study area, evaluates these features and makes recommendations on mitigating any adverse effects of any further development on built heritage and archaeological resources.

The Region provided detailed comments on the draft Secondary Plan to the City of Welland on September 14, 2020. These comments provided suggestions for policy clarification and requested additional information and policy to address outstanding items related to servicing, transportation and natural heritage corridors.

On September 22, 2020, the City of Welland held a Public Meeting for LOPA 29. On October 27, 2020, the City adopted LOPA 29.

LOPA 29 includes the policies and a specific land use plan for the NW Welland Secondary Plan, as well as mapping changes to the City's Official Plan schedules to designate the NW Welland lands as within the NWSP area. At that time, the Region could not issue an exemption to Regional approval since ROPA 18 and LOPA 24 were not yet approved.

Additionally, several items set out in the Region's September 14, 2020 comments were unresolved.

At the January 13, 2021 PEDC meeting, Regional Planning staff advanced a report for ROPA 18 and LOPA 24 to recommend expansion of the urban area boundary. At this meeting, City staff made a delegation to request that the Region exempt its approval for LOPA 29. In response, Regional staff advised that they could not recommend issuing an exemption since several matters (noted above) remained unresolved. Regional Council did not allow the exemption; it retained approval authority for LOPA 29.

Since that time, the Region and City have worked collaboratively to resolve the outstanding items. On May 19, 2021, Welland provided the Region with infrastructure information that addressed remaining outstanding concerns.

Regional staff are now satisfied that all outstanding matters set out in its September 14, 2020 letter have been resolved since they have been incorporated in the modified version of LOPA 29. These changes are supported by Welland Staff.

The modified LOPA 29 has 13 policy modifications and 1 mapping change. These include policies related to natural heritage corridors, transportation, servicing, phasing and cost sharing.

Secondary Plan Modifications

Natural corridors are essential in maintaining and enhancing biodiversity in an ecosystem and avoiding fragmentation. Additional policy direction has been provided to protect and incorporate corridors through the development of the Secondary Plan area. The potential corridor linkages have now been conceptually identified on Secondary Plan Appendix 1 - Map 4. The corridor connections between natural features are to be further reviewed through an Environmental Impact Study as part of future development applications.

The Region has modified the transportation policies to add specific direction for additional transportation analysis for development along Rice Road and the future collector road. In addition, policy directs that future road accesses to a Regional Road will require approval from the Region.

The Region has received and reviewed an updated Northwest Welland Secondary Plan Municipal Servicing Conceptual Design Report, dated May 2021. The updated report addresses the infrastructure related concerns and provides detailed direction for a local municipal servicing strategy through a local sanitary collection system. LOPA 29 has been modified to add a policy to reference to this updated report, which will guide servicing strategies submitted for development applications within the plan area. An additional policy prohibits individual servicing connection to the regional trunk sewers.

Finally, policies have been added that require the creation of a phasing plan to ensure that development within the Secondary Plan area proceeds in a logical, efficient and fiscally responsible manner. The phasing strategy will consider a number of elements to ensure that growth and infrastructure requirements are well coordinated.

In addition to the above phasing policies, the City has also requested the incorporation of policies related to front-ending and cost sharing agreements. These policies will

ensure that, as the Secondary Plan area develops over time, the development is coordinated and the costs of the municipal and community infrastructure, land and/or facilities are fairly and equitably shared amongst all land owners.

With the above noted modifications, the Region is satisfied all outstanding matters of regional interest have been addressed. Staff consulted with Welland Staff and received support for the changes.

Policy Analysis

LOPA 29 has been reviewed for consistency with the Provincial Policy Statement, 2020 (“PPS”) and conformity with the applicable Provincial Plan, being the *Growth Plan*, and the Region’s Official Plan.

For the reasons set out below, LOPA 29 is consistent with the PPS, 2020 and conforms to the *Growth Plan* and the Region’s Official Plan.

Provincial Policy Statement, 2020

The PPS, 2020 provides direction on land use planning to promote sustainable, strong communities, a strong economy, and a clean and healthy environment.

The PPS encourages efficient development patterns that optimize the use of land, resources and public investment in infrastructure and public service facilities by promoting a mix of housing (including affordable and market-based range of residential types), employment, recreation, parks and open spaces. It encourages transportation choices that increase the use of active transportation and transit before other modes of travel.

PPS policies also direct the protection and enhancement of natural heritage features and systems, cultural heritage and archaeological resources, and the wise use and management of resources.

The Secondary Plan addresses the above and provides a framework for the creation of a complete community while protecting important resources.

A Place to Grow - Growth Plan for the Greater Golden Horseshoe (2020)

The Growth Plan provides a strategic, long-range growth management framework for the Greater Golden Horseshoe area. The Growth Plan supports Ontario's vision of building stronger, more efficient, prosperous communities through appropriate growth management.

The guiding principles of the Growth Plan are focused on achieving complete communities, stimulating economic growth, prioritizing intensification and higher densities to optimize infrastructure investments, and mitigating the adverse impacts of climate change.

Complete communities are defined as mixed-use neighbourhoods that offer opportunities for people of all ages and abilities to conveniently access most of the necessities for daily living, including an appropriate mix of jobs, local stores and services, and a full range of transportation and housing options, including affordable housing.

The Secondary Plan will direct the achievement of a complete community by providing a proactive plan for a mix of land uses and built form, the efficient use of infrastructure, the provision of a street network that supports active transportation and the provision of public spaces.

Regional Official Plan

As noted earlier, the Region approved ROPA 18 and LOPA 24 to bring the NWSP lands into the urban area boundary. The NWSP lands are now urban and designated as Designated Greenfield Area (DGA), where the lands are largely vacant, and Built-Up Area (BUA), where existing development is located.

The Secondary Plan proposes a mix of land uses and built form to provide variety and choice. The policy framework and land use direction will contribute to the minimum intensification rate for development or redevelopment in the existing BUA and new development will meet the density target for the new vacant area available for development. The DGA requires compact, mixed-use development that contributes towards the Region's density target of 50 persons and jobs per hectare.

ROPA 18 requires the approval of the Northwest Welland Secondary Plan to guide the development of this new community.

Consultation

The Secondary Plan underwent a comprehensive consultation process through the City. The City held Public Information Centres at key milestones to gather feedback from the public. A formal Public Meeting was held by the City on September 22, 2020.

The Region received some inquiries asking about the timing for approval of LOPA 29. Outside of those questions, the Region has not received any comments since the City's adoption in October 2020.

At the January 21, 2021 Regional Council meeting, Regional staff were directed to circulate all information related to the Secondary Plan to the City of Thorold and the Town of Pelham. Information was provided immediately following this meeting. Subsequently, Welland and Regional staff have met with both municipalities to discuss the project. Both municipalities advised that their interests relate to infrastructure and potential impacts to development for planned lands in East Fonthill and Port Robinson, respectively, which abut the NWSP lands.

The City of Welland updated the Northwest Welland Secondary Plan Municipal Servicing Conceptual Design Report, dated May 2021, to demonstrate how the plan area will be serviced by a local sanitary collection system. Regional Development Engineering and Water/Wastewater staff confirmed this additional information satisfies its outstanding concern.

In addition, the Region has initiated a review and update of the Water/Wastewater Master Servicing Plan ("MSP"). Previously, the NW Welland area was not included in the MSP as it was outside of the urban area. Through the current update, NWSP growth will be considered since these lands are now urban.

Adjustments to scope, budget, and timing of infrastructure upgrades for the Towpath Sewage Pumping Station will be reflected in the updated MSP based on the NWSP growth proposed to ensure Pelham and Thorold, which also rely on this infrastructure to service growth in their communities, will be accommodated. No negative impacts to Pelham's or Thorold's timing of development is anticipated as a result of the NWSP approval.

Conclusion

The NWSP contains policies that support and encourage a range and mix of land uses and built form types, the protection and integration of natural heritage features, opportunities for transit supportive development and active transportation, and the development of complete, well-designed neighbourhoods.

The Region has worked collaboratively with the City to create a Secondary Plan that will provide the foundation for a strong, healthy, balanced and prosperous new community.

Specifically, over the last few months, the Region and City have worked closely to address and satisfy the outstanding comments and modify the Secondary Plan accordingly. As noted, both Region and City staff are agreeable to these modifications and support the approval of the Secondary Plan as modified.

Alternatives Reviewed

Alternative Option 1:

Council could choose not to approve LOPA 29, as modified. This alternative is not recommended because Staff are satisfied the City has provided sufficient justification in its materials and planning opinion. The Region has worked with Welland on its NWSP work program.

Alternative Option 2:

Council could choose to approve LOPA 29 without modifications. This alternative is not recommended because LOPA 29 was modified to add policy direction to address Regional interest related to servicing, transportation and natural heritage. City and Regional staff agree that the modifications are appropriate.

Relationship to Council Strategic Priorities

Approval of the NWSP through LOPA 29 will support the following Council strategic priorities:

- **Healthy and Vibrant Community** – the NWSP area has been proactively planned through the Secondary Plan work to evolve into a complete community.

- Responsible Growth and Infrastructure Planning – the NWSP will allow for orderly growth to occur and to utilize infrastructure in a fiscally responsible manner.

Other Pertinent Reports

PDS 3-2021 - Regional Official Plan Amendment 18 and Local Official Plan Amendment 24 – Northwest Welland Urban Boundary Expansion Request

Prepared by:

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Planning and Development Services

Recommended by:

Doug Giles, MES, BUP
Acting Commissioner
Planning and Development Services

Submitted by:

Ron Tripp, P.Eng.
Acting Chief Administrative Officer

This report was reviewed by Isaiah Banach, Acting Director of Community and Long Range Planning

Appendices

Appendix 1	Local Official Plan Amendment 29, as modified
Appendix 2	List of Modifications to LOPA 29

AMENDMENT NO. 29

to the

OFFICIAL PLAN

of the

CORPORATION OF THE CITY OF WELLAND

October, 2020

Modified and Approved on _____, 2021
by the Regional Municipality of Niagara

**THE CORPORATION OF THE CITY OF WELLAND
BY-LAW NUMBER 2020- 128**

**A BY-LAW TO AUTHORIZE THE ADOPTION
OF OFFICIAL PLAN AMENDMENT NO. 29**

WHEREAS the Official Plan of the Corporation of the City of Welland was adopted by the City of Welland on May 4, 2010.

AND WHEREAS the Regional Municipality of Niagara gave partial approval to the Official Plan on October 21, 2011.

AND WHEREAS the Ontario Municipal Board gave partial approval to the Official Plan on June 24, 2014.

AND WHEREAS the Council of the Corporation of the City of Welland deems it expedient to amend the Official Plan.

AND WHEREAS the Regional Municipality of Niagara is the approval authority for Amendments to the Official Plan of the Corporation of the City of Welland.

**NOW THEREFORE THE MUNICIPAL COUNCIL OF THE CORPORATION OF
THE CITY OF WELLAND ENACTS AS FOLLOWS:**

1. That the Corporation of the City of Welland hereby adopts Official Plan Amendment No. 29 for the Corporation of the City of Welland.
2. That Staff is hereby authorized and directed to give Notice of Council's adoption of Amendment No. 29 to the Region of Niagara for approval in accordance with Section 17(23) of the Planning Act.

**READ A FIRST, SECOND AND THIRD TIME AND PASSED BY COUNCIL THIS
27TH DAY OF OCTOBER, 2020.**

_____Original signed by_____MAYOR

_____Original signed by_____CLERK

Amendment No. 29
to the
Official Plan
of the
Corporation of the City of Welland

This Amendment to the Official Plan for the City of Welland, was adopted by the Council of the Corporation of the City of Welland on October 27, 2020. Official Plan Amendment 29 requires approval of the Regional Municipality of Niagara as the approval authority under subsection 17(22) of the Planning Act, R.S.O. 1990, Chapter P.13, as amended.

Date:Nov 4, 2020..... _____ Original signed by _____

ROSE DI FELICE, M.Pl.,
M.Sc., MCIP, RPPMANAGER
OF POLICY PLANNING
INFRASTRUCTURE AND DEVELOPMENT
SERVICESTHE CORPORATION OF THE
CITY OF WELLAND

**AMENDMENT NO. 29 TO THE OFFICIAL PLAN OF THE
CORPORATION OF THE CITY OF WELLAND**

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PART A - THE PREAMBLE (This does not constitute part of the Amendment)

TITLE AND COMPONENTS

This document, when approved in accordance with the Planning Act, shall be known as Amendment No. 29 to the Official Plan of the Corporation of the City of Welland.

Part "A", the Preamble, does not constitute part of this Amendment.

Part "B", the Amendment, consists of the map and text changes.

Part "C", the Appendices, which does not constitute part of this Amendment, contains the background data, planning considerations and public involvement associated with this Amendment.

PURPOSE OF THE AMENDMENT

The purpose of Official Plan Amendment 29 is to provide specific land use designations and planning policies including design criteria to be implemented in the area at the time of development.

LOCATION

The lands subject to this Amendment encompass lands bordered by the City of Welland northern municipal boundary with the City of Thorold and the Town of Pelham, Niagara Street (Regional Road No. 50) to the east, the existing City urban boundary to the south and Clare Avenue to the west. Rice Road, First Avenue and Quaker Road all traverse the subject lands.

BASIS

This Amendment designates and provides policies that will direct development for lands within the Northwest Welland Secondary Plan area.

PART B - THE AMENDMENT

All of the Amendment entitled PART B - THE AMENDMENT, consisting of the following Policies and the maps referred to as Schedule "A" - Land Use Plan and Policies, constitute Amendment No. 29 to the Official Plan of the Corporation of the City of Welland.

MAP CHANGES

1. Schedules 'A', 'B', 'B1', 'C', 'C1', and 'D' are hereby amended by designating lands within the area described as the Northwest Welland Secondary Plan area which are the lands subject to Official Plan Amendment 29.
2. Schedule 'G' is hereby added and outlines the detailed land use designations for the lands subject to Official Plan Amendment 29.
3. Appendix I - Map 4 is hereby added to the Secondary Plan to show a number of drainage features within Northwest Welland (Appendix 1 - Map 4 Northwest Welland Hydrological Features) that identifies the area's headwater features (not contained within an Environmental Protection or Conservation Area designation), unevaluated wetlands less than 0.5 hectares (not contained within the Natural Heritage System) and floodplain limits.

Northwest Secondary Plan Policies

1. The Official Plan of the Corporation of the City of Welland is hereby amended by adding the following:

7.3.1.4 Northwest Welland Secondary Plan Background and Planning Context

- Northwest Welland is intended to accommodate future urban growth within the City through orderly, sequential and contiguous Designated Greenfield Area development along with infill in the Built Up Area. The Secondary Plan Area is well positioned for the establishment of a new complete community that will integrate with surrounding built up areas, provide connections, and effectively accommodate existing and planned infrastructure.

- As delineated on Schedule G, the Northwest Welland Secondary Plan Area covers approximately 190 hectares of land along Quaker Road and is generally bound by the Town of Pelham and City of Thorold to the north, the Niagara College Welland Campus to the south, the rear lot lines of properties abutting Niagara Street to the east, and Line Avenue and Clare Avenue to the west.
- Schedule G outlines the detailed land use designations for the Secondary Plan Area. Section 3 outlines the policies specific to each land use designation, which will direct development within the Secondary Plan Area, together with the vision and objectives for Northwest Welland as outlined in Section 2.
- All development within Northwest Welland shall consider the design and built form direction of both the Welland Urban Design Guidelines, as well as the Northwest Welland Urban Design Guidelines included as an addendum to the City-wide guidelines.
- The minimum density target for Welland's Designated Greenfield Areas shall be 50 residents and jobs combined per gross hectare.

7.3.1.5 Vision and Objectives

Vision

- Over time, Northwest Welland is envisioned to evolve into a complete community that will accommodate future growth and development in the City in a manner that respects the existing character and built form of the area, as well as the natural environment. New low density residential areas will develop as extensions of existing established neighbourhoods within the community, and new medium density residential growth will serve to intensify Quaker Road to the east of Rice Road, providing for a more walkable, transit supportive community close to parks, trails, and schools. The centralized mixed use node located at the intersection of Quaker Road and Rice Road will provide intensified residential and commercial growth to help achieve a balanced community where residents can live, work, learn, and play.

Objectives

- To protect and enhance natural heritage features, areas, and corridors of Northwest

Welland within the City's broader linked natural heritage system.

- To promote healthy and active living for all ages and abilities by providing active transportation options and developing a continuous and connected open space system, a safe and walkable pedestrian realm, and a trail system that links the community to destinations such as natural areas, parks, schools, stores, and recreation areas.
- To create a unique and inclusive community for residents by providing for a diverse range of housing types and a variety of uses located within the area.
- To maintain the low density residential character of existing neighbourhoods, while developing a new community that is compact, connected, walkable, and diverse.
- To reduce traffic congestion by providing a balanced road network for local residents, businesses, students, and visitors supportive of the public transit network.
- To conserve, protect and integrate built and cultural heritage elements as per Section 6.6 of this Plan.
- To implement sustainable community design initiatives that ensure conservation of water resources and adaptation to climate change.

7.3.1.6 Land Use Structure

Low Density Established Residential

Planned Function

- The Low Density Established Residential designation recognizes the existing residential neighbourhoods within the Secondary Plan Area.

Permitted Uses

- Permitted uses for lands designated Low Density Established Residential on Schedule G shall be in accordance with Section 4.2.2.2.B Low Density Residential of this Plan.

Scale

- Low-rise residential infill and intensification should respect and fit in with the character of existing low density residential neighbourhoods, in terms of built form, scale and massing, in accordance with Section 4.2.3.1 Design Policies for Existing Neighbourhoods, and 4.2.3.6 Infill and Intensification Development of this Plan.

Design

- The design of development for lands designated Low Density Established Residential on Schedule G shall be in accordance with Section 4.2.2.2.D Low Density Residential of this Plan, except as modified below by the policies outline below.
- Low density residential development within existing neighbourhoods shall reflect the design and built form direction of both the Welland's City-wide Urban Design Guidelines, as well as the Northwest Welland Urban Design Guidelines included as an addendum to the City-wide guidelines.
- Within the Low Density Established Residential designation, new development shall reflect the predominant building type, height, scale, massing, and setbacks of the surrounding neighbourhood.
- Buildings should be street related, with consistent setbacks to create a harmonious relationship to the street.
- Residential development shall be designed to retain existing trees and enhance existing vegetation wherever possible.

Low Density Greenfield Residential

Planned Function

- The Low Density Greenfield Residential designation recognizes future low density residential development areas on vacant designated lands.
- The density of lands designated Low Density Greenfield Residential on Schedule G shall be planned in accordance with Section 4.2.2.2.A Low Density Residential of this Plan.

Permitted Uses

The permitted uses for lands designated Low Density Greenfield Residential on Schedule G shall be in accordance with Section 4.2.2.2.B Low Density Residential of this Plan.

Scale

- The scale of lands designated Low Density Greenfield Residential on Schedule G shall be planned in accordance with Section 4.2.2.2.C Low Density Residential of this Plan.
- New low density development should accommodate low-rise dwellings that are appropriately spaced and do not cause any adverse impacts from shadows or overlook and provide an appropriate transition of lot sizes adjacent to Low Density Established Residential designations.

Design

- The design of development for lands designated Low Density Greenfield Residential on Schedule G shall be in accordance with Section 4.2.2.2.D Low Density Residential of this Plan, except as modified below by the policies outlined below.
- Low density residential development within new neighbourhoods shall reflect the design and built form direction of both the Welland's City-wide Urban Design Guidelines, as well as the Northwest Welland Urban Design Guidelines included as an addendum to the City-wide guidelines.
- New residential development within the Low Density Greenfield Residential designation shall be designed in accordance with Section 4.2.3.2 Design Policies for New Neighbourhoods of this Plan.
- Buildings should be street related, with consistent setbacks to create a harmonious relationship to the street.
- Residential development shall be designed to retain existing trees and enhance existing vegetation wherever possible.
- Street plantings and additional on-site landscaping should be incorporated within

new low density residential neighbourhoods.

- Pedestrian safety and active transportation shall be supported in new neighbourhoods through the provision of sidewalks, walkways, trail connections, frequent intersections, attractive streetscapes, and landscaping.
- New lots are prohibited to back onto public streets.
- Where possible, buildings and lots are encouraged to front onto natural heritage features, parks, open spaces and trails.

Medium Density Residential

Planned Function

- The Medium Density Residential designation is intended to provide for residential development at increased densities along Quaker Road, east of Rice Road within the Secondary Plan Area to support walkability, transit, and active transportation, as well as the viability of the future mixed use node located at Quaker Road and Rice Road.
- The planned density of lands designated Medium Density Residential on Schedule G shall be planned in accordance with Section 4.2.2.3.A Medium Density Residential of this Plan.

Permitted Uses

- Permitted uses for lands designated Medium Density Residential on Schedule G shall be in accordance with Section 4.2.2.3.B Medium Density Residential of this Plan.

Scale

- Lands designated Medium Density Residential shall have a maximum height of six storeys.
- The highest densities within this designation are encouraged to be developed adjacent to the Mixed Use Designation area at Quaker Road and Rice Road.

Design

- The design of development for lands designated Medium Density Residential on Schedule G shall be in accordance with Section 4.2.2.3.D Medium Density

Residential of this Plan, except as modified below by the policies outlined below.

- Medium density residential development shall reflect the design and built form direction of both the Welland Urban Design Guidelines, as well as the Northwest Welland Urban Design Guidelines included as an addendum to the City-wide guidelines.
- Development within the Medium Density Residential designation should provide appropriate transitions in heights, densities, and scale adjacent to the Low Density Residential designation.
- Buildings should be oriented to front and define the street edge at a pedestrian scale. They should generally be placed on a site to respect a consistent setback and provide for continuity in built form that maintains a relationship to the street.
- Development shall be designed and sited to provide a cohesive main street appearance along Quaker Road through the integration of landscaping and complementary built form elements.
- Direct vehicular access to individual dwelling units will not be permitted from Quaker Road. Buildings positioned to face Quaker Road should be accessed by rear lanes off a public street. Window streets are discouraged in order to allow dwellings to be located close to Quaker Road.
- The design and location of vehicular access points shall minimize their impact on the streetscape.
- Consolidated vehicular access points, paired driveways, and shared parking areas are encouraged on local streets to increase the boulevard space for street trees and on-street parking. Driveways are to be no wider than the width of the garage to minimize the amount of impermeable surfaces in front yards.
- New lots are prohibited to back onto arterial and collector roads.

- Where possible, buildings and lots are encouraged to front onto natural heritage features, parks, open spaces and trails.

Mixed Use

Planned Function

- The intended function of the Mixed Use Designation located at the corner of Quaker Road and Rice Road is to create a central mixed use node that will provide a variety of retail opportunities to serve the needs of local residents living in close proximity to the area in a pedestrian and transit-oriented manner. The function of the Mixed Use designation is also to provide opportunities for a range of higher density residential housing.
- The development of one or more privately-owned publicly accessible urban squares is encouraged at the intersection of Quaker Road and Rice Road. This space is envisioned to provide an internal focal point for the area and function as a public gathering space servicing the immediate neighbourhood and any visitors to the area.

Permitted Uses

- The permitted uses for lands designated Mixed Use on Schedule G shall be developed in accordance with Section 4.4.2.5.B Community Commercial Node of this Plan, except as modified by the policies outlined below.
- The intent of the Mixed Use designation is to accommodate a mix of two or more permitted land uses on a site, either within the same building or integrated as separate buildings on the lot.
- Both stand-alone commercial buildings and mixed use buildings accommodating commercial and residential uses are permitted within the Mixed Use designation. Drive-through facilities will not be permitted.
- Permitted residential buildings shall be in the form of triplexes, fourplexes, townhouses, stacked townhouses, live-work buildings and low-rise apartment buildings.

Scale

- **Mixed** use buildings are encouraged to be located closest to the intersection of Quaker Road and Rice Road. Buildings at this intersection should be the tallest within the Mixed Use Designation, to a maximum height of 8 storeys.
- The minimum height for stand-alone commercial buildings shall be 2 storeys.

Design

- The design of development for lands designated Mixed Use on Schedule G shall be developed in accordance with Section 4.4.2.5.D Community Commercial Node of this Plan, except as modified by the policies outlined below.
- Development within the Mixed Use designation shall reflect the design and built form direction of the Northwest Welland Urban Design Guidelines, included as an addendum to the Welland Urban Design Guidelines.
- Site and building planning should encourage the creation of a high quality public realm within Northwest Welland's mixed use node through the inclusion of landscaped areas, weather protective designs, building entrances and active built spaces and uses at the street line to enhance pedestrian safety and comfort.
- Buildings located at Quaker Road and Rice Road should be massed to establish a strong street edge and pedestrian environment.
- All buildings should be located at or close to the street line and create a generally continuous building face to frame the street and to create a unified streetscape at a pedestrian scale.
- Principal building entrances, primary windows and signage shall face the sidewalk and provide direct access onto the public sidewalk.
- Development shall provide for a transition in heights and densities adjacent to Low Density Residential areas and ensure that appropriate setbacks are proposed in relation to adjacent properties.
- Vehicular access points shall be consolidated where possible and common parking areas should be situated at the rear or side of lots. Where side yard

parking is exposed to the street, it shall be screened by landscaping or built features in order to minimize impacts on streetscapes.

- Driveways to individual residential units along Quaker Road and Rice Road are not permitted, but consolidated driveways to commercial and mixed use developments will be considered through the site plan approval process.

General Institutional

- Institutional uses and sites within Northwest Welland are designated General Institutional on Schedule G. Development on these lands should be planned in accordance with Section 4.5 Institutional Areas of this Plan.

Parks, Open Space and Recreation

- Lands designated Open Space and Recreation on Schedule G shall be developed in accordance with Section 6.2 Parks, Open Space and Recreation of this Plan, in addition to the policies outlined below.
- Within Northwest Welland, these lands should be developed and maintained as Neighbourhood Parks, which shall serve the immediate recreation needs of a neighbourhood within walking distance of the area being served.
- New Open Space and Recreation designations are symbolically shown on Schedule G and shall be further delineated at the time of development review and approval. Development of these lands should be designed in accordance with Section 6.2.2.1.F Design of New Parks and Facilities of this Plan.
- While not shown on Schedule G, Parkettes should be also developed within the new low density residential neighbourhoods of Northwest Welland in order to support increased access to greenspace for residents. The location of these areas will be further delineated throughout the development process. They should generally be located within a 200 to 400 metre walking distance of the neighbourhood area they serve.

Environmental Protection Area

- Lands designated Environmental Protection Area on Schedule G shall be subject

to the polices of Section 6.1 Environment of this Plan.

Environmental Conservation Area

- Lands designated Environmental Conservation Area on Schedule G shall be subject to the polices of Section 6.1 Environment of this Plan.
- As shown on Appendix 1 - Map 4, a number of drainage features within Northwest Welland are identified as potential Headwater Drainage Features. A Headwater Drainage Feature Assessment shall be required to the satisfaction of the City and the Conservation Authority prior to approval of development adjacent to those drainage features. The assessment shall evaluate and classify the drainage feature status based on criteria established by the Conservation Authority and shall determine if the drainage features are to be maintained in-situ, can be relocated or can be removed.
- As shown on Appendix 1 - Map 4, a number of small wetlands less than 0.5 hectares in size are identified within Northwest Welland. Prior to development, evaluation of these wetlands should be undertaken to determine if they are significant and warrant protection.
- Where drainage features are to be removed, applications for development shall restore lost functions through enhanced lot level controls as feasible.
- Where drainage features are to be maintained or moved, applications for development shall use natural channel design techniques to maintain or enhance the overall productivity of the reach.
- Where drainage features are to be maintained or moved, applications for development shall use natural channel design techniques to maintain or enhance the overall productivity of the reach.
- Natural heritage corridors have been shown conceptually (not to scale) on Appendix 1 – Map 4. They follow natural features whenever possible and are intended to be of sufficient size, including buffers, to ensure the functionality and sustainability of the features within the *natural heritage system*.

Modification
1-3:
3 Policy
bullets added
(as
underlined)

- Any development or site alteration within a Corridor shall require the completion of an Environmental Impact Study which shall demonstrate how *development* can be located, designed and constructed to maintain and, where possible, enhance the ecological functions of the natural heritage corridor in linking the *natural heritage system* or where an alternative corridor can be accommodated.
- The following uses are permitted within natural heritage corridors:
 - i. Trails,
 - ii. Stormwater management facilities, including Low Impact Development, if it can be demonstrated that these elements do not result in a negative impact on the *natural heritage system*, and;
 - iii. Streets, if they are designed with special features to facilitate safe movement of wildlife through the linkage. These features may include, but are not limited to, traffic calming measures, eco-passages, minimized road widths, naturalized zones along the road, reduced speed limits and speed humps, and special signage. Street design will be in accordance with urban design direction and the recommendations of supporting EIS work.

7.3.1.7 Other Policy Directions

Sustainability

- New Development should incorporate sustainable design features to conserve energy and resources, reduce greenhouse gas emissions and the urban heat island effect, prevent flooding, and protect drinking water supply.
- Green infrastructure and Low Impact Development measures for stormwater management are encouraged such as permeable paving, rain gardens, bioswales, green roofs and other techniques, shall be considered in the design of new development and implemented to the extent feasible, as determined by the development process.
- Land use patterns and transportation networks should be designed to support walking, cycling and transit as preferred modes of transportation, in order to reduce traffic and encourage active and sustainable lifestyles for residents.

- A wide selection of native trees, shrubs and wildflowers should be used in landscaping, and the functional use of plant material in new development is encouraged to create microclimates that allow for energy conservation. Deciduous trees and shrubs should be chosen that shade windows from summer sun and allow sunlight to enter during the winter.

Transportation

- The Northwest Welland Secondary Plan area shall be developed in accordance with Section 6.4 Transportation of this Plan.

Modification
4-5:
2 Policy
bullets added
(as
underlined)

- Detailed transportation impact analysis and studies are required to be submitted with planning applications for development along Rice Road and the future collector road. This analysis shall consider any impacts to the Regional Road network and consistency with any Regional study work.
- Any future access or road connection to a Regional Road is required to be reviewed and approved by the Region. Future access points shall be directed to the local road network instead of the Regional Road.

Infrastructure and Utilities

- The Northwest Welland Secondary Plan area shall be developed in accordance Section 6.5 Infrastructure and Utilities of this Plan.

Modification
6-7:
2 Policy
bullets
added (as
underlined)

- In addition to the policies of Section 6.5, the Secondary Plan area shall be serviced by a local sanitary collection system in accordance with the Northwest Welland Secondary Plan Municipal Servicing Conceptual Design Report dated May 2021, or any subsequent studies or updates as applicable.
- No individual servicing connections will be permitted to the Regional Trunk Sewer along Rice Road and Quaker Road.

Arts, Culture and Heritage

- The Northwest Welland Secondary Plan area shall be developed in accordance with Section 6.6 Arts, Culture and Heritage of this Plan, in addition to the policies outlined below.
- All proposed development within the Secondary Plan Area will require a Stage 2 Archeological Assessment, which is to be submitted to the Province and Region of Niagara for review. The findings and recommendations of Archaeological Assessments shall be incorporated into development plans where necessary and appropriate.
- Any proposed development on or adjacent to an identified or potential cultural heritage resource will require a Cultural Heritage Impact Assessment to further assess the cultural heritage value of the identified resource and to ensure that significant cultural heritage resources in the Secondary Plan Area are conserved

Phasing of Development

Modification
8-13:
6 Policies
added (as
underlined)

- Development shall progress in a logical, efficient, and fiscally responsible manner. Prior to the approval of any development applications within the study area, the City, in consultation with the Region, shall prepare a development phasing plan demonstrating the cost-effective provision of municipal infrastructure and how the Secondary Plan area will build out over time.
- The phasing strategy for the Secondary Plan area shall consider:
 - The integration of new development with existing development, resulting in a more contiguous, connected, and compact urban form;
 - The provision of adequate municipal services (water, sanitary, stormwater) to accommodate the proposed growth in a cost-efficient manner;

- The ability of new growth to facilitate the provision of municipal services to existing privately serviced areas within the Urban Boundary;
- The provision of appropriate transportation facilities, and the availability of adequate capacity on the existing road network; and,
- The provision and adequacy of educational and social services, recreational facilities and other community services.

If one or more of these factors cannot be addressed to the satisfaction of the City and Region, the processing and/or approval of development applications may be held in abeyance, or deferred, until an appropriate service level or facilities can be provided.

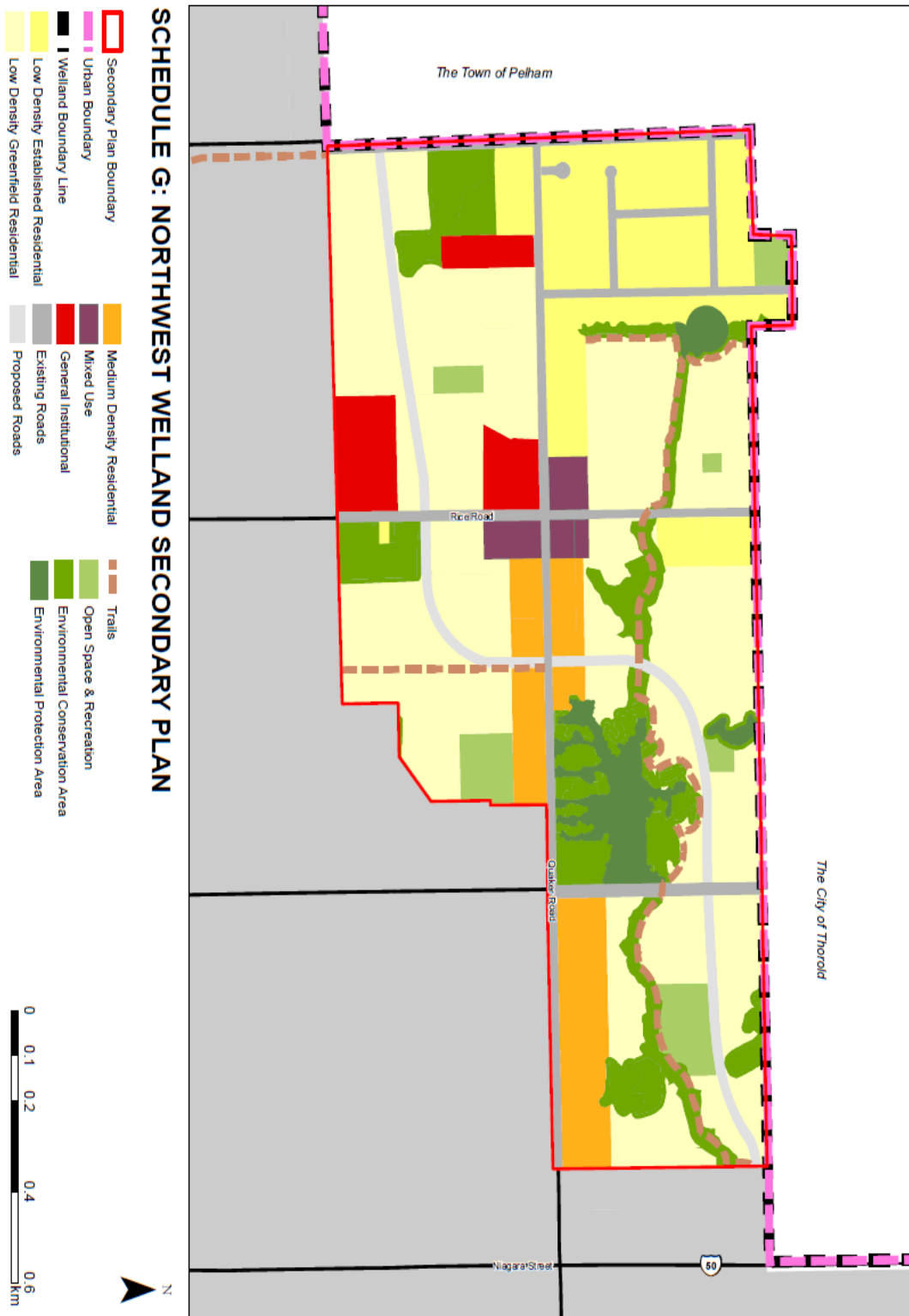
- Development shall be phased in line with the timely provision of community facilities and infrastructure within each block represented by the existing boundary arterial roads.
- As a condition of approval of development in the Northwest Secondary Plan Area, where an application has been made for a development in advance of steps of the phasing plan, the City shall require the implementation of appropriate and reasonable measures and development agreements, which may include front ending agreements and/or cost sharing agreements, to ensure that the development in the Northwest Secondary Plan Area is coordinated and that the required commitments of funds, lands and services are secured and/or in place. These measures and agreements shall ensure that the reasonable costs of the municipal and community infrastructure, land and/or facilities are fairly and equitably shared without adverse impact on the City's financial capability. The measures and agreements permitted by this policy shall be only those which are permitted by law and are otherwise agreed to by the landowner(s) and the City. The Cost Sharing Agreement and/or Front-Ending Agreement may deal with:
 - Front-end or accelerated payment requirements;
 - Local services as permitted in Sections 44(1) and 59(2) of the Development Charges Act;

- Matters to which the parties voluntarily agree; and/or,
- Other matters permitted by law.
- Nothing in this policy compels the City to enter into any agreements with any applicant landowner.
- Where an application has been made for a development in advance of the installation of infrastructure identified within this Secondary Plan as required to support the subject development, including both on-site and off-site services as well as upstream and downstream system requirements, Council may consider entering into a front-ending agreement with a developer, as a condition of approval, in accordance with City policies and procedures respecting such agreements.
- Planning applications within the Secondary Plan area shall be required to demonstrate how the proposal meets the intent of the phasing plan.

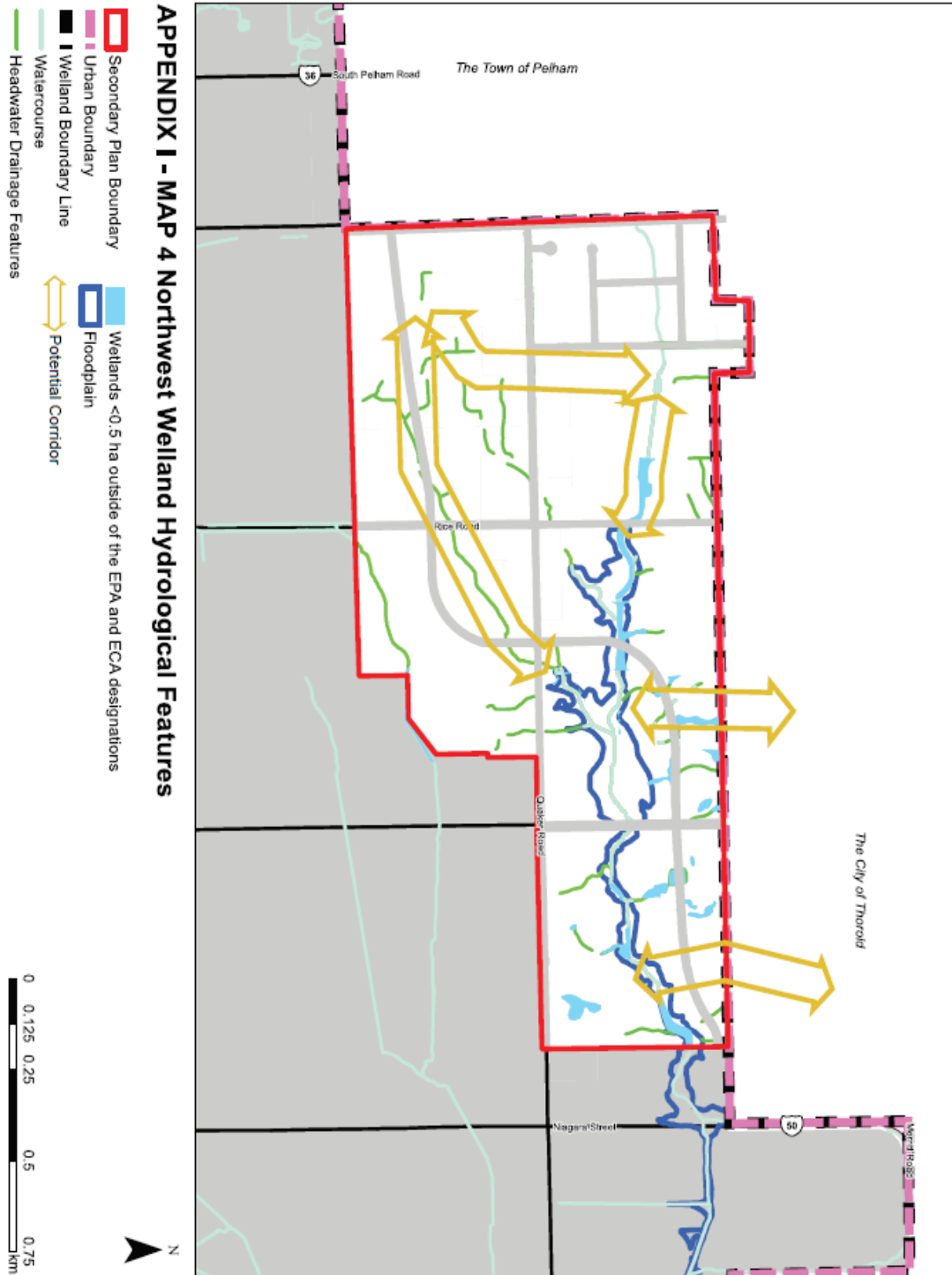
7.3.1.8 Implementation

- The implementation of the Northwest Welland Secondary Plan will be in accordance with Section 7 Implementation of this Plan.

SCHEDULE "A" LAND USE PLAN



APPENDIX I - MAP 4 Northwest Welland Hydrological Features



Mapping
Modification 1
– added
location of
potential
natural
heritage
corridors

PART C - THE APPENDICES

The following appendices do not constitute part of Amendment No. 29 to the Official Plan of the Corporation of the City of Welland, but are included only as information supporting the amendment.

APPENDIX I	-	Affidavit
APPENDIX II	-	Notice of Adoption
APPENDIX III	-	Minutes of Public Meeting
APPENDIX IV	-	Staff Report
APPENDIX V	-	Council Resolution (Certified)

APPENDIX I - AFFIDAVIT

IN THE MATTER OF SECTION 7, ONTARIO
REGULATION 543/06

AND

IN THE MATTER OF THE ADOPTION OF
OFFICIAL PLAN AMENDMENT NO. 29 BY BY-
LAW 2020-128 PASSED BY COUNCIL OF THE
CORPORATION OF THE CITY OF WELLAND
ON

I, Rose Di Felice of the City of Welland in the Regional Municipality of Niagara,
make oath and say as follows:

1. I am the Manager of Policy Planning, Infrastructure and Development Services of the Corporation of the City of Welland.
2. That in accordance with Section 17(15) of The Planning Act, as amended and Section 3 of Ontario Regulation 543/06, Notice of the Open House was published in the Niagara This Week on August 27, 2020. I hereby certify that the required Statutory Public Meeting was held on September 22, 2020 by the Council of the Corporation of the City of Welland.
3. A list of all persons or public bodies which made oral submissions at the Statutory Public Meeting is attached as Schedule "A" to this Affidavit.
4. That in accordance with Section 17(23) of The Planning Act, as amended, and Ontario Regulation 543/06, the requirements for the giving of Notice of Adoption of the Amendment have been complied with.
5. That in accordance with Section 7(7) of Ontario Regulation 543/06, the decision of Council is consistent with the Policy Statements issued under sub-Section 3(1) of the Act and conforms to any applicable Provincial Plan or Plans.

Sworn before me at the City of Welland
in the Regional Municipality of Niagara,
this 6th day of November, 2020.

Rose Di Felice



Christine Leigh Rossetto, a
Commissioner, etc.,
Province of Ontario, for the
Corporation of the City of Welland.
Expires March 20, 2023.

APPENDIX II - NOTICE OF ADOPTION



CITY OF WELLAND NOTICE OF ADOPTION OF AMENDMENT NO. 29 TO THE OFFICIAL PLAN OF THE CORPORATION OF THE CITY OF WELLAND

Take notice that the Council of the Corporation of the City of Welland passed By-law 2020-128, being a By-law to adopt Amendment No. 29 to the Official Plan on October 27, 2020 under Sections 17 and 26 of the Planning Act, as amended.

The Purpose of Amendment No. 29 is to provide specific land use designations and planning policies including design criteria to be implemented in the area at the time of development.

The Effect of the Amendment is to designate and provide policies that will direct development for lands within the Northwest Welland Secondary Plan area.

Pursuant to Section 17(23.1)(a) of the Planning Act, as amended, City Council took into consideration all written and oral presentations made to it before rendering a decision.

Official Plan Amendment No. 29 requires approval of the Regional Municipality of Niagara (approval authority) under subsection 17(22) of the Planning Act. Any person or public body will be entitled to receive notice of the decision of the approval authority if a written request to be notified of the decision (including address, fax number or e-mail address) is made to the approval authority.

Any written request to be notified of the decision should be directed to:

The Regional Clerk
Regional Municipality of Niagara
1815 Sir Isaac Brock Way,
Thorold, Ontario
L2V 4T7

Amendment No. 29 and By-law 2020-128 are available for inspection at Infrastructure and Development Services - Planning Division, 60 East Main Street,

Welland during regular office hours as well as on the City's website (www.welland.ca).

Dated at the City of Welland this 6th day of November, 2020.

ROSE DI FELICE, M.PI., M.Sc. MCIP, RPP
MANAGER OF POLICY PLANNING
INFRASTRUCTURE AND DEVELOPMENT SERVICES
OF THE CORPORATION OF THE CITY OF WELLAND

APPENDIX III - MINUTES OF PUBLIC MEETING -

<https://www.welland.ca/Council/c2020/SCM20200922.pdf>

<https://www.welland.ca/Council/c2020/SCM20201027.pdf>

APPENDIX IV - STAFF REPORT

P&B-2020-63 - <https://www.welland.ca/Council/c2020/SCA20201027.pdf>

APPENDIX V - COUNCIL RESOLUTION

AGENDA PAGE
NUMBER 27 - 145



REF. NO. 20-104

RESOLUTION

RESOLUTION NO. 2020 -

5. That Welland City Council requests that Niagara Region Council approve Official Plan Amendment No. 29 for the City of Welland.

(Councillor McLeod disclosed a conflict of interest in this matter, and did not take part in the consideration and discussion of same, and refrained from voting thereon, as his parents live in the area affected by the report).

COUNCILLORS	YEAS	NAVS
LAROUCHE		
GREEN		
SPECK		
CHIOCCIO		
MCLEOD		
DIMARCO		
RICHARD		
GRIMALDI		
SPINOSA		
FOKKENS		
MOOTE		
VAN VLIET		
MAYOR CAMPION		

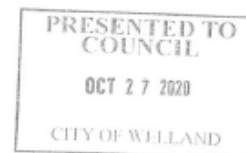
CARRIED



LOST



NOT PUT



"I certify that this is a true copy of the original document which has not been altered in any way"

Date:

NOV 06 2020

Tara Stephens

Tara Stephens
City Clerk, City of Welland

**Modification and Approval of
Northwest Welland Secondary Plan, Official Plan Amendment 29
City of Welland**

The following modifications are made to the Northwest Welland Secondary Plan adopted by the City of Welland on October 27, 2020 as a consolidated document titled **“Amendment 29 to the Official Plan for the Corporation of the City of Welland.”** As modified, OPA 29 for the City of Welland is approved under subsection 17 (34) of the *Planning Act, R.S.O. 1990*, as amended.

Part A: Text

The Region made 13 policy modifications to Official Plan Amendment 29. The recommended modifications are referenced within the attached document as Appendix 1 to PDS 29-2021.

Modification 1-3: Three policies have been added to Section 3.8 to conceptually identify natural heritage corridors throughout the Secondary Plan area. The corridors between natural features will be further reviewed through an Environmental Impact Study as part of future development applications.

Modification 4-5: Two policies have been added to Section 4.2 to provide direction for additional transportation analysis for development along Rice Road and the future collector road. A new policy directs that future road accesses to a Regional Road will require approval from the Region.

Modification 6-7: Two policies have been added to Section 4.3 to reflect the direction of the Northwest Welland Secondary Plan Municipal Servicing Conceptual Design Report, dated May 2021, for a local sanitary collection system and guide servicing strategies submitted for development applications within the plan area. An additional policy prohibits individual servicing connections to the regional trunk sewers.

Modification 8-13: Six policies have been added to Section 4.5. These include policies to ensure phasing of development proceeds in a logical, efficient and fiscally responsible manner and relating to cost-sharing and front-ending agreements.

Part B: Mapping

Mapping Modification 1: The Region has made 1 mapping modification to conceptually show potential natural heritage corridor linkages on Secondary Plan Appendix 1-Map 4.

Economic Development Marketing Update

Planning and Economic Development Committee
ED14-2021

July 14, 2021

Katie Desharnais

Manager, Strategic Marketing

ECONOMIC DEVELOPMENT MARKETING UPDATE



Katie Desharnais,
Strategic Marketing Manager

Planning and Economic
Development Committee

ED14-2021

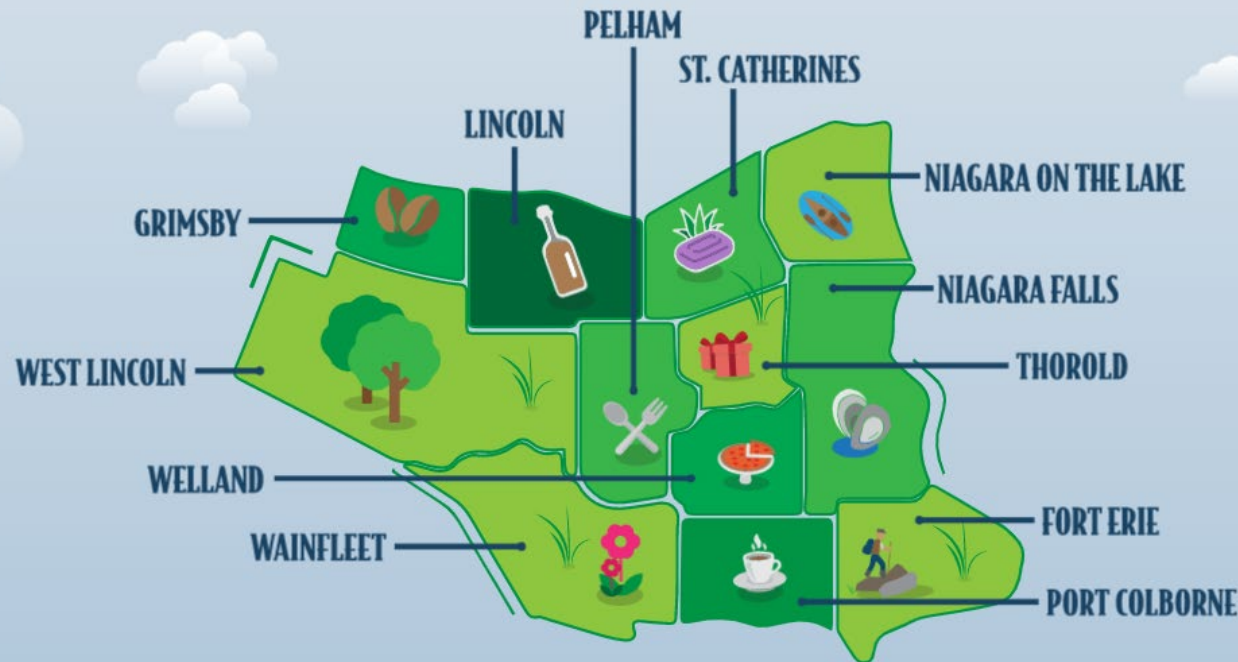
OVERVIEW

Niagara Region Economic Development has several ongoing marketing incentives to be aware of, as well as a number of planned projects, to continue to advance the Niagara Region's Economic Development objectives.

Executed Marketing Campaigns

It's all downtown, Niagara!

There's lots to do in your 12 charming downtown districts in Niagara. Check out these must-visit shops, markets and restaurants and explore Niagara's dazzling downtowns!



NIAGARA
CANADA

LOCAL NEWS

SPONSORED BY NIAGARA REGION

12 downtown districts to explore right at home in Niagara

BY CHRISTINE WELLS AND
JENNIFER COOPER

Beyond the Falls, the mills and the attractions, there is a wide array of great shops and services for area residents and nearby neighbours to enjoy. Looking for some local fun and excitement?

At the start of summer, it's natural to think about all the great things we can do to enjoy the area where we live. Sure, it's always been a bustling destination for visitors, but Niagara has so much to offer beyond places that attract visitors. For us locals, there are superb shops, restaurants, activities and exciting establishments that really appeal to the local palate — right in our own backyard!

Check out some of the awesome must-visit locations in the 12 regional downtown districts, recommended by a couple of the very own Niagara region residents.

Katie Palmer is a Niagara-on-the-Lake born and bred. She's the owner of a unique design shop, a florist, an event planner, and she knows the region inside out. "I love it here because it's the perfect balance between how to do and how to grow up."

Margaret is a Millbrook shop, which she runs with her business partner, Nicola Wainwright. They sell quality local products, handmade candles, and at times, pop-up bars. She lives in Niagara-on-the-Lake and is also a resident of the region.

When you venture further to Thorold, you'll find another quiet town with lots of character. A must-do for all fans of vintage fashion is a trip to the town's historic downtown. "In the old part of the town, it's a charming and historic area with great style and character," Palmer says. "Clayton is another great location. It's a historic town with a lot of character and a lot of history."

Palmer is primarily an agricultural community, but a must-visit for those who love a good wine is a trip to the town's historic downtown. "In the old part of the town, it's a charming and historic area with great style and character," Palmer says. "Clayton is another great location. It's a historic town with a lot of character and a lot of history."

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This summer, explore Niagara's dazzling downtown regions with recommendations from local business owners.



Diane Schaefer and her husband.



of things, visitors and many others. "Niagara is a beautiful town with a lot of character and a lot of history," Palmer says. "Clayton is another great location. It's a historic town with a lot of character and a lot of history."

LEARN MORE

NIAGARA
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422

SPONSORED BY NIAGARA ECONOMIC DEVELOPMENT



Abatement Technologies' new manufacturing space and head office in Fort Erie, Ont., will complement 10 international locations. SEE PAGE 210

World-class companies make Niagara their first choice

On an industrial property in the quiet Niagara community of Port Erie, Ont., Alhambra Technologies is set to break ground on a new 100,000-square-foot manufacturing space that will also serve as its new head office.

The world-renowned, family-owned company specializes in hospital-grade HEPA filtration systems that are a crucial part of COVID-19 containment efforts, and going all-in on a Niagara expansion to complement its other international locations was an easy decision.

"Geographically, there's tremendous benefits for us," said Justin Lammie, director of marketing and product innovation at Alcamant Technologies. "Niagara has given us a good pool of talent to pull from."

"We have access to all the shipping lanes. We're close to enough major airports that it's easy for us to be connected to the globe."

"Operational costs, and cost to expand, is easier in Niagara than it is in the

These strategic advantages are key decision drivers as plant-loading facilities are planned in the southern Ontario region. Companies are choosing to locate, relocate or expand from the Niagara region.

Niagara's industrial, commercial and residential real estate prices are a fraction of Toronto's, and to greater supply than anywhere else in the province, making it a market the Hamilton.

As a result, the area is ideal. Niagara's urban communities are only an hour's drive from the GTA and within 30 minutes of the U.S. border. The border crossing is the busiest from the U.S. from New York.

Niagara's access to hundreds of skilled tradespeople, and graduates from leading post-secondary institutions like Brock University in St. Catharines and Niagara College in Welland, are also major attractions.

"Niagara is a natural opportunity," said Joseph Dunn, commercial vice-president of the Hamilton, Ontario Port Authority (HOPA). "It is a very close tie to industrial lands available around Toronto, and Niagara to just one easy option. It is a natural solution."

As a manager of a 200-acre multimodal industrial complex in Thorsø, another Niagara community, adjacent to the Welland Canal, chairman of the Great Lakes Shipyard & Shiprepairing Co. in Thorsø, Denmark, is marketing

The canal is part of the St. Lawrence Seaway system, which connects overseas markets to ports along the Great Lakes and to any other markets in North America through an integrated marine, rail and highway transportation network.

In accord, includes more than 50,000 square feet of warehouse space with lease line Thra Inc. from St. Catharines, a manufacturing company that is looking to expand, and possibly, warehouse and other services.

Thra reached an agreement in early 2012 to lease 50,000 square feet of space from the company, which Dunn produce will be fully-occupied within 10 to 15 years.

"This expansion is an important next step in our business growth," said Scott DeMont, general manager and partner with Thra Inc. "Pleased with our facility we are beginning to take on new growth and additional warehouse space."

Bagmati has a proud history as an industrial centre, and the manufacturing sector has seen a steady resurgence since the re-election of 2004. But the region is also a favoured expansion and relocation site of a diverse group of newcomers from biotechnology, professional services, agribusiness and many other industries.

"Being in Canada is a plus, but being in Niagara is super-plus," said Dr. Youssef Haj-Ahmad, a molecular geneticist and Brock professor who earned the biotechnology company Norgen Biotech renovated 66,000-square foot property in downtown St. Catharines that will serve as a global centre of excellence for its growing intelligent sale and customer operation business.

Norgran House is located in Thorold, within walking distance of Brock, and is preparing a 30,000-square-foot expansion that will be used as a COVID-19 testing site, and for manufacturing world-class broach materials.

The Ahmad clan proudly owns Norgran and the property in Thorold and the

"We're a people business, so talent was at the heart of the decision," said Jeffrey Russell, president of Accrescent in Canada. "The quality of life and the quality of talent is a nice combination. It creates satisfied employees, a our business continues to grow, and we look to him to serve our clients."

U.S. border as key advantage, along with a strong talent base that includes several Nordic students who have started their careers at Norges Bank.

"And then, the fact that people know each other

As world-class companies continue to expand, no longer and do business in Niagara, established firms are happily seeing downsize in a supportive environment that has eagerly embraced them.

"We're committed to the region, and we anticipate continued growth," said Russell. "And it's working. We're absolutely seeing the kind of opportunities we were hoping for."

For more information on economic development opportunities in Niagara visit NiagaraGrowth.ca.

UPCOMING MARKETING CAMPAIGNS

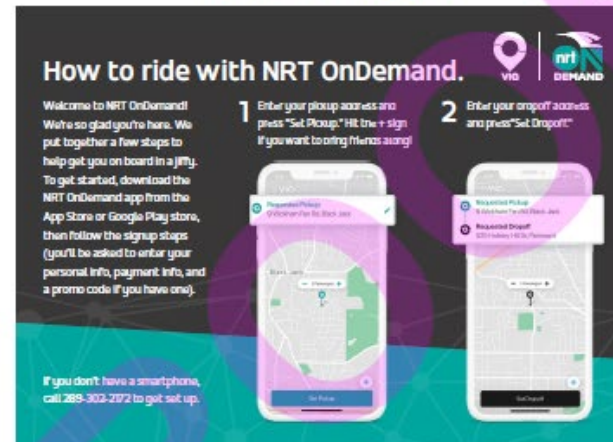
Window Clings // Stickers



Table Top Cards



How To Ride Post Card



Poster





THANK YOU

Subject: Economic Development Marketing Update**Report to:** Planning and Economic Development Committee**Report date:** Wednesday, July 14, 2021

Recommendations

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

Key Facts

- The purpose of this report is to provide the PEDC with an update on the Economic Development Division's marketing activities for the second quarter (Q2) of 2021.
- Outlining launched Economic Development marketing activities.
- Outlining upcoming Economic Development marketing campaigns and descriptions.

Financial Considerations

The activities described in this report have been accommodated within the approved 2021 Economic Development operating budget.

Analysis

There are several ongoing marketing initiatives as well as a number of planned projects to advance the Niagara Region's Economic Development objectives. Many of our recently launched initiatives utilized resident and business-led storytelling to create an authentic delivery of our key messages. This included interviewing influential residents on their favourite shopping locations in Niagara while encouraging residents to explore and find their favourite downtown businesses to support. A similar technique was utilized for business attraction, with two different businesses discussing in depth why they chose Niagara to expand their business and why they were successful.

Marketing campaigns that have recently been implemented include:

- **Financial Post:** Niagara is attracting world-class companies that are priced out of larger centres (<https://financialpost.com/sponsored/business-sponsored/niagara-is-attracting-world-class-companies-that-are-priced-out-of-larger-centres>)

- **National Post:** 12 downtown districts to explore at home in Niagara (<https://nationalpost.com/sponsored/news-sponsored/12-downtown-districts-to-explore-at-home-in-niagara>)
- **On-going support of “Buy-Local” campaigns** in collaboration with all twelve municipalities
- Launch of the Niagara Business Directory (<https://niagaracanada.com/niagara-advantage/niagara-business-directory/>)

In the fall there will be several planned digital marketing initiatives. These are being created in collaboration with Niagara Region Communications, Public Works and Community Services Departments for consistent messaging and to ensure corporate-wide collaboration. Upcoming marketing initiatives:

- **Virtual Newcomer Day:** We will be launching a video to support our resident attraction objectives showcasing the story of newcomers, how they found a home, careers and their new life in Niagara.
- **Digitalized Site-Selection Campaign:** Traditionally Niagara Economic Development would host site tours of specific properties and locations across Niagara to potential investors. Due to COVID-19 and travel restrictions, in-person tours are not possible and so we will be creating a digitalized site visit that can be sent to prospects.
- **Business Attraction Campaign:** In lieu of in-person attendance at a number of business conferences and meetings, we will be launching a comprehensive targeted digital marketing campaign across key sectors to businesses throughout North America. We will be leveraging the targeted company's IP addresses to deploy a focused message and call to action. Should travel restrictions ease due to COVID-19 in-person attendance at conferences and trade shows will resume.
- **NRT OnDemand (Niagara Region Transit) Campaign:** Economic Development in collaboration with Public Works and Corporate Communications will be working to launch an awareness campaign on the NRT services. This will contain a business toolbox that identifies routes, provides general information and outlines the options for companies to use transit for employment recruitment.

Alternatives Reviewed

None applicable.

Relationship to Council Strategic Priorities

Economic development activities described in this report directly support two of Council Strategic Priorities:

- Supporting Businesses and Economic Growth
- Healthy and Vibrant Community

Other Pertinent Reports

None applicable.

Prepared by:

Katie Desharnais
Strategic Marketing Manager
Economic Development

Recommended by:

George Spezza, Ec.D., CEcD
Director
Economic Development

Submitted by:

Ron Tripp, P.Eng.
Acting Chief Administrative Officer

This report was prepared in consultation with and reviewed by Valerie Kuhns, Associate Director.

MEMORANDUM

PDS-C 44-2021

Subject: Regional Greening Initiative Update

Date: Wednesday, July 14, 2021

To: Planning and Economic Development Committee

From: Katie Young, Planner

At the May 12, 2021 Planning and Economic Development Committee, staff presented the Niagara Official Plan Consolidated Policy Report (PDS 17-2021), which included an overview of the Climate Change Work Program for the Niagara Official Plan (NOP).

The purpose of this memo is to update Committee on the development of the Regional Greening Initiative.

Connection to the Niagara Official Plan

The Regional Greening Initiative has been endorsed by Council as part of the Climate Change Work Program for the NOP, however the initiative will be run as a separate process and does not require completion by the July 1, 2022 Official Plan conformity deadline.

As outlined in PDS 17-2021, the Regional Greening Initiative will be connected to Chapter 3: Sustainable Region, with connections to the Natural Environment System, Stewardship, and Climate Change sections. Policies in the NOP will reference this initiative.

Provincial policy emphasizes supporting long-term economic prosperity by minimizing negative impacts from a changing climate and considering the ecological benefits provided by nature. Additionally, the Province encourages the promotion of green infrastructure, which is identified as natural and human-made elements providing ecological and hydrological functions and processes.

There are several municipalities across Ontario that have greening strategies or urban forest strategies with a key component of identifying natural features as green infrastructure and promoting the many environmental, economic, and social benefits

that can be captured. The development of the Regional Greening Initiative is considering these many different elements.

Work Plan & Expected Public Consultation

A work plan has been prepared to develop this initiative. The following chart outlines the four phases of the project.

Phase	Activity
1. Project Initiation	<ul style="list-style-type: none">• Receive Council direction to commence research• Undertake preliminary research• Set up internal working group and hold first meeting
2. Research (Current Stage)	<ul style="list-style-type: none">• Compile research and categorize into groups• Prepare short paper and survey for public
3. Consultation	<ul style="list-style-type: none">• Share paper and survey to the public, stakeholders, Council, Indigenous groups• Hold public session to seek input
4. Program Recommendation	<ul style="list-style-type: none">• Put final recommendation together based on research conducted and feedback obtained through consultation• Present final recommendation to Council

A staff level working group has been formed to support the development of this initiative and incorporate a range of perspectives. This working group includes Public Health and Planning staff from the Region, local municipal planning staff, and Niagara Peninsula Conservation Authority (NPCA) staff.

In the fall/early winter, Staff plan to draft a short paper and survey to engage stakeholders and the public on the development of this initiative. Staff will prepare a report to Committee following consultation activities.

Based on research and consultation conducted, Staff will advance a recommended program for the Regional Greening Initiative in 2022.

Regional Sites for Prioritization

A key priority during the Project Initiation stage has been identifying Region-owned properties that may be suitable for increasing vegetative cover through existing programming from the NPCA and Land Care Niagara.

Staff have worked with NPCA staff to identify a number of regional properties that may be suitable through NPCA's restoration program across Niagara. These sites could be planted, starting as early as spring of 2022. Additional collaboration is required cross-departmentally at the Region to ensure sites can accommodate vegetative enhancements and not interrupt operations. Through early discussions cross-departmentally, there is desire to have trees planted at a variety of regionally-owned and operated sites.

Key Highlights from Other Greening Programs

Through the Project Initiation phase of the project, preliminary research has been undertaken to understand different initiatives that other municipalities have with respect to greening. York Region, Wellington County, and Greater Sudbury have well established programs.

York Region's Greening Strategy was first established in 2001 and has planted close to 1 million trees and shrubs. Their most recently updated program has 4 action areas, which includes land securement, enhancement and rehabilitation, leadership/innovation/knowledge, and stewardship and education.

Wellington County has the Green Legacy program which was first established in 2004. The purpose of the program was to plant 150,000 trees for the County's 150 year anniversary. However, the program was very successful and remains active to this day, with the success of planting over 2 million trees. Unique to the Green Legacy program is that the County grows their own trees in a nursery on a property donated to the County for the purposes of managing it as a perpetual forest.

The City of Greater Sudbury has a Regreening Program that has been running since 1978. Their program includes liming and tree planting and has major financial contributions from the mining companies in the city. More recently the program has

been testing the suitability of different tree species and their ability to adapt to climate change.

Critical to the success of these programs includes:

- Implementing pilot programs and evaluating suitability
- Forming key partnerships with conservation authorities, local municipalities, school boards, companies, not-for-profits, among others
- Steady source of funding and continuously seeking funding opportunities
- Education and outreach, including a volunteer base
- Plantings other than trees, such as shrubs, grass, etc. based on the suitability of the area

Growing Canada's Forests program

In December 2020 the Federal Government announced the Growing Canada's Forests program with a goal of planting 2 billion trees over the next 10 years. A total of \$3.16 billion has been allocated to this program over the 10 year period.

The federal government has prepared a Future Participants Request, seeking requests for information (RFI) from a range of stakeholders to outline potential future projects. In May of 2020 Regional Council endorsed NPCA's RFI to the 2 billion tree program, with the NPCA looking to undertake a 10 year program to plant 2 million trees across Niagara. Planning staff are working with the NPCA to determine how the Regional Greening Initiative can support NPCA's program and meet shared objectives and goals.

Next Steps

The Regional Greening Initiative remains in a preliminary stage of development as the project team works to clearly identify what will be within in-scope for the project. A key component to this will be reaching out to members of the public for their feedback. As described in this memo, a short paper and survey will be prepared to reach out to the public on this initiative later this year.

Respectfully submitted and signed by

Katie Young, MSc (PI)
Planner

MEMORANDUM

PDS-C 45-2021

Subject: Tree Planting at Decew Falls Water Treatment Plant

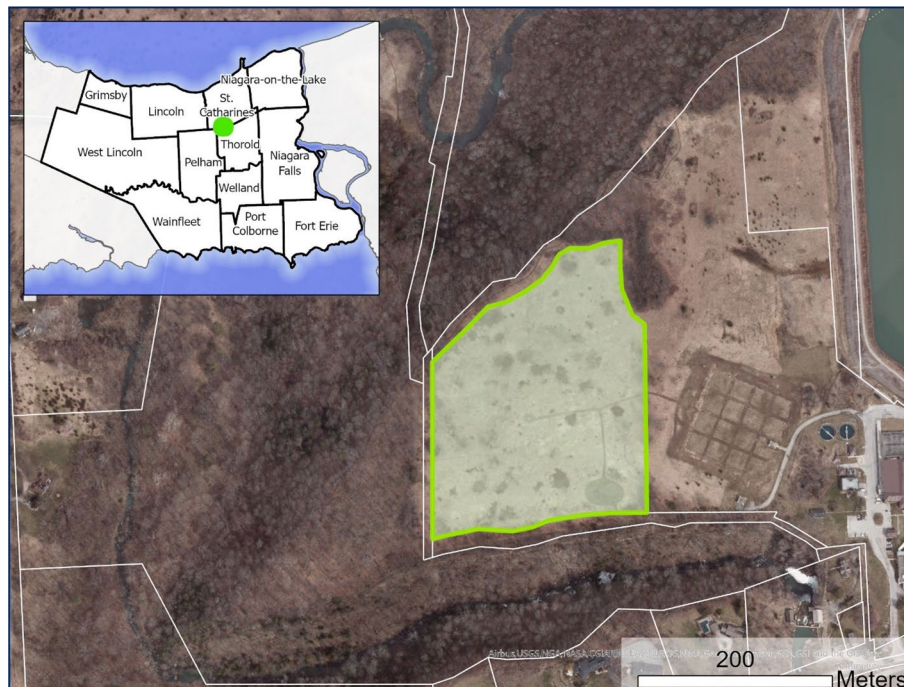
Date: Wednesday, July 14, 2021

To: Planning and Economic Development Committee

From: Katie Young, Planner

The purpose of this memo is to update Committee on the planting of 7,400 native trees at the Region's Decew Falls Water Treatment Plant in the City of St. Catharines. This project was undertaken as part of the Niagara Official Plan Greening Initiative which aims to enhance the region's 29% vegetative cover.

The map below illustrates the approximate tree planting area:



In response to communications shared between the NPCA and members of Regional Council, staff became aware of a tree planting program administered by Land Care

Niagara (LCN), a non-profit stewardship council. Through working with LCN and the Region's Water & Wastewater group, The Decew Falls site was identified as a suitable area for tree planting.

This project was undertaken in support of LCN's 'Data Gap Analysis of Fragmented Forest Parcels in the Niagara Region', the analysis and tree planting were 100% funded by the Ontario Trillium Foundation. LCN's analysis identified Decew Falls as having a high suitability to increase forest cover in the 12 Mile Creek watershed, in addition to its location beside the Bruce Trail, Laura Second Legacy Trail, and enhancing forest cover within the Niagara Escarpment area.

The photo below shows the site prior to planting:



Preparation for the planting began in March of 2021, and the tree planting occurred over 4 days in May 2021. A total of 7,400 deciduous and coniferous native tree seedlings were strategically machine planted on site using landscape ecology principles. Tree species planted include:

- White Spruce
- Red Oak
- White Pine
- White Cedar
- Silver Maple

The photo below shows the transplanting in process:



Staff intend to continue monitoring this site to evaluate the success of the project and identify considerations for the Region's Greening Initiative. This project will also be used to help inform other plantings that may occur through the Regional Greening Initiative (as detailed in PDS-C 44-2021). Work is already underway with the NPCA to identify additional Regional owned sites that may be suitable for planting in the Spring of 2022.

The success of this project was due to the collaboration between Planning and Public Works Staff, Land Care Niagara, and the Ontario Trillium Foundation. To read more about this initiative as highlighted by the media please visit the following links:

- 7400 Trees Planted at Niagara Region's Decew Water Treatment Plant (<https://www.stcatharinesstandard.ca/news/niagara-region/2021/05/26/7400-trees-planted-at-niagara-regions-decew-water-treatment-plant.html>)
- Planting Trees for Our Future- Niagara Region at Its Best! (<https://niagaraatlarge.com/2021/05/26/planting-trees-for-our-future-niagara-region-at-its-best/>)

Respectfully submitted and signed by

Katie Young, MSc (PI)
Planner

Subject: Third Progress Report respecting Implementation of Recommendations from the Ontario Ombudsman Report “Inside Job”

Report to: Regional Council

Report date: Thursday, July 22, 2021

Recommendations

1. That Regional Council **ENDORSE** the Terms of Reference for a Municipal Ombudsman attached as Appendix 1 to Report CAO 13-2021; and
2. That Report CAO 13-2021 **BE CIRCULATED** to the Ontario Ombudsman for information.

Key Facts

- The purpose of this report is to provide an update respecting the steps taken to address the final outstanding recommendations provided by the Ontario Ombudsman in the report titled “Inside Job” and to seek Council’s endorsement of a terms of reference for use when a Municipal Ombudsman is appointed.
- At its Special meeting held on December 5, 2019, Regional Council provided direction to staff to prepare various policies and procedures related to the recommendations made by the Ontario Ombudsman with respect to the 2016 hiring of the Chief Administrative Officer.
- The Ontario Ombudsman recommended that terms of reference be established for use when a Municipal Ombudsman is hired.
- Recommendation 16 of the report “Inside Job” was for Niagara Region to report publicly, and to the Ombudsman’s Office, in six months’ time on its progress implementing the recommendations and at six-month intervals thereafter until such time as the Ombudsman is satisfied that adequate steps have been taken to address the recommendations.

Financial Considerations

There are no financial considerations associated with this report.

Analysis

At its meeting held on December 17, 2020, Regional Council received Report CAO 24-2020 which provided an update on the actions undertaken to date with respect to the Ontario Ombudsman Report “Inside Job”. Upon receipt of that report, the Ombudsman’s Office requested a further update be provided in six months time. Of the 16 recommendations put forward by the Ombudsman, there are two remaining that the Ombudsman is awaiting further detail on.

Recommendation 10: The Regional Municipality of Niagara should ensure that all staff and officials receive training on the proper use of corporate email and retention of corporate documents.

Action Taken: Staff have taken steps to ensure that proper training and reference material is provided to all staff with respect to the use of corporate email and retention of corporate documents. The shift to remote working as a result of the COVID-19 pandemic offered an opportunity to reiterate the importance of proper record keeping practices including appropriate file naming conventions. File naming convention guidelines were provided to staff in early 2020 that included information reinforcing the requirement for proper retention of corporate records such as email. Staff have developed and will be posting tip sheets on the Region’s intranet site with information about the proper use of corporate email specifically and are in the final stages of developing an email management guidance document. In addition Niagara Region’s Records Retention By-law is under review which will encompass consultation and education sessions that will further serve as an opportunity to reinforce to staff their obligations with respect to the use of corporate email and the retention of corporate documents.

Recommendation 14: The Regional Municipality of Niagara should ensure it establishes comprehensive terms of reference when appointing a municipal ombudsman, including reference to requirements for: Scope of issues to be investigated; Evidence collection; Confidentiality, including of witnesses; and Preliminary reporting.

Action Taken: A proposed terms of reference document has been attached for Council’s endorsement that includes the topics highlighted by the Ontario Ombudsman and reflects the applicable provisions of the Municipal Act, 2001. The terms of reference will be used in future should Council deem it necessary to appoint a Municipal Ombudsman. The terms of reference provide guidance around the

selection/appointment of a Municipal Ombudsman, to ensure adherence to principles such as independence, neutrality and impartiality and confidentiality as well as established the required reporting process.

The terms of reference also identify that should Council wish to retain a Municipal Ombudsman, as a best practice staff should first be directed to provide a report that clearly articulates the proposed scope of the issues to be investigated; the Municipal Ombudsman's mandate, authority and responsibilities; and provides recommendations for Council's consideration regarding particular qualifications, technical expertise or any other relevant requirements or implications that should be considered in the selection of a Municipal Ombudsman based on the proposed nature and scope of the investigation. These items are responsive to the concerns expressed by the Ontario Ombudsman in the "Inside Job" report. Subject to confirmation from the Ontario Ombudsman's Office, staff believe that this report is the final step to address the 16 recommendations provided in the "Inside Job" report.

Alternatives Reviewed

As these recommendations were put forward by the Ontario Ombudsman, and accepted by Regional Council, there were no alternatives reviewed. Council could decide not to endorse the proposed terms of reference for the appointment of a Municipal Ombudsman; however, the Ontario Ombudsman is requesting Council establish appropriate guidelines to ensure any future Municipal Ombudsman appointments clearly articulate the mandate, authority and the investigative process to be followed.

Relationship to Council Strategic Priorities

This report is based on the recommendations of the Ontario Ombudsman; however, the implementation of the policies and procedures noted aligns with Council's Strategic Priority of Sustainable and Engaging Government.

Other Pertinent Reports

CAO 13-2020	Update on Recommendations from the Ontario Ombudsman Report "Inside Job"
CAO 24-2020	Second Progress Report respecting Implementation of Recommendations from the Ontario Ombudsman Report "Inside Job"

Submitted by:

Ron Tripp, P.Eng.

Acting Chief Administrative Officer

This report was prepared in consultation with Ann-Marie Norio, Regional Clerk, and Donna Gibbs, Director, Legal and Court Services.

Appendices

Appendix 1	Proposed Terms of Reference – Appointment of Municipal Ombudsman
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Document Owner	Corporate Administration, Regional Clerk
Approval Body	Regional Council
Approval Date	
Effective Date	
Review by Date	

The following Terms of Reference outline key considerations and guiding principles that Regional Council shall consider when appointing a Municipal Ombudsman to conduct an investigation on behalf of the municipality.

The Regional Clerk, in consultation with the Director, Legal and Court Services, will initiate the engagement of a Municipal Ombudsman as directed by Regional Council in accordance with these Terms of Reference.

Appointment of Municipal Ombudsman Terms of Reference

Mandate / Scope

Regional Council is committed to accountability and transparency in its decision making processes. The core mandate of any appointed Municipal Ombudsman will be to investigate, in an independent and impartial fashion, any decision, recommendation, act or omission in the course of the administration of the Region as Council may specify in accordance with the provisions related to the appointment and powers of Municipal Ombudsman in the Municipal Act, 2001, as may be amended from time to time, and these Terms of Reference.

Goals/Purpose

Regional Council has the authority to appoint a Municipal Ombudsman in accordance with Section 223.13 of the Municipal Act, 2001, which provides that a municipality may appoint a municipal ombudsman who reports to Council and whose function is to investigate in an independent manner any decision or recommendation made or act done or omitted in the course of the administration of the municipality and affecting any person or body of persons in his, her or its personal capacity. Regional Council may wish to appoint a Municipal Ombudsman on its own initiative, or as a result of a complaint or staff recommendation. In order to ensure that the Municipal Ombudsman is qualified and able to fulfill the mandate established by Council in a manner that promotes accountability and transparency, Council shall have regard to the importance of (a) the Ombudsman's independence and impartiality; (b) confidentiality with respect to the Ombudsman's activities; and (c) the credibility of the

Ombudsman's investigative process as outlined herein in the selection and appointment of a Municipal Ombudsman.

Selection/Appointment

The Regional Clerk, in consultation with the Director, Legal and Court Services, will initiate the engagement of a Municipal Ombudsman in accordance with the direction of Regional Council and these Terms of Reference, and in compliance with the Procurement By-law.

The selection a Municipal Ombudsman shall be based on their suitability for appointment having regard to their:

- i. investigative experience and qualifications;
- ii. understanding and familiarity with the legal authority and powers of a Municipal Ombudsman in accordance with the applicable provisions of the Municipal Act, the Ombudsman Act, and any other applicable law;
- iii. technical and/or subject matter expertise given the nature and scope of the specific matter to be investigated as directed by Regional Council; and,
- iv. commitment and capacity to adhere to these Terms of Reference, including but not limited to ensuring independence, impartiality and confidentiality of the investigation as outlined herein.

The engagement of a Municipal Ombudsman shall be by written agreement prepared pursuant to these Terms of Reference and in a form satisfactory to the Director, Legal and Court Services. The retainer shall include confirmation that the Municipal Ombudsman does not have a conflict of interest of any kind with respect to the matter to be investigated.

1. Statement of Principles

a. Independence

The Municipal Ombudsman will act in an independent manner and shall carry out any investigation independently of Regional Council and Niagara Region staff without control, limitation or interference imposed by any Staff or Council member. The Municipal Ombudsman shall report directly to Regional Council through the Regional Clerk.

b. Neutrality and Impartiality

The Municipal Ombudsman will conduct any investigation striving for impartiality, fairness and objectivity. A Municipal Ombudsman shall not be selected for appointment if there is an actual or perceived conflict of interest with regard to the matter to be investigated.

c. Confidentiality

The Municipal Ombudsman and every person acting under the instructions of the Ombudsman shall preserve secrecy with respect to all matters that come to their knowledge in the course of their duties under any investigation. Every Municipal Ombudsman investigation is to be conducted in private in accordance with the Municipal

Act, 2001 and all reasonable steps shall be taken to safeguard confidentiality, including with respect to witnesses.

2. Scope of Issues

Regional Council shall determine the scope of the issues to be investigated by the Municipal Ombudsman. As a best practice Regional Council should, when identifying the need for an investigation, direct staff to first provide a report for Council's consideration that clearly articulates the proposed scope of the issues to be investigated; the Municipal Ombudsman's mandate, authority and responsibilities; and provides recommendations for Council's consideration regarding particular qualifications, technical expertise or any other relevant requirements or implications that should be considered in the selection of a Municipal Ombudsman based on the proposed nature and scope of the investigation. Regional Council shall be as specific as possible in setting the terms of the appointment in order to ensure the Municipal Ombudsman's mandate, authority and the investigative process are clearly established and understood.

A Municipal Ombudsman may be appointed to investigate the following:

- Decisions made by Regional Council that are not within their legal power to make
- Where appropriate procedures have not been followed in reaching a decision
- Where Regional Council has acted in a way that is contrary to the Region's Rules, Procedures, or By-Laws
- Where Regional Council has failed to take a certain action that it is required to take under its Rules, Procedures or By-Laws
- Any decision or recommendation made, or act done or omitted, in the course of the administration of the Region, provided that it does not fall under the list of matters that are out of scope as specified below.

A Municipal Ombudsman investigation is not intended to replace existing formal channels or recourse available to address specific matters under applicable laws, agreements (including collective bargaining agreements) or existing Regional policies and procedures; and should not be appointed to investigate the following:

- Any Regional Council decision, recommendation, act or omission, in respect of which there is a right of appeal or objection to any court or tribunal, until that right of appeal or objection has been exercised, or the time for exercise of that right has expired
- Decisions, recommendations, acts or omissions of a legal advisor or counsel to the Niagara Region
- Complaints regarding policing, the conduct of Councillors, and closed meetings of Council.

3. Evidence Collection

The Municipal Ombudsman shall take all reasonable steps to the extent permitted by law to obtain all available evidence relevant to any investigation and ensure a thorough and credible investigative process. The Municipal Ombudsman shall have access to all relevant Regional records as permitted by law.



The Municipal Ombudsman shall assess the credibility and reliability of evidence provided by witnesses and ensure that there is sufficient evidence to support all conclusions in their report.

4. Reporting Process

Despite the duty of confidentiality, the Municipal Ombudsman may disclose in any report such matters as in their opinion ought to be disclosed in order to establish grounds for his or her conclusions or recommendations.

In accordance with the Municipal Act, 2001, the Municipal Ombudsman is required to give the affected municipality or person the opportunity to make representations respecting the adverse report or recommendation prior to finalizing their report.

Any preliminary Municipal Ombudsman report shall be considered by Regional Council in closed session.

THE REGIONAL MUNICIPALITY OF NIAGARA

BY-LAW NO. <>

A BY-LAW TO STOP UP AND CLOSE A PORTION OF REGIONAL
ROAD 1 (DOMINION ROAD) IN THE TOWN OF FORT ERIE

WHEREAS subsection 34 of the Municipal Act, S.O. 2001, c.25, states the Regional Council may pass by-laws closing any highway under its jurisdiction;

WHEREAS Regional Council at its meeting of July 22, 2021, by adopting Corporate Services Committee Report CSD 44-2021, did resolve to stop up and close a portion of Regional Road No. 1 (locally known as Dominion Road), the said lands being described as Part of Lot 18, Plan 424, Town of Fort Erie, Regional Municipality of Niagara, and being designated as Part 1 on 59R-8808, as the said lands are no longer necessary for highway purposes.

NOW THEREFORE the Council of The Regional Municipality of Niagara enacts as follows:

1. That the parcel of land described as follows:

Part Lot 18, Plan 424, Town of Fort Erie, Regional Municipality of Niagara, and being designated as Part 1 on 59R-8808, which forms part of Regional Road No. 1 (locally known as Dominion Road)

be and the same is hereby stopped, closed and is to be conveyed according to statute.

2. That this by-law shall come into force and effect on the day upon which it is registered in the Land Titles Office for the Land Titles Division of Niagara South (No. 59).

THE REGIONAL MUNICIPALITY OF NIAGARA

James Bradley, Regional Chair

Ann-Marie Norio, Regional Clerk

Passed: < >

THE REGIONAL MUNICIPALITY OF NIAGARA

BY-LAW NO. <>

A BY-LAW TO PERMIT HOME DEPOT STORE
LOCATED AT 7190 MORRISON STREET IN THE CITY
OF NIAGARA FALLS TO BE OPEN ON CERTAIN
HOLIDAYS FOR THE MAINTENANCE OR
DEVELOPMENT OF TOURISM

WHEREAS subsection 4(1) of the *Retail Business Holidays Act*, R.S.O. 1990, Chapter R.30 (the “Act”), as amended, authorizes Regional Council to pass by-laws to permit retail business establishments in the Regional Municipality to be open on holidays for the maintenance or development of tourism;

WHEREAS Home Depot store, located at 7190 Morrison Street in the City of Niagara Falls has applied for such exemptions;

WHEREAS the application from Home Depot store is in compliance with the Act and regulations, including the Tourism Criteria as set out in Ontario Regulation 711/91;

WHEREAS Regional Council has considered the written material submitted in support of the application; and

WHEREAS a public meeting was held, and the appropriate notice as required under the Act was given.

NOW THEREFORE the Council of The Regional Municipality of Niagara enacts as follows:

1. That the business known locally as Home Depot store located at 7190 Morrison Street in the City of Niagara Falls is permitted to be open on all statutory holidays, with the exception of Christmas Day, from 7:00 a.m. to 9:00 p.m.;

2. That this by-law shall come into force and take effect, subject to an appeal under subsection 4(3) of the *Retail Business Holidays Act*, on the thirty-first day after it is passed.

THE REGIONAL MUNICIPALITY OF NIAGARA

James Bradley, Regional Chair

Ann-Marie Norio, Regional Clerk

Passed: < >

THE REGIONAL MUNICIPALITY OF NIAGARA

BY-LAW NO. <>

A BY-LAW TO AMEND BY-LAW 120-2010,
THE PROCEDURAL BY-LAW TO PERMIT
ELECTRONIC MEETING PARTICIPATION

WHEREAS subsection 238(2) of the *Municipal Act, 2001*, S.O. 2001, Chapter 25, as amended, provides that every municipality shall pass a procedure by-law for governing the calling, place and proceedings of meetings;

WHEREAS By-law 2020-16, being a by-law to amend the Procedural By-law 120-2010 was passed on March 26, 2020 to allow electronic participation in meetings during the Provincial Declaration of Emergency pursuant to the *Emergency Management and Civil Protection Act, 2020*;

WHEREAS on July 21, 2020, *Bill 197, COVID-19 Economic Recovery Act*, received royal assent and included provisions to amend the *Municipal Act 2001*, to allow members of municipal councils to continue to participate electronically in both open and closed meetings and be counted towards quorum, even in the absence of an emergency;

WHEREAS subsection 238(3.1) of the *Municipal Act, 2001*, S.O. 2001, Chapter 25, as amended, provides that the applicable procedural by-law may provide that a member of council can participate electronically in a meeting to the extent and in the manner set out in the by-law;

WHEREAS By-law 2020-51 being a by-law to amend By-law 120-2010, The Procedural By-law was passed on July 20, 2020, to enact a by-law to permit electronic meeting participation for a one-year period in consideration of public health advice to limit the spread of COVID-19;

WHEREAS Regional Council deems it advisable to amend By-Law 120-2010, The Procedural By-Law, to allow for the continuation of electronic participation in meetings for the duration of Niagara Region's declaration of emergency and for a period of three months thereafter in consideration of the ongoing COVID-19 pandemic and public health advice to limit the spread of COVID-19.

NOW THEREFORE the Council of The Regional Municipality of Niagara enacts as follows:

1. That Section 2.8 of The Procedural By-law be deleted and replaced with the following:

A Council or Committee member who participates in a Committee or Council meeting remotely via electronic means (e.g. audio and/or video), will have the same rights and responsibilities as if he or she were in physical attendance, including the right to vote.

2. That Section 2.10 of The Procedural By-law be deleted and replaced with the following:

Electronic Participation shall only be permitted during the period of the Niagara Region Declaration of Emergency and for a period of three months thereafter in consideration of public health advice to limit the spread of COVID-19.

3. That Section 2.11 of The Procedural By-law be deleted and replaced with the following:

Electronic Participation during this period shall be permitted for all Committee meetings and any special, emergency or regular Council meeting.

4. That Section 2.12 of The Procedural By-law be deleted and replaced with the following:

The Regional Chair or Acting Regional Chair and/or Committee Chairs of the Budget Review Committee of the Whole, Corporate Services Committee, Planning and Economic Development Committee, Public Health and Social Services Committee and Public Works Committee shall not be permitted to participate electronically at any meeting over which they are presiding.

- (a) A Committee Chair (Co-Chair) may participate electronically at any meeting, other than those noted above, subject to consultation with Clerk's staff and the staff representative for that Committee in advance to ensure appropriate procedures are in place for electronic participation.

5. That Section 2.13 of The Procedural By-law be deleted and replaced with the following:

Any Council or Committee member who wishes to participate in a meeting electronically shall provide the Clerk a minimum of 24 hours' notice in advance.

6. That this by-law shall come into force and effect on the day upon which it is passed.
7. The amendments effected by this By-law shall be deemed repealed and no longer in force and effect three months after the date of the termination of the declaration of the state of emergency by Niagara Region.

THE REGIONAL MUNICIPALITY OF NIAGARA

James Bradley, Regional Chair

Ann-Marie Norio, Regional Clerk

Passed: <date>

THE REGIONAL MUNICIPALITY OF NIAGARA

BY-LAW NO. <>

A BY-LAW TO AUTHORIZE THE BORROWING UPON 10
YEAR INSTALMENT DEBENTURES IN THE AGGREGATE
PRINCIPAL AMOUNT OF \$30,125,519.07 FOR CAPITAL
WORKS OF THE TOWN OF NIAGARA-ON-THE-LAKE AND
OF THE CITIES OF ST. CATHARINES AND WELLAND

WHEREAS the *Municipal Act, 2001*, as amended (the “Act”) provides that a municipality may incur a debt for municipal purposes, whether by borrowing money or in any other way, and may issue debentures and prescribed financial instruments and enter prescribed financial agreements for or in relation to the debt;

AND WHEREAS the Act also provides that a municipality shall authorize long-term borrowing by the issue of debentures or through another municipality under section 403 or 404 of the Act;

AND WHEREAS section 403 of the Act provides that a by-law of an upper-tier municipality authorizing the issuing of debentures for the purposes or joint purposes of one or more of its lower-tier municipalities may require those lower-tier municipalities to make payments in each year to the upper-tier municipality in the amounts and on the dates specified in the by-law and subsection 403 (7) of the Act provides that all debentures issued under a by-law passed by an upper-tier municipality under section 403 of the Act are direct, joint and several obligations of the upper-tier municipality and its lower-tier municipalities;

AND WHEREAS subsection 408 (2.1) of the Act provides that a municipality may issue a debenture or other financial instrument for long-term borrowing only to provide financing for a capital work;

AND WHEREAS the Council of The Regional Municipality of Niagara (the “Upper-tier Municipality”) received requests of the respective Councils of The Corporation of the Town of Niagara-on-the-Lake, The Corporation of the City of St. Catharines and The Corporation of the City of Welland (individually a “Lower-tier Municipality”, collectively the “Lower-tier Municipalities”) to borrow money for the respective capital work(s) or classes of work(s), as the case may be, of the Lower-tier Municipalities (individually a “Capital Work”, collectively the “Capital Works”) set out in Column (1) of Schedule “A” attached hereto and forming part of this By-law (“Schedule “A””) and to issue debentures for the

Capital Works in the respective principal amounts specified in Column (8) of Schedule “A”;

AND WHEREAS before authorizing its respective Capital Work(s) and before authorizing any additional cost amounts and any additional debenture authorities in respect thereof, the Council of each Lower-tier Municipality had its Treasurer calculate an updated limit in respect of its most recent annual debt and financial obligation limit received from the Ministry of Municipal Affairs and Housing in accordance with the applicable regulation. Prior to the Council of the respective Lower-tier Municipality exercising its powers in respect of each of its Capital Work(s), each such additional cost amount and each such additional debenture authority, the respective Treasurer determined that the estimated annual amount payable in respect of each of its respective Capital Work(s), each such additional cost amount and each such additional debenture authority, would not cause the relevant Lower-tier Municipality to exceed its updated limit and that the approval of each Capital Work, each such additional cost amount and each such additional debenture authority by the Ontario Land Tribunal’s predecessor pursuant to such regulation was not required;

AND WHEREAS to provide long-term financing for the Capital Works it is now deemed to be expedient to borrow money by the issue and sale of 10 year instalment debentures of the Upper-tier Municipality in the aggregate principal amount of \$30,125,519.07 payable at the times and bearing interest at the rates hereinafter set forth, as agreed to by the Upper-tier Municipality on July 12, 2021.

NOW THEREFORE THE COUNCIL OF THE REGIONAL MUNICIPALITY OF NIAGARA ENACTS AS FOLLOWS:

1. For the Capital Works, the borrowing upon the credit of the Upper-tier Municipality at large of the aggregate principal amount of \$30,125,519.07 and the issue of instalment debentures therefor within the term of 10 years as set out in Column (1) of Schedule “A” in denominations of \$1,000.00 and any integral multiples thereof, as hereinafter set forth are hereby authorized.
2. The Regional Chair and the Treasurer of the Upper-tier Municipality are hereby authorized to cause any number of instalment debentures in the aggregate principal amount of \$30,125,519.07, as described in section 1 above, (the “Debentures”) payable in annual instalments of principal (July 26) with semi-annual instalments of interest thereon (January 26 and July 26) to be issued for such amounts of money as may be required for the Capital Works in global and definitive forms, not exceeding in total the said aggregate principal amount of \$30,125,519.07. The Debentures shall bear the Upper-tier Municipality’s

municipal seal and the signatures of the Regional Chair and of the Treasurer of the Upper-tier Municipality, all in accordance with the provisions of the Act. The Debentures are sufficiently signed if they bear the required signatures and each person signing has the authority to do so on the date he or she signs. The Debentures shall initially be issued in global fully registered form as part of one certificate in the aggregate principal amount of \$46,084,000.00, substantially in the form attached as Schedule “B” hereto and forming part of this By-law (the “Global Debenture”). The Global Debenture shall initially be issued in the name of CDS & CO. as nominee of CDS Clearing and Depository Services Inc. (“CDS”) and shall provide for payment of principal and interest electronically in final and irrevocable same-day funds in accordance with the applicable requirements of CDS, so long as the Global Debenture is held by CDS.

3. (1) The Debentures shall all be dated the 26th day of July, 2021, and as to both principal and interest shall be expressed and be payable in lawful money of Canada. The Debentures shall mature within the term of years set out in Column (1) of Schedule “A” and the respective amounts of principal and interest payable in each of the years during the currency of the Debentures shall be as set forth in Schedule “C” attached hereto and forming part of this By-law (“Schedule “C””). The Debentures maturing (principal payable) in the year 2022 shall bear interest at the rate of 0.40% per annum, the Debentures maturing (principal payable) in the year 2023 shall bear interest at the rate of 0.70% per annum, the Debentures maturing (principal payable) in the year 2024 shall bear interest at the rate of 0.95% per annum, the Debentures maturing (principal payable) in the year 2025 shall bear interest at the rate of 1.20% per annum, the Debentures maturing (principal payable) in the year 2026 shall bear interest at the rate of 1.35% per annum, the Debentures maturing (principal payable) in the year 2027 shall bear interest at the rate of 1.55% per annum, the Debentures maturing (principal payable) in the year 2028 shall bear interest at the rate of 1.70% per annum, the Debentures maturing (principal payable) in the year 2029 shall bear interest at the rate of 1.85% per annum, the Debentures maturing (principal payable) in the year 2030 shall bear interest at the rate of 1.95% per annum and the Debentures maturing (principal payable) in the year 2031 shall bear interest at the rate of 2.10% per annum.
- (2) Payments in respect of principal of and interest on the Debentures shall be made only on a day on which banking institutions in Toronto, Ontario are not authorized or obligated by law or executive order to be closed (a “Business Day”) and if any date for payment is not a Business Day, payment

shall be made on the next following Business Day and no further interest shall be paid in respect of the delay in such payment.

4. Interest shall be payable to the date of maturity of the Debentures and on default shall be payable both before and after default and judgment. Any amounts payable by the Upper-tier Municipality as interest on overdue principal or interest in respect of the Debentures shall be paid out of current revenue. Whenever it is necessary to compute any amount of interest in respect of the Debentures for a period of less than one full year, other than with respect to regular semi-annual interest payments, such interest shall be calculated on the basis of the actual number of days in the period and a year of 365 days or 366 days, if applicable.
5. In limited circumstances (as agreed to by both the Upper-tier Municipality and CDS) the Global Debenture shall be exchangeable for certificated Debentures in definitive fully registered form in authorized denominations upon surrender of the Global Debenture to the Treasurer of the Upper-tier Municipality provided that there is at least one definitive Debenture which matures in each of the remaining years of the currency of the Global Debenture. The definitive Debentures shall aggregate the same principal amount as the principal outstanding balance of the Global Debenture as of the record date for such exchange in accordance with the provisions of the Global Debenture, shall bear the same interest rates and maturity dates, shall bear all unmatured interest obligations and shall have the same benefits and be subject to the same terms and conditions as the Global Debenture (except insofar as they specifically relate to the Global Debenture). In issuing definitive Debentures no change shall be made in the amount which would otherwise be payable in each year under the Global Debenture. The definitive Debentures shall be in fully registered form, payable as to principal and outstanding interest in lawful money of Canada at maturity upon presentation and surrender thereof at any specified branch in Canada of the Upper-tier Municipality's bank designated in the definitive Debentures. Prior to maturity, the definitive Debentures shall be payable as to interest by cheque sent by mail to the registered addresses of the registered holders or, if authorized in writing, by electronic transfer.
6. (1) In each year in which a payment of an instalment of principal and interest becomes due in respect of the Debentures, there shall be raised as part of the general upper-tier levy the amounts of principal and interest payable in each year as set out in Schedule "C" to the extent that the amounts have not been provided for by any other available source including other taxes or fees or charges imposed on persons or property by a by-law of any municipality. Without limiting the generality of the foregoing, each of the

Lower-tier Municipalities shall pay its respective portion of the aforesaid yearly amounts required to be paid to the Upper-tier Municipality by the Lower-tier Municipalities in respect of its Capital Works described in Schedule "A", as set out in Schedule "D" attached hereto and forming part of this By-law ("Schedule "D'") to the Upper-tier Municipality one Business Day before the date payment is due. The amounts required to be paid to the Upper-tier Municipality in accordance with Schedule "D" shall constitute a debt of the respective Lower-tier Municipality to the Upper-tier Municipality and such amounts shall, when combined with any amount payable by the Upper-tier Municipality in the year for repayment of the debt for which the Debentures are to be issued, be sufficient to meet the total amount of principal and interest payable in the year by the Upper-tier Municipality in respect of the Debentures, all in accordance with the provisions of this By-law and the Act.

- (2) If any Lower-tier Municipality fails to make any payment or portion of it as provided in this By-law, such Lower-tier Municipality shall pay interest to the Upper-tier Municipality on the amount in default at the rate of 15% per annum, from the date the payment is due until it is made.
 - (3) There shall be raised, pursuant to this By-law, in each year of the currency of the Debentures, as part of the general upper-tier levy, the amounts required to be paid to the Upper-tier Municipality in any previous year by any one or more of the Lower-tier Municipalities to the extent that the amounts have not been paid to the Upper-tier Municipality in accordance with this By-law and the Act.
7. The Debentures may contain any provision for their registration thereof authorized by any statute relating to municipal debentures in force at the time of the issue thereof.
 8. The Upper-tier Municipality shall maintain a registry in respect of the Debentures in which shall be recorded the names and the addresses of the registered holders and particulars of the Debentures held by them respectively and in which particulars of the cancellations, exchanges, substitutions and transfers of Debentures may be recorded and the Upper-tier Municipality is authorized to use electronic, magnetic or other media for records of or related to the Debentures or for copies of them.
 9. The Upper-tier Municipality shall not be bound to see to the execution of any trust affecting the ownership of any Debenture or be affected by notice of any equity

that may be subsisting in respect thereof. The Upper-tier Municipality shall deem and treat registered holders of the Debentures, including the Global Debenture, as the absolute owners thereof for all purposes whatsoever notwithstanding any notice to the contrary and all payments to or to the order of registered holders shall be valid and effectual to discharge the liability of the Upper-tier Municipality on the Debentures to the extent of the amount or amounts so paid. Where a Debenture is registered in more than one name, the principal of and interest from time to time payable on such Debenture shall be paid to or to the order of all the joint registered holders thereof, failing written instructions to the contrary from all such joint registered holders, and such payment shall constitute a valid discharge to the Upper-tier Municipality. In the case of the death of one or more joint registered holders, despite the foregoing provisions of this section, the principal of and interest on any Debentures registered in their names may be paid to the survivor or survivors of such holders and such payment shall constitute a valid discharge to the Upper-tier Municipality.

10. The Debentures are transferable or exchangeable at the office of the Treasurer of the Upper-tier Municipality upon presentation for such purpose accompanied by an instrument of transfer or exchange in a form approved by the Upper-tier Municipality and which form is in accordance with the prevailing Canadian transfer legislation and practices, executed by the registered holder thereof or such holder's duly authorized attorney or legal personal representative, whereupon and upon registration of such transfer or exchange and cancellation of the Debenture or Debentures presented, the Regional Chair and the Treasurer of the Upper-tier Municipality shall issue and deliver a new Debenture or Debentures of an equal aggregate principal amount in any authorized denomination or denominations as directed by the transferor, in the case of a transfer or as directed by the registered holder in the case of an exchange.
11. The Regional Chair and the Treasurer of the Upper-tier Municipality shall issue and deliver new Debentures in exchange or substitution for Debentures outstanding on the registry with the same maturity dates and of like form which have become mutilated, defaced, lost, subject to a mysterious or unexplainable disappearance, stolen, destroyed or dematerialized, provided that the applicant therefor shall have: (a) paid such costs as may have been incurred in connection therewith; (b) (in the case when a Debenture is mutilated, defaced, lost, mysteriously or unexplainably missing, stolen, destroyed or dematerialized) furnished the Upper-tier Municipality with such evidence (including evidence as to the certificate number of the Debenture in question) and an indemnity in respect thereof satisfactory to the Upper-tier Municipality in its discretion; and (c)

surrendered to the Upper-tier Municipality any mutilated or defaced Debenture in respect of which new Debentures are to be issued in substitution.

12. The Debentures issued upon any registration of transfer or exchange or in substitution for any Debentures or part thereof shall carry all the rights to interest if any, accrued and unpaid which were carried by such Debentures or part thereof and shall be so dated and shall bear the same maturity dates and, subject to the provisions of this By-law, shall be subject to the same terms and conditions as the Debentures in respect of which the transfer, exchange or substitution is effected.
13. The cost of all transfers and exchanges, including the printing of authorized denominations of the new Debentures, shall be borne by the Upper-tier Municipality. When any of the Debentures are surrendered for transfer or exchange the Treasurer of the Upper-tier Municipality shall: (a) in the case of an exchange, cancel and destroy the Debentures surrendered for exchange; (b) in the case of an exchange, certify the cancellation and destruction in the registry; (c) enter in the registry particulars of the new Debenture or Debentures issued in exchange and (d) in the case of a transfer, enter in the registry the name of the registered holder as directed by the transferor.
14. Subject to an agreement that the Upper-tier Municipality may enter into to the contrary, reasonable fees may be imposed by the Upper-tier Municipality for the substitution of a new Debenture or new Debentures for any of the Debentures that are mutilated, defaced, lost, mysteriously or unexplainably missing, stolen, destroyed or dematerialized and for the replacement of any of the interest cheques that are mutilated, defaced, lost, mysteriously or unexplainably missing, stolen or destroyed. When new Debentures are issued in substitution in these circumstances the Upper-tier Municipality shall: (a) treat as cancelled and destroyed the Debentures in respect of which new Debentures will be issued in substitution; (b) certify the deemed cancellation and destruction in the registry; (c) enter in the registry particulars of the new Debentures issued in substitution; and (d) make a notation of any indemnities provided.
15. Except as otherwise expressly provided herein, any notice required to be given to a registered holder of one or more of the Debentures will be sufficiently given if a copy of such notice is mailed or otherwise delivered to the registered address of such registered holder.
16. (1) The Regional Chair and the Treasurer of the Upper-tier Municipality are hereby authorized to cause the Debentures to be issued, the execution of a purchase letter in respect of the Debentures, dated as at July 12, 2021,

by such Treasurer (Commissioner/Treasurer, Corporate Services) is hereby ratified, confirmed and approved. One or more of the Treasurer of the Upper-tier Municipality and the Regional Clerk are hereby authorized to generally do all things and to execute all other documents and papers in the name of the Upper-tier Municipality in order to carry out the sale of the Debentures through CDS's book entry only system and such Treasurer or the Regional Clerk are authorized to affix the Upper-tier Municipality's municipal seal to any of such documents and papers.

- (2) The money received by the Upper-tier Municipality from the sale of the Debentures, including any premium, and any earnings derived from the investment of that money, after providing for the expenses related to their issue, if any, shall be delivered to The Corporation of the Town of Niagara-on-the-Lake, The Corporation of the City of St. Catharines and The Corporation of the City of Welland, as the case may be, on the basis that each such lower-tier municipality shall apportion and apply such money to its respective Capital Work(s), as applicable, in accordance with this By-law, and to no other purpose except as permitted by the Act.
17. The Upper-tier Municipality reserves the right to issue additional instalment debentures of the same maturities, interest rates and terms and conditions.
18. Subject to the Upper-tier Municipality's statement of investment policies and goals and the applicable legislation, the Upper-tier Municipality may, if not in default under the Debentures, at any time purchase any of the Debentures in the open market or by tender or by private contract at any price and on such terms and conditions (including, without limitation, the manner by which any tender offer may be communicated or accepted and the persons to whom it may be addressed) as the Upper-tier Municipality may in its discretion determine.

19. This by-law shall come into force and take effect on the day upon which it is passed.

THE REGIONAL MUNICIPALITY OF NIAGARA

James Bradley, Regional Chair

Ann-Marie Norio, Regional Clerk

Passed: <>

Schedule “A”

	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
Item No.	Description	Account No.	Authorizing By-Law	MOE File No.	MOE Date	Debentures Authorized by Council	Debentures Previously Issued	Debentures Now Being Issued
The Corporation of the Town of Niagara-on-the-Lake								
<u>Term 1-10 Year Serial Debentures</u>								
Capital costs in connection with the:								
1	Realterm Street Light Replace (2020)	C01868	5332-21			542,519.07		542,519.07
Total for 1-10 year debentures – Niagara-on-the-Lake						<u>542,519.07</u>		<u>542,519.07</u>

Schedule “A”

(1)		(2)	(3)	(4)	(5)	(6)	(7)	(8)
Item No.	Description	Account No.	Authorizing Bylaw	MOE File No.	MOE Date	Debentures Authorized By Council	Debentures Previously Issued	Debentures Now being Issued
The Corporation of the City of St. Catharines								
<u>Term - 1 - 10 Year Serial Debentures</u>								
	Capital costs in connection with the:							
1	Fire and Emergency Services Communications Upgrade	405.309	2014-110			1,595,000.00	1,244,000.00	130,000.00
	Project No. P13-154-1							
2	Firehall #1 - Communications Upgrade - Phase 1 and 2-a Radio Console System Upgrade	405.316	2019-53			6,300,000.00	2,790,000.00	610,000.00
	Project No. 405.316							
3	Replacement of Pumper Truck	405.301	2020-182			500,000.00	-	500,000.00
	Project No. PFR21-02							
4	New Sidewalk Construction Program	410.143	2021-64			207,000.00	-	207,000.00

Schedule "A"

	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
Item No.	Description	Account No.	Authorizing Bylaw	MOE File No.	MOE Date	Debentures Authorized By Council	Debentures Previously Issued	Debentures Now being Issued
	Project No. P18-041							
5	Transit Replenishment (2020 & 2021)	420.467	2019-271/2020-182			1,080,000.00	-	1,080,000.00
	Project No. PTC20/PTC21-001							
6	Rodger/Sharon Storm sewer construction to alleviate surface flooding issues on: Rodger Street from Glen Park Road to Linwell Road Sharon Street from Glen Park Road to Linwell Road	430.362	2021-065	8646-B36G7E	05/12/21	190,000.00	-	190,000.00
	Project No. P16-004							
7	Admiral / Park Storm Sewers Storm sewer construction in advance of future roadworks on: Admiral Road from Ferndale Avenue to Park Avenue	430.373	2021-62	7242-BKVTG5	01/28/20	400,000.00	-	81,700.00

Schedule “A”

(1)		(2)	(3)	(4)	(5)	(6)	(7)	(8)
Item No.	Description	Account No.	Authorizing Bylaw	MOE File No.	MOE Date	Debentures Authorized By Council	Debentures Previously Issued	Debentures Now being Issued
	Park Avenue from Admiral Road to Rockwood Avenue Project No. P17-020							
8	Leeper / McDonald Reconstruction Sanitary Sewer replacement, storm sewer extension and watermain replacement on: Leeper Street from Rykert Street to St Paul St West McDonald Street from Ridley Road to St Paul St West Project No. P17-001	435.533	2021-61	2538-AMPKP H	May 26, 2017	422,000.00	-	422,000.00
9	City Hall - Chiller Replacement Project No. P16-140	452.345	2021-57			153,000.00	-	153,000.00
10	City Hall - James St Elevator	452.350	2021-58			225,000.00	-	225,000.00

Schedule “A”

(1)		(2)	(3)	(4)	(5)	(6)	(7)	(8)
Item No.	Description	Account No.	Authorizing Bylaw	MOE File No.	MOE Date	Debentures Authorized By Council	Debentures Previously Issued	Debentures Now being Issued
	Elevator replacement at City Hall (James Street) Project No. P17-141							
11	Bill Burgoyne Arena - Board & Floor replacement Project No. P20-139	460.362	2019-271			967,000.00	-	967,000.00
12	Park Renewal Program - Happy Rolph's Playground Equipment Project No. PRC20-02	460.415	2019-271			280,000.00	-	280,000.00
13	2012 Arena Improvement Program Project P12-164	460.474	2021-56			165,000.00	-	165,000.00
14	Burgoyne Woods Park Site Paving Project No. P21-143	460.303	2020-182			282,000.00	-	282,000.00

Schedule "A"

	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
Item No.	Description	Account No.	Authorizing Bylaw	MOE File No.	MOE Date	Debentures Authorized By Council	Debentures Previously Issued	Debentures Now being Issued
15	Bill Burgoyne Arena Renewal and Improvements Project No. P18-165/ P18-166/ M2018-5/ ST18-015	460.518	2021-60			369,000.00	-	369,000.00
16	2018 Shoreline Protection Project No. P17-132/P18-132	470.290/47 0.291	2021-63			135,000.00	-	135,000.00
17	Abby Mews - engineering & partial construction Project No. P20-132	470.293	2021-66			1,250,000.00	-	1,250,000.00
18	Shoreline Protection Westgate Park (8-14 Shore Blvd) Project No. P21-132	470-295	2020-182			1,453,300.00	-	1,453,300.00

Schedule “A”

	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
Item No.	Description	Account No.	Authorizing Bylaw	MOE File No.	MOE Date	Debentures Authorized By Council	Debentures Previously Issued	Debentures Now being Issued
	Total for 1-10 year debentures – City of St. Catharines					15,973,300.00	4,034,000.00	8,500,000.00

Schedule “A”

	(1)	(2)		(3)	(4)	(5)	(6)	(7)	(8)
Item No.	Description	Account No.	CSD Report	Authorizing By-Law	MOE File No.	MOE Date	Debentures Authorized by Council	Debentures Previously Issued	Debentures Now Being Issued
The Corporation of the City of Welland									
Term 1-10 Year Serial Debenture									
Capital costs in connection with the:									
1	Museum Building -Roof Replacement	10-449-21453		2020-150			265,000.00		265,000.00
2	Maple Park Pool Building- Roof Replacement	10-454-21454		2020-150			36,420.00		36,000.00
3	Fleet Capital Replacement - General	10-323-21300		2020-150			956,000.00		956,000.00
4	Chaffey Park Playground & Landscape	10-410-21403		2020-150			250,000.00		250,000.00
5	Memorial Park Rejuvenation Ph. 4	10-410-21401		2020-150			687,400.00		687,000.00
6	Sparrow Meadows Park Ph. 3	10-410-21402		2020-150			250,000.00		250,000.00

Schedule "A"

(1)		(2)		(3)	(4)	(5)	(6)	(7)	(8)
Item No.	Description	Account No.	CSD Report	Authorizing By-Law	MOE File No.	MOE Date	Debentures Authorized by Council	Debentures Previously Issued	Debentures Now Being Issued
7	General Park Maintenance	10-410-21406		2020-150			80,000.00		80,000.00
8	Cady St Road & Watermain- Roads	10-320-21767		2020-150			270,000.00		270,000.00
9	Scholfield Ave Infrastructure renewals- Roads	10-320-21763		2020-150			585,000.00		585,000.00
10	Northhaven Road Watermain - Roads	10-320-21772		2020-150			128,200.00		128,000.00
11	Riverbank Street Watermain Replacement- Roads	10-320-21776		2020-150			200,000.00		200,000.00
12	State St Watermain Replacement -Roads	10-320-21777		2020-150			100,000.00		100,000.00
13	Elizabeth St West Infrastructure Renewals -Roads	10-320-21775		2020-150			32,500.00		32,000.00
14	Asphalt Patching	10-320-22154		2020-150			100,000.00		100,000.00

Schedule "A"

(1)		(2)		(3)	(4)	(5)	(6)	(7)	(8)
Item No.	Description	Account No.	CSD Report	Authorizing By-Law	MOE File No.	MOE Date	Debentures Authorized by Council	Debentures Previously Issued	Debentures Now Being Issued
15	Crack Sealing	10-320-22151		2020-150			100,000.00		100,000.00
16	Road Resurfacing Program	10-320-21187		2020-150			836,604.00		836,000.00
17	Increase 2021 Road Resurfacing Capital Spending	10-320-21150		2020-150			4,650,000.00		4,650,000.00
18	Sidewalk- Condition Related Replacements	10-316-21102		2020-150			570,000.00		570,000.00
19	Increase 2021 Sidewalk Additions/Replacements Capital Spending	10-316-21000		2020-150			950,000.00		950,000.00
20	Dain City Storm Channel Improvements	10-327-21366		2020-150			555,000.00		555,000.00
21	River Road Storm Sewer/Ditch	10-327-21367		2020-150			300,000.00		300,000.00
22	Sanitary Sewer Separation/Replacements	10-330-21779		2020-151			1,825,000.00		1,825,000.00

Schedule "A"

	(1)	(2)		(3)	(4)	(5)	(6)	(7)	(8)
Item No.	Description	Account No.	CSD Report	Authorizing By-Law	MOE File No.	MOE Date	Debentures Authorized by Council	Debentures Previously Issued	Debentures Now Being Issued
23	Broadway Area - Construction of Trunk Sanitary Sewer	10-330-21764		2020-151			455,688.00		455,000.00
24	Fleet Replacements Sanitary ENG	10-330-21302		2020-151			91,600.00		91,000.00
25	Scholfield Ave Infrastructure Renewals - Wastewater	10-330-21762		2020-151			573,600.00		573,000.00
26	Parkdale Place Infrastructure Renewals- Wastewater	10-330-21778		2020-151			200,000.00		200,000.00
27	Northhaven Rd Watermain Replacement - Wastewater	10-330-21772		2020-151			240,000.00		240,000.00
28	Elizabeth St West Infrastructure Renewals - Wastewater	10-330-21775		2020-151			53,980.00		53,000.00
29	Fourth St Sanitary Sewer Replacement	10-330-21707		2020-151			275,000.00		275,000.00
30	Fifth St Sewer Replacement	10-330-21708		2020-151			325,000.00		325,000.00

Schedule “A”

(1)		(2)		(3)	(4)	(5)	(6)	(7)	(8)
Item No.	Description	Account No.	CSD Report	Authorizing By-Law	MOE File No.	MOE Date	Debentures Authorized by Council	Debentures Previously Issued	Debentures Now Being Issued
31	Cast Iron Watermain Replacements	10-910-21780		2020-151			3,775,000.00		3,775,000.00
32	Broadway Area- Construction of Trunk Sanitary Sewer- Watermain	10-910-21764		2020-151			1,000,000.00		1,000,000.00
33	Fleet Replacements Water ENG	10-910-21301		2020-151			238,300.00		238,000.00
34	Elizabeth St West Infrastructure Renewals - Water	10-910-21775		2020-151			133,600.00		133,000.00
Total for 1-10 year debentures – City of Welland							<u>\$21,088,892.00</u>		<u>\$21,083,000.00</u>

Schedule "B"

Unless this certificate is presented by an authorized representative of CDS Clearing and Depository Services Inc. ("CDS") to The Regional Municipality of Niagara or its agent for registration of transfer, exchange or payment, and any certificate issued in respect thereof is registered in the name of CDS & CO., or in such other name as is requested by an authorized representative of CDS (and any payment is made to CDS & CO. or to such other entity as is requested by an authorized representative of CDS), ANY TRANSFER, PLEDGE OR OTHER USE HEREOF FOR VALUE OR OTHERWISE BY OR TO ANY PERSON IS WRONGFUL since the registered holder hereof, CDS & CO., has a property interest in the securities represented by this certificate herein and it is a violation of its rights for another person to hold, transfer or deal with this certificate.

No.GR2021-01

\$46,084,000.00

C A N A D A

Province of Ontario

THE REGIONAL MUNICIPALITY OF NIAGARA

FULLY REGISTERED GLOBAL INSTALMENT DEBENTURE

THE REGIONAL MUNICIPALITY OF NIAGARA (the "Issuer"), for value received, hereby promises to pay to
CDS & CO.

as nominee of CDS or registered assigns, subject to the Conditions attached hereto which form part hereof (the "Conditions"), by the final maturity date of this global debenture (July 26, 2031), the principal amount of

Forty-Six Million, Eighty-Four Thousand Dollars

----- (\$46,084,000.00) -----

by annual payments on the 26th day of July in each of the years 2022 to 2031, both inclusive, in the amounts set forth in the Schedule on the second page hereof (the "Schedule") in lawful money of Canada, and to pay interest thereon until the final maturity date of this global debenture in like money in semi-annual payments from July 26, 2021, or from the last date on which interest has been paid on this global debenture, whichever is later, at the rates of interest set forth in the Schedule, in arrears on the 26th day of January and the 26th day of July, in each year (each, a "Payment Date") in the manner provided in the Conditions. Subject to the Conditions, interest shall be paid on default at the applicable rate set out in the Schedule both before

Schedule "B"

and after default and judgment. The applicable interest rate, the payments of principal and interest and the principal balance outstanding in each year are shown in the Schedule.

This global debenture is subject to the Conditions.

DATED at the Region of Niagara the 26th day of July, 2021.

IN TESTIMONY WHEREOF and under the authority of By-law No. 2021-47 of the Issuer duly passed on the 22nd day of July, 2021 (the "Debenture By-law"), this global debenture is sealed with the municipal seal of the Issuer and signed by the Regional Chair and by the Treasurer thereof.

Date of Registration: July 26, 2021

Regional Chair

(seal)

Treasurer

This global debenture is also signed by the Regional Clerk pursuant to the Issuer's internal requirements.

Regional Clerk

Schedule "B"

SCHEDULE

Year	CUSIP No.	ISIN No.	Interest Rate %	Semi-annual Interest		Principal July 26 \$	Total Annual Payment \$	Principal Balance Outstanding July 26 \$
				Jan 26 \$	July 26 \$			
2021				-	-	-	-	46,084,000.00
2022	65355DQ40	CA65355DQ408	0.40	321,269.00	321,269.00	4,397,000.00	5,039,538.00	41,687,000.00
2023	65355DQ57	CA65355DQ572	0.70	312,475.00	312,475.00	4,415,000.00	5,039,950.00	37,272,000.00
2024	65355DQ65	CA65355DQ655	0.95	297,022.50	297,022.50	4,443,000.00	5,037,045.00	32,829,000.00
2025	65355DQ73	CA65355DQ739	1.20	275,918.25	275,918.25	4,486,000.00	5,037,836.50	28,343,000.00
2026	65355DQ81	CA65355DQ812	1.35	249,002.25	249,002.25	4,539,000.00	5,037,004.50	23,804,000.00
2027	65355DQ99	CA65355DQ994	1.55	218,364.00	218,364.00	4,603,000.00	5,039,728.00	19,201,000.00
2028	65355DR23	CA65355DR232	1.70	182,690.75	182,690.75	4,674,000.00	5,039,381.50	14,527,000.00
2029	65355DR31	CA65355DR315	1.85	142,961.75	142,961.75	4,754,000.00	5,039,923.50	9,773,000.00
2030	65355DR49	CA65355DR497	1.95	98,987.25	98,987.25	4,839,000.00	5,036,974.50	4,934,000.00
2031	65355DR56	CA65355DR562	2.10	51,807.00	51,807.00	4,934,000.00	5,037,614.00	-
				<u>2,150,497.75</u>	<u>2,150,497.75</u>	<u>46,084,000.00</u>	<u>50,384,995.50</u>	

Schedule “B”

LEGAL OPINION

We have examined the Debenture By-law of the Issuer authorizing the issue of instalment debentures in the aggregate principal amount of \$46,084,000.00 dated July 26, 2021 and maturing in ten (10) instalments of principal of varying amounts on the 26th day of July in each of the years 2022 to 2031, both inclusive.

The Debenture By-law has been properly passed and is within the legal powers of the Issuer. The Global Debenture issued under the Debenture By-law in the within form (the “Global Debenture”) is a direct, general, unsecured, unsubordinated, joint and several obligation of the Issuer and of its lower-tier municipalities (the “Lower-tier Municipalities”). The Global Debenture is enforceable against the Issuer and the Lower-tier Municipalities subject to the special jurisdiction and powers of the Ontario Land Tribunal over defaulting municipalities under the *Municipal Affairs Act*, as amended. This opinion is subject to and incorporates all the assumptions, qualifications and limitations set out in our opinion letter delivered on the date of the Global Debenture.

Toronto, July 26, 2021

WeirFoulds LLP

Schedule “B”

CONDITIONS OF GLOBAL DEBENTURE

Form, Denomination, Ranking and Beneficial Interests in Global Debenture

1. The debentures issued pursuant to the Debenture By-law (individually a “Debenture”, collectively the “Debentures”) are issuable as fully registered Debentures without coupons in denominations of \$1,000.00 and any integral multiples thereof.
2. The Debentures are direct, general, unsecured, unsubordinated, joint and several obligations of the Issuer and of the Lower-tier Municipalities. The Debentures rank concurrently and equally in respect of payment of principal and interest with all other debentures of the Issuer except for the availability of money in a sinking or retirement fund for a particular issue of debentures.
3. This Debenture is a Global Debenture registered in the name of the nominee of CDS and held by CDS. Beneficial interests in this Global Debenture are represented through book entry accounts, to be established and maintained by CDS, on its records for CDS’s participants (the “Participants”) in accordance with its participant agreement and rules and procedures which are posted on CDS’s website.
4. Except in the limited circumstances described herein, owners of beneficial interests in this Global Debenture will not be entitled to have Debentures registered in their names, will not receive or be entitled to receive physical delivery of Debentures and will not be considered registered holders of Debentures under the Conditions. The Issuer does not have any responsibility or liability for maintaining, supervising or reviewing any records of CDS or Participants relating to payments made or to be made by CDS or any Participant on account of beneficial ownership interests in this Global Debenture.

Certificated Debentures

5. This Global Debenture is exchangeable, in whole but not in part, for certificated Debentures in definitive form registered in the name of a person other than CDS or its nominee only upon the occurrence of any of the following events: (a) upon 30 days notice by CDS to the Issuer, CDS may discontinue the eligibility of this Global Debenture on deposit, or cease to hold this Global Debenture in respect of the Debentures; or (b) if CDS ceases to be a recognized clearing agency under applicable Canadian or provincial securities legislation and a successor is not

Schedule "B"

appointed; or (c) if the Issuer gives CDS appropriate notice that it is unable or unwilling to continue to have CDS hold this Global Debenture as a book entry only security or that it desires or has processed an entitlement requiring a withdrawal of this Global Debenture, and the Issuer has all right, power, capacity and authority to do so.

6. Debentures issued in exchange for this Global Debenture shall be issued as certificated Debentures in definitive form in authorized denominations, shall have the same benefits and be subject to the same terms and conditions as this Global Debenture (except insofar as they specifically relate to this Global Debenture as such), shall be registered in such names and in such denominations as CDS shall direct and shall be delivered as directed by the persons in whose names such definitive Debentures are to be registered.
7. Upon the exchange of certificated Debentures in definitive form for this Global Debenture, the Issuer shall receive and cancel this Global Debenture, shall reduce the holdings of CDS & CO. on the registry to nil and shall issue or cause to be issued in exchange for this Global Debenture certificated Debentures in definitive form in an aggregate principal amount equal to and in exchange for the Participants' proportionate interests in this Global Debenture as of the record date for such exchange, as directed by CDS. On or after any such exchange, but only to the extent reasonably practicable in the circumstances, the Issuer shall make all payments in respect of such certificated Debentures in definitive form to the registered holders thereof, notwithstanding such exchange occurred after the record date for any payment and prior to such payment date.

Registration

8. The Issuer will keep at its designated office in the Region of Niagara a registry in which shall be entered the names and addresses of the registered holders of Debentures and particulars of the Debentures held by them respectively and in which transfers, exchanges and substitutions of Debentures may be registered.

Title

9. The Issuer shall not be bound to see to the execution of any trust affecting the ownership of any Debenture or be affected by notice of any equity that may be subsisting in respect thereof. The Issuer shall deem and treat registered holders of Debentures, including this Global Debenture, as the absolute owners thereof for all purposes whatsoever

Schedule “B”

notwithstanding any notice to the contrary and all payments to or to the order of registered holders shall be valid and effectual to discharge the liability of the Issuer on the Debentures to the extent of the amount or amounts so paid.

Payments of Principal and Interest

10. The record date for purposes of payment of principal of and interest on the Debentures is as of 5:00 p.m. on the sixteenth calendar day preceding any Payment Date, including a maturity date. Principal of and interest on the Debentures are payable by the Issuer to the persons registered as holders in the registry on the relevant record date. The Issuer shall not be required to register any transfer, exchange or substitution of Debentures during the period from any record date to the corresponding Payment Date.
11. The Issuer shall make all payments in respect of annual principal (July 26) and semi-annual interest (January 26 and July 26) on the Debentures on the Payment Dates commencing with a payment of semi-annual interest on January 26, 2022 electronically in final and irrevocable same-day funds in accordance with the applicable requirements of CDS, so long as this Global Debenture is held by CDS.
12. In the case that certificated Debentures in definitive form are issued, the Issuer shall make all payments in respect of principal and outstanding interest in lawful money of Canada at maturity upon presentation and surrender thereof at any specified branch in Canada of the Issuer’s bank designated in the definitive Debentures, and prior to maturity, shall make payments of interest, by cheque sent by mail to the registered addresses of the registered holders or, if authorized in writing, by electronic transfer.
13. Whenever it is necessary to compute any amount of interest in respect of the Debentures for a period of less than one full year, other than with respect to regular semi-annual interest payments, such interest shall be calculated on the basis of the actual number of days in the period and a year of 365 days or 366 days, if applicable.
14. Payments in respect of principal of and interest on the Debentures shall be made only on a day on which banking institutions in Toronto, Ontario, are not authorized or obligated by law or executive order to be closed (a “Business Day”), and if any date for payment is not a Business Day, payment shall be made on the next following Business Day and no further interest shall be paid in respect of the delay in such payment.

Schedule "B"

15. Where a Debenture is registered in more than one name, the principal of and interest from time to time payable on such Debenture shall be paid to or to the order of all the joint registered holders thereof, failing written instructions to the contrary from all such joint registered holders, and such payment shall constitute a valid discharge to the Issuer.
16. In the case of the death of one or more joint registered holders, despite sections 9 and 15 of the Conditions, the principal of and interest on any Debentures registered in their names may be paid to the survivor or survivors of such holders and such payment shall constitute a valid discharge to the Issuer.

Transfers, Exchanges and Substitutions

17. Debentures are transferable or exchangeable at the office of the Treasurer of the Issuer upon presentation for such purpose accompanied by an instrument of transfer or exchange in a form approved by the Issuer and which form is in accordance with the prevailing Canadian transfer legislation and practices, executed by the registered holder thereof or such holder's duly authorized attorney or legal personal representative, whereupon and upon registration of such transfer or exchange and cancellation of the Debenture or Debentures presented, a new Debenture or Debentures of an equal aggregate principal amount in any authorized denomination or denominations will be delivered as directed by the transferor, in the case of a transfer or as directed by the registered holder in the case of an exchange.
18. The Issuer shall issue and deliver Debentures in exchange for or in substitution for Debentures outstanding on the registry with the same maturity dates and of like form in the event of a mutilation, defacement, loss, mysterious or unexplainable disappearance, theft, destruction or dematerialization, provided that the applicant therefor shall have:
(i) paid such costs as may have been incurred in connection therewith; (ii) (in the case of a mutilated, defaced, lost, mysteriously or unexplainably missing, stolen, destroyed or dematerialized Debenture) furnished the Issuer with such evidence (including evidence as to the certificate number of the Debenture in question) and indemnity in respect thereof satisfactory to the Issuer in its discretion; and (iii) surrendered to the Issuer any mutilated or defaced Debenture in respect of which new Debentures are to be issued in substitution.

Schedule "B"

19. Each Debenture executed and delivered upon any registration of transfer or exchange for or in substitution for any Debenture or part thereof shall carry all the rights to interest, if any, accrued and unpaid which were carried by such Debenture or part thereof and shall be so dated.
20. Subject to an agreement that the Issuer may enter into to the contrary, the Issuer shall not impose any fees in respect of the Debentures, in the normal course of business, other than reasonable fees for the issue of new Debentures in substitution for Debentures that are mutilated, defaced, lost, mysteriously or unexplainably missing, stolen, destroyed or dematerialized or for the issue of new cheques, in substitution for interest cheques that are mutilated, defaced, lost, mysteriously or unexplainably missing, stolen or destroyed.

Purchases

21. Subject to the investment policies and goals of the Issuer and the applicable legislation, the Issuer may, if not in default under the Debentures, at any time purchase Debentures in the open market or by tender or by private contract at any price and on such terms and conditions (including without limitation, the manner by which any tender offer may be communicated or accepted and the persons to whom it may be addressed) as the Issuer may in its discretion determine.

Additional Debentures

22. The Issuer reserves the right to issue additional instalment debentures of the same maturities, interest rates and terms and conditions.

Notices

23. Except as otherwise expressly provided herein, any notice required to be given to a registered holder of one or more of the Debentures will be sufficiently given if a copy of such notice is mailed or otherwise delivered to the registered address of such registered holder. If the Issuer or any registered holder is required to give any notice in connection with the Debentures on or before any day and that day is not a Business Day then such notice may be given on the next following Business Day.

Schedule “B”

Time

24. Unless otherwise expressly provided herein, any reference herein to a time shall be considered to be a reference to Toronto time.

Governing Law

25. The Debentures are governed by and shall be construed in accordance with the laws of the Province of Ontario and the federal laws of Canada applicable in Ontario.

Schedule "C"

REPAYMENT SCHEDULE

Year	Maturity	Principal 26-Jul \$	Interest Rate %	26-Jan \$	Interest 26-Jul \$	Total Annual Payments
2022	07-26-22	2,875,519.07	0.400	210,009.29	210,009.29	3,295,537.65
2023	07-26-23	2,886,000.00	0.700	204,258.25	204,258.25	3,294,516.50
2024	07-26-24	2,904,000.00	0.950	194,157.25	194,157.25	3,292,314.50
2025	07-26-25	2,933,000.00	1.200	180,363.25	180,363.25	3,293,726.50
2026	07-26-26	2,967,000.00	1.350	162,765.25	162,765.25	3,292,530.50
2027	07-26-27	3,009,000.00	1.550	142,738.00	142,738.00	3,294,476.00
2028	07-26-28	3,055,000.00	1.700	119,418.25	119,418.25	3,293,836.50
2029	07-26-29	3,108,000.00	1.850	93,450.75	93,450.75	3,294,901.50
2030	07-26-30	3,163,000.00	1.950	64,701.75	64,701.75	3,292,403.50
2031	07-26-31	<u>3,225,000.00</u>	2.100	<u>33,862.50</u>	<u>33,862.50</u>	<u>3,292,725.00</u>
Total		<u>30,125,519.07</u>		<u>1,405,724.54</u>	<u>1,405,724.54</u>	<u>32,936,968.15</u>

Schedule "D"

<i>Year</i>	<i>Niagara-on-the-Lake</i>	<i>St. Catharines</i>	<i>Welland</i>
	\$	\$	\$
2022	59,085.65	930,501.50	2,305,950.50
2023	59,360.50	929,253.50	2,305,902.50
2024	58,996.50	929,555.50	2,303,762.50
2025	59,502.50	928,765.50	2,305,458.50
2026	59,866.50	928,841.50	2,303,822.50
2027	59,137.50	929,542.00	2,305,796.50
2028	59,300.50	929,382.50	2,305,153.50
2029	59,365.50	929,728.50	2,305,807.50
2030	59,329.50	928,504.00	2,304,570.00
2031	59,218.00	929,110.00	2,304,397.00
	593,162.65	9,293,184.50	23,050,621.00

THE REGIONAL MUNICIPALITY OF NIAGARA

BY-LAW NO. <>

A BY-LAW TO AUTHORIZE THE BORROWING UPON 10
YEAR INSTALMENT DEBENTURES IN THE AGGREGATE
PRINCIPAL AMOUNT OF \$15,958,480.93 FOR CAPITAL
WORKS OF THE REGIONAL MUNICIPALITY OF NIAGARA

WHEREAS the Municipal Act, 2001, as amended (the “Act”) provides that a municipality may incur a debt for municipal purposes, whether by borrowing money or in any other way, and may issue debentures and prescribed financial instruments and enter prescribed financial agreements for or in relation to the debt;

AND WHEREAS the Act also provides that all debentures issued under a by-law passed by a regional municipality for its own purposes are direct, joint and several obligations of the regional municipality and its lower-tier municipalities;

AND WHEREAS subsection 408 (2.1) of the Act provides that a municipality may issue a debenture or other financial instrument for long-term borrowing only to provide financing for a capital work;

AND WHEREAS the Council of The Regional Municipality of Niagara (the “Upper-tier Municipality”) has authorized the undertaking of the capital works or classes of works, as the case may be, of the Upper-tier Municipality (individually a “Capital Work”, collectively the “Capital Works”) set out in Column (1) of Schedule “A” attached hereto and forming part of this By-law (“Schedule “A””) and desires to issue debentures for the Capital Works in the aggregate principal amount of \$15,958,480.93, as specified in Column (8) of Schedule “A”;

AND WHEREAS each of the Capital Works set out in Schedule “A” under the heading “Niagara Regional Housing” constitutes a capital work in respect of which the Council of the Upper-tier Municipality will provide a grant to Niagara Regional Housing (“NRH”) in accordance with the applicable legislation on the basis that, in the opinion of the Council of the Upper-tier Municipality, it is in the interests of the Upper-tier Municipality to make such grant. In that connection the Upper-tier Municipality will provide NRH with the proceeds from the debentures to be issued pursuant to this By-law in respect of each such Capital Work in the form of a grant, on the basis that each such grant will be conditional upon it being used only for capital costs in connection with each such Capital Work, which has a lifetime that is at least equal to the term of years of the debentures set out in Column (1) of Schedule “A” that relates to each such Capital Work of NRH;

AND WHEREAS before authorizing the Capital Works and before authorizing an additional cost amount and an additional debenture authority in respect of one of the Capital Works, the Council of the Upper-tier Municipality had its Treasurer calculate an updated limit in respect of its most recent annual debt and financial obligation limit received from the Ministry of Municipal Affairs and Housing in accordance with the applicable regulation. Prior to the Council of the Upper-tier Municipality exercising its powers in respect of each Capital Work, such additional cost amount and such additional debenture authority, the Treasurer determined that the estimated annual amount payable in respect of each Capital Work, such additional cost amount and such additional debenture authority, would not cause the Upper-tier Municipality to exceed its updated limit and that the approval of each Capital Work, such additional cost amount and such additional debenture authority, by the Ontario Land Tribunal's predecessor pursuant to such regulation was not required;

AND WHEREAS to provide long-term financing for the Capital Works it is now deemed to be expedient to borrow money by the issue and sale of 10 year instalment debentures of the Upper-tier Municipality in the aggregate principal amount of \$15,958,480.93 payable at the times and bearing interest at the rates hereinafter set forth, as agreed to by the Upper-tier Municipality on July 12, 2021.

NOW THEREFORE THE COUNCIL OF THE REGIONAL MUNICIPALITY OF NIAGARA ENACTS AS FOLLOWS:

1. For the Capital Works, the borrowing upon the credit of the Upper-tier Municipality at large of the aggregate principal amount of \$15,958,480.93 and the issue of instalment debentures therefor within the term of 10 years as set out in Column (1) of Schedule "A" in denominations of \$1,000.00 and any integral multiples thereof, as hereinafter set forth are hereby authorized.
2. The Regional Chair and the Treasurer of the Upper-tier Municipality are hereby authorized to cause any number of instalment debentures in the aggregate principal amount of \$15,958,480.93, as described in section 1 above, (the "Debentures") payable in annual instalments of principal (July 26) with semi-annual instalments of interest thereon (January 26 and July 26) to be issued for such amounts of money as may be required for the Capital Works in global and definitive forms, not exceeding in total the said aggregate principal amount of \$15,958,480.93. The Debentures shall bear the Upper-tier Municipality's municipal seal and the signatures of the Regional Chair and of the Treasurer of the Upper-tier Municipality, all in accordance with the provisions of the Act. The Debentures are sufficiently signed if they bear the required signatures and each person signing has the authority to do so on the date he or she signs. The

Debentures shall initially be issued in global fully registered form as part of one certificate in the aggregate principal amount of \$46,084,000.00, substantially in the form attached as Schedule "B" hereto and forming part of this By-law (the "Global Debenture"). The Global Debenture shall initially be issued in the name of CDS & CO. as nominee of CDS Clearing and Depository Services Inc. ("CDS") and shall provide for payment of principal and interest electronically in final and irrevocable same-day funds in accordance with the applicable requirements of CDS, so long as the Global Debenture is held by CDS.

3. (1) The Debentures shall all be dated the 26th day of July, 2021, and as to both principal and interest shall be expressed and be payable in lawful money of Canada. The Debentures shall mature within the term of years set out in Column (1) of Schedule "A" and the respective amounts of principal and interest payable in each of the years during the currency of the Debentures shall be as set forth in Schedule "C" attached hereto and forming part of this By-law ("Schedule "C"). The Debentures maturing (principal payable) in the year 2022 shall bear interest at the rate of 0.40% per annum, the Debentures maturing (principal payable) in the year 2023 shall bear interest at the rate of 0.70% per annum, the Debentures maturing (principal payable) in the year 2024 shall bear interest at the rate of 0.95% per annum, the Debentures maturing (principal payable) in the year 2025 shall bear interest at the rate of 1.20% per annum, the Debentures maturing (principal payable) in the year 2026 shall bear interest at the rate of 1.35% per annum, the Debentures maturing (principal payable) in the year 2027 shall bear interest at the rate of 1.55% per annum, the Debentures maturing (principal payable) in the year 2028 shall bear interest at the rate of 1.70% per annum, the Debentures maturing (principal payable) in the year 2029 shall bear interest at the rate of 1.85% per annum, the Debentures maturing (principal payable) in the year 2030 shall bear interest at the rate of 1.95% per annum and the Debentures maturing (principal payable) in the year 2031 shall bear interest at the rate of 2.10% per annum.
 - (2) Payments in respect of principal of and interest on the Debentures shall be made only on a day on which banking institutions in Toronto, Ontario are not authorized or obligated by law or executive order to be closed (a "Business Day") and if any date for payment is not a Business Day, payment shall be made on the next following Business Day and no further interest shall be paid in respect of the delay in such payment.
4. Interest shall be payable to the date of maturity of the Debentures and on default shall be payable both before and after default and judgment. Any amounts payable

by the Upper-tier Municipality as interest on overdue principal or interest in respect of the Debentures shall be paid out of current revenue. Whenever it is necessary to compute any amount of interest in respect of the Debentures for a period of less than one full year, other than with respect to regular semi-annual interest payments, such interest shall be calculated on the basis of the actual number of days in the period and a year of 365 days or 366 days, if applicable.

5. In limited circumstances (as agreed to by both the Upper-tier Municipality and CDS) the Global Debenture shall be exchangeable for certificated Debentures in definitive fully registered form in authorized denominations upon surrender of the Global Debenture to the Treasurer of the Upper-tier Municipality provided that there is at least one definitive Debenture which matures in each of the remaining years of the currency of the Global Debenture. The definitive Debentures shall aggregate the same principal amount as the principal outstanding balance of the Global Debenture as of the record date for such exchange in accordance with the provisions of the Global Debenture, shall bear the same interest rates and maturity dates, shall bear all unmatured interest obligations and shall have the same benefits and be subject to the same terms and conditions as the Global Debenture (except insofar as they specifically relate to the Global Debenture). In issuing definitive Debentures no change shall be made in the amount which would otherwise be payable in each year under the Global Debenture. The definitive Debentures shall be in fully registered form, payable as to principal and outstanding interest in lawful money of Canada at maturity upon presentation and surrender thereof at any specified branch in Canada of the Upper-tier Municipality's bank designated in the definitive Debentures. Prior to maturity, the definitive Debentures shall be payable as to interest by cheque sent by mail to the registered addresses of the registered holders or, if authorized in writing, by electronic transfer.
6. (1) In each year in which a payment of an instalment of principal and interest becomes due in respect of the Debentures, there shall be raised as part of the general upper-tier levy the amounts of principal and interest payable in each year as set out in Schedule "C" to the extent that the amounts have not been provided for by any other available source including other taxes or fees or charges imposed on persons or property by a by-law of any municipality. Without limiting the generality of the foregoing, the lower-tier municipalities that comprise the Upper-tier Municipality (individually a "Lower-tier Municipality", collectively the "Lower-tier Municipalities") shall pay to the Upper-tier Municipality, as part of the general upper-tier levy the amounts required to be paid to the Upper-tier Municipality by the Lower-tier Municipalities in respect of the Capital Works, in accordance with the

manner in which the general upper-tier levy is required, from time to time, to be paid to the Upper-tier Municipality. Such amounts constitute debt of the Lower-tier Municipalities to the Upper-tier Municipality and such amounts shall, when combined with any amount payable by the Upper-tier Municipality in the year for repayment of the debt for which the Debentures are to be issued, be sufficient to meet the total amount of principal and interest payable in the year by the Upper-tier Municipality in respect of the Debentures, all in accordance with the provisions of this By-law and the Act.

- (2) If any Lower-tier Municipality fails to make any payment or portion of it as provided in this By-law, such Lower-tier Municipality shall pay interest to the Upper-tier Municipality on the amount in default at the rate of 15% per annum, from the date the payment is due until it is made.
 - (3) There shall be raised, pursuant to this By-law, in each year of the currency of the Debentures, as part of the general upper-tier levy, the amounts required to be paid to the Upper-tier Municipality in any previous year by any one or more of the Lower-tier Municipalities to the extent that the amounts have not been paid to the Upper-tier Municipality in accordance with this By-law and the Act.
7. The Debentures may contain any provision for their registration thereof authorized by any statute relating to municipal debentures in force at the time of the issue thereof.
8. The Upper-tier Municipality shall maintain a registry in respect of the Debentures in which shall be recorded the names and the addresses of the registered holders and particulars of the Debentures held by them respectively and in which particulars of the cancellations, exchanges, substitutions and transfers of Debentures may be recorded and the Upper-tier Municipality is authorized to use electronic, magnetic or other media for records of or related to the Debentures or for copies of them.
9. The Upper-tier Municipality shall not be bound to see to the execution of any trust affecting the ownership of any Debenture or be affected by notice of any equity that may be subsisting in respect thereof. The Upper-tier Municipality shall deem and treat registered holders of the Debentures, including the Global Debenture, as the absolute owners thereof for all purposes whatsoever notwithstanding any notice to the contrary and all payments to or to the order of registered holders shall be valid and effectual to discharge the liability of the Upper-tier Municipality on the Debentures to the extent of the amount or amounts so paid. Where a Debenture

is registered in more than one name, the principal of and interest from time to time payable on such Debenture shall be paid to or to the order of all the joint registered holders thereof, failing written instructions to the contrary from all such joint registered holders, and such payment shall constitute a valid discharge to the Upper-tier Municipality. In the case of the death of one or more joint registered holders, despite the foregoing provisions of this section, the principal of and interest on any Debentures registered in their names may be paid to the survivor or survivors of such holders and such payment shall constitute a valid discharge to the Upper-tier Municipality.

10. The Debentures are transferable or exchangeable at the office of the Treasurer of the Upper-tier Municipality upon presentation for such purpose accompanied by an instrument of transfer or exchange in a form approved by the Upper-tier Municipality and which form is in accordance with the prevailing Canadian transfer legislation and practices, executed by the registered holder thereof or such holder's duly authorized attorney or legal personal representative, whereupon and upon registration of such transfer or exchange and cancellation of the Debenture or Debentures presented, the Regional Chair and the Treasurer of the Upper-tier Municipality shall issue and deliver a new Debenture or Debentures of an equal aggregate principal amount in any authorized denomination or denominations as directed by the transferor, in the case of a transfer or as directed by the registered holder in the case of an exchange.
11. The Regional Chair and the Treasurer of the Upper-tier Municipality shall issue and deliver new Debentures in exchange or substitution for Debentures outstanding on the registry with the same maturity dates and of like form which have become mutilated, defaced, lost, subject to a mysterious or unexplainable disappearance, stolen, destroyed or dematerialized, provided that the applicant therefor shall have: (a) paid such costs as may have been incurred in connection therewith; (b) (in the case when a Debenture is mutilated, defaced, lost, mysteriously or unexplainably missing, stolen, destroyed or dematerialized) furnished the Upper-tier Municipality with such evidence (including evidence as to the certificate number of the Debenture in question) and an indemnity in respect thereof satisfactory to the Upper-tier Municipality in its discretion; and (c) surrendered to the Upper-tier Municipality any mutilated or defaced Debenture in respect of which new Debentures are to be issued in substitution.
12. The Debentures issued upon any registration of transfer or exchange or in substitution for any Debentures or part thereof shall carry all the rights to interest if any, accrued and unpaid which were carried by such Debentures or part thereof and shall be so dated and shall bear the same maturity dates and, subject to the

provisions of this By-law, shall be subject to the same terms and conditions as the Debentures in respect of which the transfer, exchange or substitution is effected.

13. The cost of all transfers and exchanges, including the printing of authorized denominations of the new Debentures, shall be borne by the Upper-tier Municipality. When any of the Debentures are surrendered for transfer or exchange the Treasurer of the Upper-tier Municipality shall: (a) in the case of an exchange, cancel and destroy the Debentures surrendered for exchange; (b) in the case of an exchange, certify the cancellation and destruction in the registry; (c) enter in the registry particulars of the new Debenture or Debentures issued in exchange and (d) in the case of a transfer, enter in the registry the name of the registered holder as directed by the transferor.
14. Subject to an agreement that the Upper-tier Municipality may enter into to the contrary, reasonable fees may be imposed by the Upper-tier Municipality for the substitution of a new Debenture or new Debentures for any of the Debentures that are mutilated, defaced, lost, mysteriously or unexplainably missing, stolen, destroyed or dematerialized and for the replacement of any of the interest cheques that are mutilated, defaced, lost, mysteriously or unexplainably missing, stolen or destroyed. When new Debentures are issued in substitution in these circumstances the Upper-tier Municipality shall: (a) treat as cancelled and destroyed the Debentures in respect of which new Debentures will be issued in substitution; (b) certify the deemed cancellation and destruction in the registry; (c) enter in the registry particulars of the new Debentures issued in substitution; and (d) make a notation of any indemnities provided.
15. Except as otherwise expressly provided herein, any notice required to be given to a registered holder of one or more of the Debentures will be sufficiently given if a copy of such notice is mailed or otherwise delivered to the registered address of such registered holder.
16. (1) The Regional Chair and the Treasurer of the Upper-tier Municipality are hereby authorized to cause the Debentures to be issued, the execution of a purchase letter in respect of the Debentures dated as at July 12, 2021 by such Treasurer (Commissioner/Treasurer, Corporate Services) is hereby ratified, confirmed and approved. One or more of the Treasurer of the Upper-tier Municipality and the Regional Clerk are hereby authorized to generally do all things and to execute all other documents and papers in the name of the Upper-tier Municipality in order to carry out the sale of the Debentures through CDS's book entry only system and such Treasurer or

the Regional Clerk is authorized to affix the Upper-tier Municipality's municipal seal to any of such documents and papers.

- (2) The money received by the Upper-tier Municipality from the sale of the Debentures, including any premium, and any earnings derived from the investment of that money, after providing for the expenses related to their issue, if any, shall be apportioned and applied to the Capital Works in accordance with this By-law, and to no other purpose except as permitted by the Act.
17. The Upper-tier Municipality reserves the right to issue additional instalment debentures of the same maturities, interest rates and terms and conditions.
18. Subject to the Upper-tier Municipality's statement of investment policies and goals and the applicable legislation, the Upper-tier Municipality may, if not in default under the Debentures, at any time purchase any of the Debentures in the open market or by tender or by private contract at any price and on such terms and conditions (including, without limitation, the manner by which any tender offer may be communicated or accepted and the persons to whom it may be addressed) as the Upper-tier Municipality may in its discretion determine.

This by-law shall come into force and take effect on the day upon which it is passed.

THE REGIONAL MUNICIPALITY OF NIAGARA

James Bradley, Regional Chair

Ann-Marie Norio, Regional Clerk

Passed: <>

Schedule “A”

	(1)		(2)	(3)	(4)	(5)	(6)	(7)	(8)
Item No.	Description	Account No.	Authorizing By-Law	MOE File No.	MOE Date	Debentures Authorized by Council	Debentures Previously Issued	Debentures Now Being Issued	
The Regional Municipality of Niagara									
<u>Term 1-10 Year Instalment Debentures</u>									
Capital costs in connection with the:									
1	Rds Rehab - RR 1 Dominion Rd Reconstruction - Helena St to Lakeshore Rd	10RC1560	2021-02			449,777.00		449,777.00	
			100-2015			800,000.00		800,000.00	
2	Rds Rehab - Pelham Rd Reconstruction (Ph 3) - Wessell Dr to 8th Ave	10RC1559	2021-02			5,612,500.00		5,611,863.93	
3	Rds Rehab - RR 81 King St Reconstruction - Durham Rd to Lincoln Ave	10RC1564	2021-02			900,000.00		900,000.00	
						7,762,277.00		- 7,761,640.93	
Total for 1-10 year debentures						7,762,277.00		- 7,761,640.93	

Schedule “A”

	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
Item No.	Description	Account No.	Authorizing By-Law	MOE File No.	MOE Date	Debentures Authorized by Council	Debentures Previously Issued	Debentures Now Being Issued
	The Regional Municipality of Niagara							
	<u>Term 1-10 Year Instalment Debentures</u>							
	Niagara Regional Housing							
	Capital costs in connection with the:							
1	NRH - 2020 Annual Unit Capital Program	20001102	2019-97			2,519,117.00		2,519,117.00
2	21-NRH - Annual Grounds Capital Program	20001398	2021-02			1,836,438.00		1,836,438.00
3	21-NRH - Annual Building Capital Program	20001399	2021-02			3,841,285.00		3,841,285.00
						8,196,840.00		- 8,196,840.00
	Total for 1-10 year debentures					8,196,840.00		- 8,196,840.00

Schedule "B"

Unless this certificate is presented by an authorized representative of CDS Clearing and Depository Services Inc. ("CDS") to The Regional Municipality of Niagara or its agent for registration of transfer, exchange or payment, and any certificate issued in respect thereof is registered in the name of CDS & CO., or in such other name as is requested by an authorized representative of CDS (and any payment is made to CDS & CO. or to such other entity as is requested by an authorized representative of CDS), ANY TRANSFER, PLEDGE OR OTHER USE HEREOF FOR VALUE OR OTHERWISE BY OR TO ANY PERSON IS WRONGFUL since the registered holder hereof, CDS & CO., has a property interest in the securities represented by this certificate herein and it is a violation of its rights for another person to hold, transfer or deal with this certificate.

No.GR2021-01 \$46,084,000.00

C A N A D A

Province of Ontario

THE REGIONAL MUNICIPALITY OF NIAGARA

FULLY REGISTERED GLOBAL INSTALMENT DEBENTURE

THE REGIONAL MUNICIPALITY OF NIAGARA (the "Issuer"), for value received, hereby promises to pay to
CDS & CO.

as nominee of CDS or registered assigns, subject to the Conditions attached hereto which form part hereof (the "Conditions"), by the final maturity date of this global debenture (July 26, 2031), the principal amount of

Forty-Six Million, Eighty-Four Thousand Dollars

----- (\$46,084,000.00) -----

by annual payments on the 26th day of July in each of the years 2022 to 2031, both inclusive, in the amounts set forth in the Schedule on the second page hereof (the "Schedule") in lawful money of Canada, and to pay interest thereon until the final maturity date of this global debenture in like money in semi-annual payments from July 26, 2021, or from the last date on which interest has been paid on this global debenture, whichever is later, at the rates of interest set forth in the Schedule, in arrears on the 26th day of January and the 26th day of July, in each year (each, a "Payment Date") in the manner provided in the Conditions. Subject to the Conditions, interest shall be paid on default at the applicable rate set out in the Schedule both before

Schedule “B”

and after default and judgment. The applicable interest rate, the payments of principal and interest and the principal balance outstanding in each year are shown in the Schedule.

This global debenture is subject to the Conditions.

DATED at the Region of Niagara the 26th day of July, 2021.

IN TESTIMONY WHEREOF and under the authority of By-law No. 2021-47 of the Issuer duly passed on the 22nd day of July, 2021 (the “Debenture By-law”), this global debenture is sealed with the municipal seal of the Issuer and signed by the Regional Chair and by the Treasurer thereof.

Date of Registration: July 26, 2021

Regional Chair

(seal)

Treasurer

This global debenture is also signed by the Regional Clerk pursuant to the Issuer’s internal requirements.

Regional Clerk

Schedule "B"

SCHEDULE

Year	CUSIP No.	ISIN No.	Interest Rate %	Semi-annual interest		Principal July 26 \$	Total Annual Payment \$	Principal Balance Outstanding July 26 \$
				Jan 26 \$	July 26 \$			
2021				-	-	-	-	46,084,000.00
2022	65355DQ40	CA65355DQ408	0.40	321,269.00	321,269.00	4,397,000.00	5,039,538.00	41,687,000.00
2023	65355DQ57	CA65355DQ572	0.70	312,475.00	312,475.00	4,415,000.00	5,039,950.00	37,272,000.00
2024	65355DQ65	CA65355DQ655	0.95	297,022.50	297,022.50	4,443,000.00	5,037,045.00	32,829,000.00
2025	65355DQ73	CA65355DQ739	1.20	275,918.25	275,918.25	4,486,000.00	5,037,836.50	28,343,000.00
2026	65355DQ81	CA65355DQ812	1.35	249,002.25	249,002.25	4,539,000.00	5,037,004.50	23,804,000.00
2027	65355DQ99	CA65355DQ994	1.55	218,364.00	218,364.00	4,603,000.00	5,039,728.00	19,201,000.00
2028	65355DR23	CA65355DR232	1.70	182,690.75	182,690.75	4,674,000.00	5,039,381.50	14,527,000.00
2029	65355DR31	CA65355DR315	1.85	142,961.75	142,961.75	4,754,000.00	5,039,923.50	9,773,000.00
2030	65355DR49	CA65355DR497	1.95	98,987.25	98,987.25	4,839,000.00	5,036,974.50	4,934,000.00
2031	65355DR56	CA65355DR562	2.10	51,807.00	51,807.00	4,934,000.00	5,037,614.00	-
				<u>2,150,497.75</u>	<u>2,150,497.75</u>	<u>46,084,000.00</u>	<u>50,384,995.50</u>	

Schedule “B”

LEGAL OPINION

We have examined the Debenture By-law of the Issuer authorizing the issue of instalment debentures in the aggregate principal amount of \$46,084,000.00 dated July 26, 2021 and maturing in ten (10) instalments of principal of varying amounts on the 26th day of July in each of the years 2022 to 2031, both inclusive.

The Debenture By-law has been properly passed and is within the legal powers of the Issuer. The Global Debenture issued under the Debenture By-law in the within form (the “Global Debenture”) is a direct, general, unsecured, unsubordinated, joint and several obligation of the Issuer and of its lower-tier municipalities (the “Lower-tier Municipalities”). The Global Debenture is enforceable against the Issuer and the Lower-tier Municipalities subject to the special jurisdiction and powers of the Ontario Land Tribunal over defaulting municipalities under the *Municipal Affairs Act*, as amended. This opinion is subject to and incorporates all the assumptions, qualifications and limitations set out in our opinion letter delivered on the date of the Global Debenture.

Toronto, July 26, 2021 WeirFoulds LLP

Schedule “B”

CONDITIONS OF GLOBAL DEBENTURE

Form, Denomination, Ranking and Beneficial Interests in Global Debenture

1. The debentures issued pursuant to the Debenture By-law (individually a “Debenture”, collectively the “Debentures”) are issuable as fully registered Debentures without coupons in denominations of \$1,000.00 and any integral multiples thereof.
2. The Debentures are direct, general, unsecured, unsubordinated, joint and several obligations of the Issuer and of the Lower-tier Municipalities. The Debentures rank concurrently and equally in respect of payment of principal and interest with all other debentures of the Issuer except for the availability of money in a sinking or retirement fund for a particular issue of debentures.
3. This Debenture is a Global Debenture registered in the name of the nominee of CDS and held by CDS. Beneficial interests in this Global Debenture are represented through book entry accounts, to be established and maintained by CDS, on its records for CDS’s participants (the “Participants”) in accordance with its participant agreement and rules and procedures which are posted on CDS’s website.
4. Except in the limited circumstances described herein, owners of beneficial interests in this Global Debenture will not be entitled to have Debentures registered in their names, will not receive or be entitled to receive physical delivery of Debentures and will not be considered registered holders of Debentures under the Conditions. The Issuer does not have any responsibility or liability for maintaining, supervising or reviewing any records of CDS or Participants relating to payments made or to be made by CDS or any Participant on account of beneficial ownership interests in this Global Debenture.

Certificated Debentures

5. This Global Debenture is exchangeable, in whole but not in part, for certificated Debentures in definitive form registered in the name of a person other than CDS or its nominee only upon the occurrence of any of the following events: (a) upon 30 days notice by CDS to the Issuer, CDS may discontinue the eligibility of this Global Debenture

Schedule "B"

on deposit, or cease to hold this Global Debenture in respect of the Debentures; or (b) if CDS ceases to be a recognized clearing agency under applicable Canadian or provincial securities legislation and a successor is not appointed; or (c) if the Issuer gives CDS appropriate notice that it is unable or unwilling to continue to have CDS hold this Global Debenture as a book entry only security or that it desires or has processed an entitlement requiring a withdrawal of this Global Debenture, and the Issuer has all right, power, capacity and authority to do so.

6. Debentures issued in exchange for this Global Debenture shall be issued as certificated Debentures in definitive form in authorized denominations, shall have the same benefits and be subject to the same terms and conditions as this Global Debenture (except insofar as they specifically relate to this Global Debenture as such), shall be registered in such names and in such denominations as CDS shall direct and shall be delivered as directed by the persons in whose names such definitive Debentures are to be registered.
7. Upon the exchange of certificated Debentures in definitive form for this Global Debenture, the Issuer shall receive and cancel this Global Debenture, shall reduce the holdings of CDS & CO. on the registry to nil and shall issue or cause to be issued in exchange for this Global Debenture certificated Debentures in definitive form in an aggregate principal amount equal to and in exchange for the Participants' proportionate interests in this Global Debenture as of the record date for such exchange, as directed by CDS. On or after any such exchange, but only to the extent reasonably practicable in the circumstances, the Issuer shall make all payments in respect of such certificated Debentures in definitive form to the registered holders thereof, notwithstanding such exchange occurred after the record date for any payment and prior to such payment date.

Registration

8. The Issuer will keep at its designated office in the Region of Niagara a registry in which shall be entered the names and addresses of the registered holders of Debentures and particulars of the Debentures held by them respectively and in which transfers, exchanges and substitutions of Debentures may be registered.

Title

Schedule “B”

9. The Issuer shall not be bound to see to the execution of any trust affecting the ownership of any Debenture or be affected by notice of any equity that may be subsisting in respect thereof. The Issuer shall deem and treat registered holders of Debentures, including this Global Debenture, as the absolute owners thereof for all purposes whatsoever notwithstanding any notice to the contrary and all payments to or to the order of registered holders shall be valid and effectual to discharge the liability of the Issuer on the Debentures to the extent of the amount or amounts so paid.

Payments of Principal and Interest

10. The record date for purposes of payment of principal of and interest on the Debentures is as of 5:00 p.m. on the sixteenth calendar day preceding any Payment Date, including a maturity date. Principal of and interest on the Debentures are payable by the Issuer to the persons registered as holders in the registry on the relevant record date. The Issuer shall not be required to register any transfer, exchange or substitution of Debentures during the period from any record date to the corresponding Payment Date.
11. The Issuer shall make all payments in respect of annual principal (July 26) and semi-annual interest (January 26 and July 26) on the Debentures on the Payment Dates commencing with a payment of semi-annual interest on January 26, 2022 electronically in final and irrevocable same-day funds in accordance with the applicable requirements of CDS, so long as this Global Debenture is held by CDS.
12. In the case that certificated Debentures in definitive form are issued, the Issuer shall make all payments in respect of principal and outstanding interest in lawful money of Canada at maturity upon presentation and surrender thereof at any specified branch in Canada of the Issuer's bank designated in the definitive Debentures, and prior to maturity, shall make payments of interest, by cheque sent by mail to the registered addresses of the registered holders or, if authorized in writing, by electronic transfer.
13. Whenever it is necessary to compute any amount of interest in respect of the Debentures for a period of less than one full year, other than with respect to regular semi-annual interest payments, such interest shall be calculated on the basis of the actual number of days in the period and a year of 365 days or 366 days, if applicable.
14. Payments in respect of principal of and interest on the Debentures shall be made only on a day on which banking institutions in Toronto, Ontario, are not authorized or obligated by law or executive order to be closed (a “Business

Schedule "B"

Day"), and if any date for payment is not a Business Day, payment shall be made on the next following Business Day and no further interest shall be paid in respect of the delay in such payment.

15. Where a Debenture is registered in more than one name, the principal of and interest from time to time payable on such Debenture shall be paid to or to the order of all the joint registered holders thereof, failing written instructions to the contrary from all such joint registered holders, and such payment shall constitute a valid discharge to the Issuer.
16. In the case of the death of one or more joint registered holders, despite sections 9 and 15 of the Conditions, the principal of and interest on any Debentures registered in their names may be paid to the survivor or survivors of such holders and such payment shall constitute a valid discharge to the Issuer.

Transfers, Exchanges and Substitutions

17. Debentures are transferable or exchangeable at the office of the Treasurer of the Issuer upon presentation for such purpose accompanied by an instrument of transfer or exchange in a form approved by the Issuer and which form is in accordance with the prevailing Canadian transfer legislation and practices, executed by the registered holder thereof or such holder's duly authorized attorney or legal personal representative, whereupon and upon registration of such transfer or exchange and cancellation of the Debenture or Debentures presented, a new Debenture or Debentures of an equal aggregate principal amount in any authorized denomination or denominations will be delivered as directed by the transferor, in the case of a transfer or as directed by the registered holder in the case of an exchange.
18. The Issuer shall issue and deliver Debentures in exchange for or in substitution for Debentures outstanding on the registry with the same maturity dates and of like form in the event of a mutilation, defacement, loss, mysterious or unexplainable disappearance, theft, destruction or dematerialization, provided that the applicant therefor shall have: (i) paid such costs as may have been incurred in connection therewith; (ii) (in the case of a mutilated, defaced, lost, mysteriously or unexplainably missing, stolen, destroyed or dematerialized Debenture) furnished the Issuer with such evidence (including evidence as to the certificate number of the Debenture in question) and indemnity in respect thereof satisfactory to the Issuer in its discretion; and (iii) surrendered to the Issuer any mutilated or defaced Debenture in respect of which new Debentures are to be issued in substitution.

Schedule "B"

19. Each Debenture executed and delivered upon any registration of transfer or exchange for or in substitution for any Debenture or part thereof shall carry all the rights to interest, if any, accrued and unpaid which were carried by such Debenture or part thereof and shall be so dated.
20. Subject to an agreement that the Issuer may enter into to the contrary, the Issuer shall not impose any fees in respect of the Debentures, in the normal course of business, other than reasonable fees for the issue of new Debentures in substitution for Debentures that are mutilated, defaced, lost, mysteriously or unexplainably missing, stolen, destroyed or dematerialized or for the issue of new cheques, in substitution for interest cheques that are mutilated, defaced, lost, mysteriously or unexplainably missing, stolen or destroyed.

Purchases

21. Subject to the investment policies and goals of the Issuer and the applicable legislation, the Issuer may, if not in default under the Debentures, at any time purchase Debentures in the open market or by tender or by private contract at any price and on such terms and conditions (including without limitation, the manner by which any tender offer may be communicated or accepted and the persons to whom it may be addressed) as the Issuer may in its discretion determine.

Additional Debentures

22. The Issuer reserves the right to issue additional instalment debentures of the same maturities, interest rates and terms and conditions.

Notices

23. Except as otherwise expressly provided herein, any notice required to be given to a registered holder of one or more of the Debentures will be sufficiently given if a copy of such notice is mailed or otherwise delivered to the registered address of such registered holder. If the Issuer or any registered holder is required to give any notice in connection with the Debentures on or before any day and that day is not a Business Day then such notice may be given on the next following Business Day.

Schedule “B”

Time

24. Unless otherwise expressly provided herein, any reference herein to a time shall be considered to be a reference to Toronto time.

Governing Law

25. The Debentures are governed by and shall be construed in accordance with the laws of the Province of Ontario and the federal laws of Canada applicable in Ontario.

Schedule "C"

REPAYMENT SCHEDULE

Year	Maturity	Principal 26-Jul \$	Interest Rate %	Interest 26-Jan \$	26-Jul \$	Total Annual Payments \$
2022	07-26-22	1,521,480.93	0.400	111,259.71	111,259.71	1,744,000.35
2023	07-26-23	1,529,000.00	0.700	108,216.75	108,216.75	1,745,433.50
2024	07-26-24	1,539,000.00	0.950	102,865.25	102,865.25	1,744,730.50
2025	07-26-25	1,553,000.00	1.200	95,555.00	95,555.00	1,744,110.00
2026	07-26-26	1,572,000.00	1.350	86,237.00	86,237.00	1,744,474.00
2027	07-26-27	1,594,000.00	1.550	75,626.00	75,626.00	1,745,252.00
2028	07-26-28	1,619,000.00	1.700	63,272.50	63,272.50	1,745,545.00
2029	07-26-29	1,646,000.00	1.850	49,511.00	49,511.00	1,745,022.00
2030	07-26-30	1,676,000.00	1.950	34,285.50	34,285.50	1,744,571.00
2031	07-26-31	<u>1,709,000.00</u>	2.100	<u>17,944.50</u>	<u>17,944.50</u>	<u>1,744,889.00</u>
Total		<u>15,958,480.93</u>		<u>744,773.21</u>	<u>744,773.21</u>	<u>17,448,027.35</u>

THE REGIONAL MUNICIPALITY OF NIAGARA

BY-LAW NO. <>

A BY-LAW TO PROVIDE FOR THE BORROWING UPON 10 YEAR INSTALMENT DEBENTURES IN THE AGGREGATE OF THE PRINCIPAL AMOUNTS AUTHORIZED BY BY-LAW NO. 2021-45 AND BY-LAW NO. 2021-46 IN THE AGGREGATE PRINCIPAL AMOUNT OF \$46,084,000.00 AND FOR THE ISSUING OF ONE SERIES OF INSTALMENT DEBENTURES THEREFOR

WHEREAS the *Municipal Act, 2001*, as amended (the “Act”) provides that a municipality may incur a debt for municipal purposes, whether by borrowing money or in any other way, and may issue debentures and prescribed financial instruments and enter prescribed financial agreements for or in relation to the debt;

AND WHEREAS the Act provides that if a municipality intends to incur debt for two or more purposes, or if it has passed separate debenture by-laws authorizing borrowing for two or more purposes but has not sold any of the debentures, the municipality may by by-law provide for the issue of one series of debentures for the debt;

AND WHEREAS the Council of The Regional Municipality of Niagara (the “Upper-tier Municipality”) has passed debenture by-laws as follows:

- (a) By-law No. 2021-45: to authorize the borrowing upon 10 year instalment debentures in the aggregate principal amount of \$30,125,519.07 for capital works of the Town of Niagara-on-the-Lake and of the Cities of St. Catharines and Welland; and
- (b) By-law No. 2021-46: to authorize the borrowing upon 10 year instalment debentures in the aggregate principal amount of \$15,958,480.93 for capital works of the Upper-tier Municipality.

both of which by-laws are hereinafter referred to as the “Debenture By-laws”;

AND WHEREAS the Act also provides that all debentures issued under a by-law passed by a regional municipality for its own purposes are direct, joint and several obligations of the regional municipality and its lower-tier municipalities;

AND WHEREAS the Act also provides that a municipality shall authorize long-term borrowing by the issue of debentures or through another municipality under section 403 or 404 of the Act and subsection 403 (7) of the Act provides that all debentures issued under a by-law passed by an upper-tier municipality under section 403 of the Act are direct, joint and several obligations of the upper-tier municipality and its lower-tier municipalities;

AND WHEREAS subsection 408 (2.1) of the Act provides that a municipality may issue a debenture or other financial instrument for long-term borrowing only to provide financing for a capital work;

AND WHEREAS the total of the principal amounts authorized to be borrowed by the Debenture By-laws is the aggregate principal amount of \$46,084,000.00 and it is desirable to consolidate the said amounts into one aggregate principal amount of \$46,084,000.00 repayable in accordance with Schedule "A" attached hereto and forming part of this By-law ("Schedule "A'") and to issue one series of debentures therefor, as agreed to by the Upper-tier Municipality on July 12, 2021.

NOW THEREFORE THE COUNCIL OF THE REGIONAL MUNICIPALITY OF NIAGARA ENACTS AS FOLLOWS:

1. The principal amounts authorized to be borrowed by the Debenture By-laws for the respective capital works or classes of works, as the case may be, set out in Schedules "A" to the Debenture By-laws (individually a "Capital Work", collectively the "Capital Works") are hereby consolidated into one aggregate principal amount of \$46,084,000.00 and instalment debentures are hereby authorized to be issued therefor within the term of 10 years as set out in Columns (1) of such Schedules "A" as one series of instalment debentures in denominations of \$1,000.00 and any integral multiples thereof, as hereinafter set forth.
2. The Regional Chair and the Treasurer of the Upper-tier Municipality are hereby authorized to cause any number of instalment debentures in the aggregate principal amount of \$46,084,000.00 as described in section 1 above (the "Debentures"), payable in annual instalments of principal (July 26) with semi-annual instalments of interest thereon (January 26 and July 26) to be issued for such amounts of money as may be required for the Capital Works in global and definitive forms, not exceeding in total the said aggregate principal amount of \$46,084,000.00. The Debentures shall bear the Upper-tier Municipality's municipal seal and the signatures of the Regional Chair and of the Treasurer of the Upper-tier Municipality, all in accordance with the provisions of the Act. The

Debentures are sufficiently signed if they bear the required signatures and each person signing has the authority to do so on the date he or she signs. The Debentures shall initially be issued in global fully registered form as one certificate in the aggregate principal amount of \$46,084,000.00, substantially in the form attached as Schedule "B" hereto and forming part of this By-law (the "Global Debenture"). The Global Debenture shall initially be issued in the name of CDS & CO. as nominee of CDS Clearing and Depository Services Inc. ("CDS") and shall provide for payment of principal and interest electronically in final and irrevocable same-day funds in accordance with the applicable requirements of CDS, so long as the Global Debenture is held by CDS.

3. (1) The Debentures shall all be dated the 26th day of July, 2021, and as to both principal and interest shall be expressed and be payable in lawful money of Canada. The Debentures shall mature within the term of years set out in Column (1) of the respective Schedules "A" to the Debenture By-laws and the respective amounts of principal and interest payable in each of the years during the currency of the Debentures shall be as set forth in Schedule "A". The Debentures maturing (principal payable) in the year 2022 shall bear interest at the rate of 0.40% per annum, the Debentures maturing (principal payable) in the year 2023 shall bear interest at the rate of 0.70% per annum, the Debentures maturing (principal payable) in the year 2024 shall bear interest at the rate of 0.95% per annum, the Debentures maturing (principal payable) in the year 2025 shall bear interest at the rate of 1.20% per annum, the Debentures maturing (principal payable) in the year 2026 shall bear interest at the rate of 1.35% per annum, the Debentures maturing (principal payable) in the year 2027 shall bear interest at the rate of 1.55% per annum, the Debentures maturing (principal payable) in the year 2028 shall bear interest at the rate of 1.70% per annum, the Debentures maturing (principal payable) in the year 2029 shall bear interest at the rate of 1.85% per annum, the Debentures maturing (principal payable) in the year 2030 shall bear interest at the rate of 1.95% per annum and the Debentures maturing (principal payable) in the year 2031 shall bear interest at the rate of 2.10% per annum.
- (2) Payments in respect of principal of and interest on the Debentures shall be made only on a day on which banking institutions in Toronto, Ontario are not authorized or obligated by law or executive order to be closed (a "Business Day") and if any date for payment is not a Business Day,

payment shall be made on the next following Business Day and no further interest shall be paid in respect of the delay in such payment.

4. Interest shall be payable to the date of maturity of the Debentures and on default shall be payable both before and after default and judgment. Any amounts payable by the Upper-tier Municipality as interest on overdue principal or interest in respect of the Debentures shall be paid out of current revenue. Whenever it is necessary to compute any amount of interest in respect of the Debentures for a period of less than one full year, other than with respect to regular semi-annual interest payments, such interest shall be calculated on the basis of the actual number of days in the period and a year of 365 days or 366 days, if applicable.
5. In limited circumstances (as agreed to by both the Upper-tier Municipality and CDS) the Global Debenture shall be exchangeable for certificated Debentures in definitive fully registered form in authorized denominations upon surrender of the Global Debenture to the Treasurer of the Upper-tier Municipality provided that there is at least one definitive Debenture which matures in each of the remaining years of the currency of the Global Debenture. The definitive Debentures shall aggregate the same principal amount as the principal outstanding balance of the Global Debenture as of the record date for such exchange in accordance with the provisions of the Global Debenture, shall bear the same interest rates and maturity dates, shall bear all unmatured interest obligations and shall have the same benefits and be subject to the same terms and conditions as the Global Debenture (except insofar as they specifically relate to the Global Debenture). In issuing definitive Debentures no change shall be made in the amount which would otherwise be payable in each year under the Global Debenture. The definitive Debentures shall be in fully registered form, payable as to principal and outstanding interest in lawful money of Canada at maturity upon presentation and surrender thereof at any specified branch in Canada of the Upper-tier Municipality's bank designated in the definitive Debentures. Prior to maturity, the definitive Debentures shall be payable as to interest by cheque sent by mail to the registered addresses of the registered holders or, if authorized in writing, by electronic transfer.
6. (1) In each year in which a payment of an instalment of principal and interest becomes due in respect of the Debentures, there shall be raised as part of the general upper-tier levy the amounts of principal and interest payable in each year as set out in Schedule "A" to the extent that the amounts have not been provided for by any other available source including other taxes or fees or charges imposed on persons or property by a by-law of any

municipality. Without limiting the generality of the foregoing, The Corporation of the Town of Niagara-on-the-Lake, The Corporation of the City of St. Catharines and The Corporation of the City of Welland, shall pay all instalments of principal and interest payable in each year to the Upper-tier Municipality in accordance with Debenture By-law No. 2021-45 and the lower-tier municipalities that comprise the Upper-tier Municipality (individually a “Lower-tier Municipality”, collectively the “Lower-tier Municipalities”) shall pay all instalments of principal and interest payable in each year to the Upper-tier Municipality in accordance with Debenture By-law No. 2021-46. The Upper-tier Municipality shall pay the respective amounts of principal and interest payable in each year in accordance with the Debentures by such entities as set out in the Debenture By-laws and the amounts to be raised by levy each year pursuant to the Debenture By-laws shall be raised and collected and such amounts shall be applied to any amount of principal and interest payable by the Upper-tier Municipality in the respective year pursuant to the Global Debenture to be issued under this By-law in accordance with the Debenture By-laws and the Act.

- (2) If any Lower-tier Municipality fails to make any payment or portion of it as provided in this By-law, such Lower-tier Municipality shall pay interest to the Upper-tier Municipality on the amount in default at the rate of 15% per annum, from the date the payment is due until it is made.
 - (3) There shall be raised, pursuant to this By-law, in each year of the currency of the Debentures, as part of the general upper-tier levy, the amounts required to be paid to the Upper-tier Municipality in any previous year by any one or more of the Lower-tier Municipalities to the extent that the amounts have not been paid to the Upper-tier Municipality in accordance with this By-law and the Act.
7. The Debentures may contain any provision for their registration thereof authorized by any statute relating to municipal debentures in force at the time of the issue thereof.
 8. The Upper-tier Municipality shall maintain a registry in respect of the Debentures in which shall be recorded the names and the addresses of the registered holders and particulars of the Debentures held by them respectively and in which particulars of the cancellations, exchanges, substitutions and transfers of Debentures may be recorded and the Upper-tier Municipality is authorized to use

electronic, magnetic or other media for records of or related to the Debentures or for copies of them.

9. The Upper-tier Municipality shall not be bound to see to the execution of any trust affecting the ownership of any Debenture or be affected by notice of any equity that may be subsisting in respect thereof. The Upper-tier Municipality shall deem and treat registered holders of the Debentures, including the Global Debenture, as the absolute owners thereof for all purposes whatsoever notwithstanding any notice to the contrary and all payments to or to the order of registered holders shall be valid and effectual to discharge the liability of the Upper-tier Municipality on the Debentures to the extent of the amount or amounts so paid. Where a Debenture is registered in more than one name, the principal of and interest from time to time payable on such Debenture shall be paid to or to the order of all the joint registered holders thereof, failing written instructions to the contrary from all such joint registered holders, and such payment shall constitute a valid discharge to the Upper-tier Municipality. In the case of the death of one or more joint registered holders, despite the foregoing provisions of this section, the principal of and interest on any Debentures registered in their names may be paid to the survivor or survivors of such holders and such payment shall constitute a valid discharge to the Upper-tier Municipality.
10. The Debentures are transferable or exchangeable at the office of the Treasurer of the Upper-tier Municipality upon presentation for such purpose accompanied by an instrument of transfer or exchange in a form approved by the Upper-tier Municipality and which form is in accordance with the prevailing Canadian transfer legislation and practices, executed by the registered holder thereof or such holder's duly authorized attorney or legal personal representative, whereupon and upon registration of such transfer or exchange and cancellation of the Debenture or Debentures presented, the Regional Chair and the Treasurer of the Upper-tier Municipality shall issue and deliver a new Debenture or Debentures of an equal aggregate principal amount in any authorized denomination or denominations as directed by the transferor, in the case of a transfer or as directed by the registered holder in the case of an exchange.
11. The Regional Chair and the Treasurer of the Upper-tier Municipality shall issue and deliver new Debentures in exchange or substitution for Debentures outstanding on the registry with the same maturity dates and of like form which have become mutilated, defaced, lost, subject to a mysterious or unexplainable disappearance, stolen, destroyed or dematerialized, provided that the applicant therefor shall have: (a) paid such costs as may have been incurred in connection

- therewith; (b) (in the case when a Debenture is mutilated, defaced, lost, mysteriously or unexplainably missing, stolen, destroyed or dematerialized) furnished the Upper-tier Municipality with such evidence (including evidence as to the certificate number of the Debenture in question) and an indemnity in respect thereof satisfactory to the Upper-tier Municipality in its discretion; and (c) surrendered to the Upper-tier Municipality any mutilated or defaced Debenture in respect of which new Debentures are to be issued in substitution.
12. The Debentures issued upon any registration of transfer or exchange or in substitution for any Debentures or part thereof shall carry all the rights to interest if any, accrued and unpaid which were carried by such Debentures or part thereof and shall be so dated and shall bear the same maturity dates and, subject to the provisions of this By-law, shall be subject to the same terms and conditions as the Debentures in respect of which the transfer, exchange or substitution is effected.
13. The cost of all transfers and exchanges, including the printing of authorized denominations of the new Debentures, shall be borne by the Upper-tier Municipality. When any of the Debentures are surrendered for transfer or exchange the Treasurer of the Upper-tier Municipality shall: (a) in the case of an exchange, cancel and destroy the Debentures surrendered for exchange; (b) in the case of an exchange, certify the cancellation and destruction in the registry; (c) enter in the registry particulars of the new Debenture or Debentures issued in exchange and (d) in the case of a transfer, enter in the registry the name of the registered holder as directed by the transferor.
14. Subject to an agreement that the Upper-tier Municipality may enter into to the contrary, reasonable fees may be imposed by the Upper-tier Municipality for the substitution of a new Debenture or new Debentures for any of the Debentures that are mutilated, defaced, lost, mysteriously or unexplainably missing, stolen, destroyed or dematerialized and for the replacement of any of the interest cheques that are mutilated, defaced, lost, mysteriously or unexplainably missing, stolen or destroyed. When new Debentures are issued in substitution in these circumstances the Upper-tier Municipality shall: (a) treat as cancelled and destroyed the Debentures in respect of which new Debentures will be issued in substitution; (b) certify the deemed cancellation and destruction in the registry; (c) enter in the registry particulars of the new Debentures issued in substitution; and (d) make a notation of any indemnities provided.

15. Except as otherwise expressly provided herein, any notice required to be given to a registered holder of one or more of the Debentures will be sufficiently given if a copy of such notice is mailed or otherwise delivered to the registered address of such registered holder.
16.
 - (1) The Regional Chair and the Treasurer of the Upper-tier Municipality are hereby authorized to cause the Debentures to be issued, the execution of a purchase letter in respect of the Debentures, dated as at July 12, 2021, by such Treasurer (Commissioner/Treasurer, Corporate Services) is hereby ratified, confirmed and approved. One or more of the Treasurer of the Upper-tier Municipality and the Regional Clerk are hereby authorized to generally do all things and to execute all other documents and papers in the name of the Upper-tier Municipality in order to carry out the sale of the Debentures through CDS's book entry only system and such Treasurer or the Regional Clerk are authorized to affix the Upper-tier Municipality's municipal seal to any of such documents and papers.
 - (2) The money received by the Upper-tier Municipality from the sale of the Debentures, including any premium, and any earnings derived from the investment of that money, after providing for the expenses related to their issue, if any, shall: i) be delivered to The Corporation of the Town of Niagara-on-the-Lake, The Corporation of the City of St. Catharines and The Corporation of the City of Welland in the respective amount that relates to the Capital Works of each such Lower-tier Municipality described in Schedule "A" to By-law No. 2021-45 on the basis that each such lower-tier municipality shall apportion and apply its portion of such money to its respective Capital Work(s), as applicable, in accordance with this By-law, and to no other purpose except as permitted by the Act; and ii) in the case of the balance of such money that relates to the Capital Works described in Schedule "A" to By-law No. 2021-46, be apportioned and applied to such Capital Works, in accordance with this By-law, and to no other purpose except as permitted by the Act.
17. The Upper-tier Municipality reserves the right to issue additional instalment debentures of the same maturities, interest rates and terms and conditions.
18. Subject to the Upper-tier Municipality's statement of investment policies and goals and the applicable legislation, the Upper-tier Municipality may, if not in default under the Debentures, at any time purchase any of the Debentures in the open market or by tender or by private contract at any price and on such terms

and conditions (including, without limitation, the manner by which any tender offer may be communicated or accepted and the persons to whom it may be addressed) as the Upper-tier Municipality may in its discretion determine.

19. This by-law shall come into force and take effect on the day upon which it is passed.

THE REGIONAL MUNICIPALITY OF NIAGARA

James Bradley, Regional Chair

Ann-Marie Norio, Regional Clerk

Passed: <>

Schedule "A"

REPAYMENT SCHEDULE

Year	Maturity	Principal 26-Jul \$	Interest Rate %	26-Jan \$	Interest 26-Jul \$	Total Annual Payments \$
2022	07-26-22	4,397,000.00	0.400	321,269.00	321,269.00	5,039,538.00
2023	07-26-23	4,415,000.00	0.700	312,475.00	312,475.00	5,039,950.00
2024	07-26-24	4,443,000.00	0.950	297,022.50	297,022.50	5,037,045.00
2025	07-26-25	4,486,000.00	1.200	275,918.25	275,918.25	5,037,836.50
2026	07-26-26	4,539,000.00	1.350	249,002.25	249,002.25	5,037,004.50
2027	07-26-27	4,603,000.00	1.550	218,364.00	218,364.00	5,039,728.00
2028	07-26-28	4,674,000.00	1.700	182,690.75	182,690.75	5,039,381.50
2029	07-26-29	4,754,000.00	1.850	142,961.75	142,961.75	5,039,923.50
2030	07-26-30	4,839,000.00	1.950	98,987.25	98,987.25	5,036,974.50
2031	07-26-31	<u>4,934,000.00</u>	2.100	<u>51,807.00</u>	<u>51,807.00</u>	<u>5,037,614.00</u>
Total		<u>46,084,000.00</u>		<u>2,150,497.75</u>	<u>2,150,497.75</u>	<u>50,384,995.50</u>

Schedule "B"

Unless this certificate is presented by an authorized representative of CDS Clearing and Depository Services Inc. ("CDS") to The Regional Municipality of Niagara or its agent for registration of transfer, exchange or payment, and any certificate issued in respect thereof is registered in the name of CDS & CO., or in such other name as is requested by an authorized representative of CDS (and any payment is made to CDS & CO. or to such other entity as is requested by an authorized representative of CDS), ANY TRANSFER, PLEDGE OR OTHER USE HEREOF FOR VALUE OR OTHERWISE BY OR TO ANY PERSON IS WRONGFUL since the registered holder hereof, CDS & CO., has a property interest in the securities represented by this certificate herein and it is a violation of its rights for another person to hold, transfer or deal with this certificate.

No.GR2021-01

\$46,084,000.00

C A N A D A

Province of Ontario

THE REGIONAL MUNICIPALITY OF NIAGARA

FULLY REGISTERED GLOBAL INSTALMENT DEBENTURE

THE REGIONAL MUNICIPALITY OF NIAGARA (the "Issuer"), for value received, hereby promises to pay to
CDS & CO.

as nominee of CDS or registered assigns, subject to the Conditions attached hereto which form part hereof (the "Conditions"), by the final maturity date of this global debenture (July 26, 2031), the principal amount of

Forty-Six Million, Eighty-Four Thousand Dollars

----- (\$46,084,000.00) -----

by annual payments on the 26th day of July in each of the years 2022 to 2031, both inclusive, in the amounts set forth in the Schedule on the second page hereof (the "Schedule") in lawful money of Canada, and to pay interest thereon until the final maturity date of this global debenture in like money in semi-annual payments from July 26, 2021, or from the last date on which interest has been paid on this global debenture, whichever is later, at the rates of interest set forth in the Schedule, in

Schedule “B”

arrears on the 26th day of January and the 26th day of July, in each year (each, a “Payment Date”) in the manner provided in the Conditions. Subject to the Conditions, interest shall be paid on default at the applicable rate set out in the Schedule both before and after default and judgment. The applicable interest rate, the payments of principal and interest and the principal balance outstanding in each year are shown in the Schedule.

This global debenture is subject to the Conditions.

DATED at the Region of Niagara the 26th day of July, 2021.

IN TESTIMONY WHEREOF and under the authority of By-law No. 2021-47 of the Issuer duly passed on the 22nd day of July, 2021 (the “Debenture By-law”), this global debenture is sealed with the municipal seal of the Issuer and signed by the Regional Chair and by the Treasurer thereof.

Date of Registration: July 26, 2021

Regional Chair (seal)

Treasurer

This global debenture is also signed by the Regional Clerk pursuant to the Issuer’s internal requirements.

Regional Clerk

Schedule "B"

SCHEDULE

Year	CUSIP No.	ISIN No.	Interest Rate %	Semi-annual Interest Jan 26 \$ July 26 \$		Principal July 26 \$	Total Annual Payment \$	Principal Balance Outstanding July 26 \$
2021				-	-	-	-	46,084,000.00
2022	65355DQ40	CA65355DQ408	0.40	321,269.00	321,269.00	4,397,000.00	5,039,538.00	41,687,000.00
2023	65355DQ57	CA65355DQ572	0.70	312,475.00	312,475.00	4,415,000.00	5,039,950.00	37,272,000.00
2024	65355DQ65	CA65355DQ655	0.95	297,022.50	297,022.50	4,443,000.00	5,037,045.00	32,829,000.00
2025	65355DQ73	CA65355DQ739	1.20	275,918.25	275,918.25	4,486,000.00	5,037,836.50	28,343,000.00
2026	65355DQ81	CA65355DQ812	1.35	249,002.25	249,002.25	4,539,000.00	5,037,004.50	23,804,000.00
2027	65355DQ99	CA65355DQ994	1.55	218,364.00	218,364.00	4,603,000.00	5,039,728.00	19,201,000.00
2028	65355DR23	CA65355DR232	1.70	182,690.75	182,690.75	4,674,000.00	5,039,381.50	14,527,000.00
2029	65355DR31	CA65355DR315	1.85	142,961.75	142,961.75	4,754,000.00	5,039,923.50	9,773,000.00
2030	65355DR49	CA65355DR497	1.95	98,987.25	98,987.25	4,839,000.00	5,036,974.50	4,934,000.00
2031	65355DR56	CA65355DR562	2.10	51,807.00	51,807.00	4,934,000.00	5,037,614.00	-
				<u>2,150,497.75</u>	<u>2,150,497.75</u>	<u>46,084,000.00</u>	<u>50,384,995.50</u>	

Schedule “B”

LEGAL OPINION

We have examined the Debenture By-law of the Issuer authorizing the issue of instalment debentures in the aggregate principal amount of \$46,084,000.00 dated July 26, 2021 and maturing in ten (10) instalments of principal of varying amounts on the 26th day of July in each of the years 2022 to 2031, both inclusive.

The Debenture By-law has been properly passed and is within the legal powers of the Issuer. The Global Debenture issued under the Debenture By-law in the within form (the “Global Debenture”) is a direct, general, unsecured, unsubordinated, joint and several obligation of the Issuer and of its lower-tier municipalities (the “Lower-tier Municipalities”). The Global Debenture is enforceable against the Issuer and the Lower-tier Municipalities subject to the special jurisdiction and powers of the Ontario Land Tribunal over defaulting municipalities under the *Municipal Affairs Act*, as amended. This opinion is subject to and incorporates all the assumptions, qualifications and limitations set out in our opinion letter delivered on the date of the Global Debenture.

Toronto, July 26, 2021

WeirFoulds LLP

Schedule “B”

CONDITIONS OF GLOBAL DEBENTURE

Form, Denomination, Ranking and Beneficial Interests in Global Debenture

1. The debentures issued pursuant to the Debenture By-law (individually a “Debenture”, collectively the “Debentures”) are issuable as fully registered Debentures without coupons in denominations of \$1,000.00 and any integral multiples thereof.
2. The Debentures are direct, general, unsecured, unsubordinated, joint and several obligations of the Issuer and of the Lower-tier Municipalities. The Debentures rank concurrently and equally in respect of payment of principal and interest with all other debentures of the Issuer except for the availability of money in a sinking or retirement fund for a particular issue of debentures.
3. This Debenture is a Global Debenture registered in the name of the nominee of CDS and held by CDS. Beneficial interests in this Global Debenture are represented through book entry accounts, to be established and maintained by CDS, on its records for CDS’s participants (the “Participants”) in accordance with its participant agreement and rules and procedures which are posted on CDS’s website.
4. Except in the limited circumstances described herein, owners of beneficial interests in this Global Debenture will not be entitled to have Debentures registered in their names, will not receive or be entitled to receive physical delivery of Debentures and will not be considered registered holders of Debentures under the Conditions. The Issuer does not have any responsibility or liability for maintaining, supervising or reviewing any records of CDS or Participants relating to payments made or to be made by CDS or any Participant on account of beneficial ownership interests in this Global Debenture.

Schedule "B"

Certificated Debentures

5. This Global Debenture is exchangeable, in whole but not in part, for certificated Debentures in definitive form registered in the name of a person other than CDS or its nominee only upon the occurrence of any of the following events: (a) upon 30 days notice by CDS to the Issuer, CDS may discontinue the eligibility of this Global Debenture on deposit, or cease to hold this Global Debenture in respect of the Debentures; or (b) if CDS ceases to be a recognized clearing agency under applicable Canadian or provincial securities legislation and a successor is not appointed; or (c) if the Issuer gives CDS appropriate notice that it is unable or unwilling to continue to have CDS hold this Global Debenture as a book entry only security or that it desires or has processed an entitlement requiring a withdrawal of this Global Debenture, and the Issuer has all right, power, capacity and authority to do so.
6. Debentures issued in exchange for this Global Debenture shall be issued as certificated Debentures in definitive form in authorized denominations, shall have the same benefits and be subject to the same terms and conditions as this Global Debenture (except insofar as they specifically relate to this Global Debenture as such), shall be registered in such names and in such denominations as CDS shall direct and shall be delivered as directed by the persons in whose names such definitive Debentures are to be registered.
7. Upon the exchange of certificated Debentures in definitive form for this Global Debenture, the Issuer shall receive and cancel this Global Debenture, shall reduce the holdings of CDS & CO. on the registry to nil and shall issue or cause to be issued in exchange for this Global Debenture certificated Debentures in definitive form in an aggregate principal amount equal to and in exchange for the Participants' proportionate interests in this Global Debenture as of the record date for such exchange, as directed by CDS. On or after any such exchange, but only to the extent reasonably practicable in the circumstances, the Issuer shall make all payments in respect of such certificated Debentures in definitive form to the registered holders thereof, notwithstanding such exchange occurred after the record date for any payment and prior to such payment date.

Schedule "B"

Registration

8. The Issuer will keep at its designated office in the Region of Niagara a registry in which shall be entered the names and addresses of the registered holders of Debentures and particulars of the Debentures held by them respectively and in which transfers, exchanges and substitutions of Debentures may be registered.

Title

9. The Issuer shall not be bound to see to the execution of any trust affecting the ownership of any Debenture or be affected by notice of any equity that may be subsisting in respect thereof. The Issuer shall deem and treat registered holders of Debentures, including this Global Debenture, as the absolute owners thereof for all purposes whatsoever notwithstanding any notice to the contrary and all payments to or to the order of registered holders shall be valid and effectual to discharge the liability of the Issuer on the Debentures to the extent of the amount or amounts so paid.

Payments of Principal and Interest

10. The record date for purposes of payment of principal of and interest on the Debentures is as of 5:00 p.m. on the sixteenth calendar day preceding any Payment Date, including a maturity date. Principal of and interest on the Debentures are payable by the Issuer to the persons registered as holders in the registry on the relevant record date. The Issuer shall not be required to register any transfer, exchange or substitution of Debentures during the period from any record date to the corresponding Payment Date.
11. The Issuer shall make all payments in respect of annual principal (July 26) and semi-annual interest (January 26 and July 26) on the Debentures on the Payment Dates commencing with a payment of semi-annual interest on January 26, 2022 electronically in final and irrevocable same-day funds in accordance with the applicable requirements of CDS, so long as this Global Debenture is held by CDS.

Schedule "B"

12. In the case that certificated Debentures in definitive form are issued, the Issuer shall make all payments in respect of principal and outstanding interest in lawful money of Canada at maturity upon presentation and surrender thereof at any specified branch in Canada of the Issuer's bank designated in the definitive Debentures, and prior to maturity, shall make payments of interest, by cheque sent by mail to the registered addresses of the registered holders or, if authorized in writing, by electronic transfer.
13. Whenever it is necessary to compute any amount of interest in respect of the Debentures for a period of less than one full year, other than with respect to regular semi-annual interest payments, such interest shall be calculated on the basis of the actual number of days in the period and a year of 365 days or 366 days, if applicable.
14. Payments in respect of principal of and interest on the Debentures shall be made only on a day on which banking institutions in Toronto, Ontario, are not authorized or obligated by law or executive order to be closed (a "Business Day"), and if any date for payment is not a Business Day, payment shall be made on the next following Business Day and no further interest shall be paid in respect of the delay in such payment.
15. Where a Debenture is registered in more than one name, the principal of and interest from time to time payable on such Debenture shall be paid to or to the order of all the joint registered holders thereof, failing written instructions to the contrary from all such joint registered holders, and such payment shall constitute a valid discharge to the Issuer.
16. In the case of the death of one or more joint registered holders, despite sections 9 and 15 of the Conditions, the principal of and interest on any Debentures registered in their names may be paid to the survivor or survivors of such holders and such payment shall constitute a valid discharge to the Issuer.

Schedule "B"

Transfers, Exchanges and Substitutions

17. Debentures are transferable or exchangeable at the office of the Treasurer of the Issuer upon presentation for such purpose accompanied by an instrument of transfer or exchange in a form approved by the Issuer and which form is in accordance with the prevailing Canadian transfer legislation and practices, executed by the registered holder thereof or such holder's duly authorized attorney or legal personal representative, whereupon and upon registration of such transfer or exchange and cancellation of the Debenture or Debentures presented, a new Debenture or Debentures of an equal aggregate principal amount in any authorized denomination or denominations will be delivered as directed by the transferor, in the case of a transfer or as directed by the registered holder in the case of an exchange.
18. The Issuer shall issue and deliver Debentures in exchange for or in substitution for Debentures outstanding on the registry with the same maturity dates and of like form in the event of a mutilation, defacement, loss, mysterious or unexplainable disappearance, theft, destruction or dematerialization, provided that the applicant therefor shall have: (i) paid such costs as may have been incurred in connection therewith; (ii) (in the case of a mutilated, defaced, lost, mysteriously or unexplainably missing, stolen, destroyed or dematerialized Debenture) furnished the Issuer with such evidence (including evidence as to the certificate number of the Debenture in question) and indemnity in respect thereof satisfactory to the Issuer in its discretion; and (iii) surrendered to the Issuer any mutilated or defaced Debenture in respect of which new Debentures are to be issued in substitution.
19. Each Debenture executed and delivered upon any registration of transfer or exchange for or in substitution for any Debenture or part thereof shall carry all the rights to interest, if any, accrued and unpaid which were carried by such Debenture or part thereof and shall be so dated.
20. Subject to an agreement that the Issuer may enter into to the contrary, the Issuer shall not impose any fees in respect of the Debentures, in the normal course of business, other than reasonable fees for the issue of new Debentures in substitution for Debentures that are mutilated, defaced, lost, mysteriously or unexplainably missing,

Schedule "B"

stolen, destroyed or dematerialized or for the issue of new cheques, in substitution for interest cheques that are mutilated, defaced, lost, mysteriously or unexplainably missing, stolen or destroyed.

Purchases

21. Subject to the investment policies and goals of the Issuer and the applicable legislation, the Issuer may, if not in default under the Debentures, at any time purchase Debentures in the open market or by tender or by private contract at any price and on such terms and conditions (including without limitation, the manner by which any tender offer may be communicated or accepted and the persons to whom it may be addressed) as the Issuer may in its discretion determine.

Additional Debentures

22. The Issuer reserves the right to issue additional instalment debentures of the same maturities, interest rates and terms and conditions.

Notices

23. Except as otherwise expressly provided herein, any notice required to be given to a registered holder of one or more of the Debentures will be sufficiently given if a copy of such notice is mailed or otherwise delivered to the registered address of such registered holder. If the Issuer or any registered holder is required to give any notice in connection with the Debentures on or before any day and that day is not a Business Day then such notice may be given on the next following Business Day.

Time

24. Unless otherwise expressly provided herein, any reference herein to a time shall be considered to be a reference to Toronto time.

Schedule “B”

Governing Law

25. The Debentures are governed by and shall be construed in accordance with the laws of the Province of Ontario and the federal laws of Canada applicable in Ontario.

THE REGIONAL MUNICIPALITY OF NIAGARA

BY-LAW NO.

A BY-LAW TO AMEND BY-LAW 89-2000 TO PROVIDE
FOR THE REGULATION OF TRAFFIC ON REGIONAL
HIGHWAYS (SPEED LIMIT REDUCTION REGIONAL
ROAD 81 IN THE TOWN OF NIAGARA-ON-THE-LAKE)

WHEREAS on the 20th day of April, 1989 the Council of The Regional Municipality of Niagara did pass By-law No. 89-2000, which is a by-law to provide for the regulation of traffic on Regional Highways;

WHEREAS it is necessary from time to time to amend the said by-law;

WHEREAS on the 23rd day of July, 2020, Council of The Regional Municipality of Niagara passed By-law 2020-47 being a by-law to delegate authority to the Director of Transportation Services to request the preparation of an amending by-law to make routine and administrative changes to the schedules of Traffic and Parking By-law 89-2000 in accordance with the Delegation of Authority Respecting Traffic and Parking By-law 89-2000 Matters Policy;

WHEREAS a memorandum dated July 16, 2021, has been received from the Director of Transportation Services in accordance with said Policy requesting the Clerk to prepare and present to Council an amending by-law to amend By-law 89-2000 for purposes of a speed limit reduction on Regional Road 81 in the Town of Niagara-on-the-Lake.

NOW THEREFORE the Council of The Regional Municipality of Niagara enacts as follows:

1. That Schedule "W" of the said By-law No. 89-2000 be and the same is hereby amended by **deleting** the following:

Schedule "W"

Speed Limits

HIGHWAY	FROM	TO	MAXIMUM SPEED KM/H
Regional Road 81 (York Road)	Concession 5 Road	Queenston Road	60

2. That this by-law shall come into force and effect on the day upon which it is passed and signs are installed.

THE REGIONAL MUNICIPALITY OF NIAGARA

James Bradley, Regional Chair

Ann-Marie Norio, Regional Clerk

Passed: < >

THE REGIONAL MUNICIPALITY OF NIAGARA

BY-LAW NO.

A BY-LAW TO AMEND BY-LAW 89-2000 TO PROVIDE FOR
THE REGULATION OF TRAFFIC ON REGIONAL
HIGHWAYS (SPEED LIMIT REDUCTION REGIONAL ROAD
55 IN THE TOWN OF NIAGARA-ON-THE-LAKE)

WHEREAS on the 20th day of April, 1989 the Council of The Regional Municipality of Niagara did pass By-law No. 89-2000, which is a by-law to provide for the regulation of traffic on Regional Highways;

WHEREAS it is necessary from time to time to amend the said by-law,

WHEREAS on the 23rd day of July, 2020, Council of The Regional Municipality of Niagara passed By-law 2020-47 being a by-law to delegate authority to the Director of Transportation Services to request the preparation of an amending by-law to make routine and administrative changes to the schedules of Traffic and Parking By-law 89-2000 in accordance with the Delegation of Authority Respecting Traffic and Parking By-law 89-2000 Matters Policy;

WHEREAS a memorandum dated July 16, 2021, has been received from the Director of Transportation Services in accordance with said Policy requesting the Clerk to prepare and present to Council an amending by-law to amend By-law 89-2000 for purposes of a speed limit reduction on Regional Road 55 in the Town of Niagara-on-the-Lake.

NOW THEREFORE the Council of The Regional Municipality of Niagara enacts as follows:

1. That Schedule "W" of the said By-law No. 89-2000 be and the same is hereby amended by **deleting** the following:

Schedule "W"

Speed Limits

HIGHWAY	FROM	TO	MAXIMUM SPEED KM/H
Regional Road 55 (Niagara Stone Road)	900 meters northeast of Regional Road 100 (Four Mile Creek Road)	600 meters northeast of Niven Road	70

2. That Schedule "W" of the said By-law No. 89-2000 be and the same is hereby amended by **adding** the following:

Schedule "W"

Speed Limits

HIGHWAY	FROM	TO	MAXIMUM SPEED KM/H
Regional Road 55 (Niagara Stone Road)	Concession 4 Road	600 meters northeast of Niven Road	60

3. That this by-law shall come into force and effect on the day upon which it is passed and signs are installed.

THE REGIONAL MUNICIPALITY OF NIAGARA

James Bradley, Regional Chair

Ann-Marie Norio, Regional Clerk

Passed: < >

THE REGIONAL MUNICIPALITY OF NIAGARA

BY-LAW NO.

A BY-LAW TO AMEND BY-LAW 89-2000 TO PROVIDE
FOR THE REGULATION OF TRAFFIC ON REGIONAL
HIGHWAYS (SPEED LIMIT REDUCTION REGIONAL
ROAD 24 AND REGIONAL ROAD 29 IN THE TOWN OF
PELHAM AND THE TOWNSHIP OF WEST LINCOLN)

WHEREAS on the 20th day of April, 1989 the Council of The Regional Municipality of Niagara did pass By-law No. 89-2000, which is a by-law to provide for the regulation of traffic on Regional Highways;

WHEREAS it is necessary from time to time to amend the said by-law,

WHEREAS on the 23rd day of July, 2020, Council of The Regional Municipality of Niagara passed By-law 2020-47 being a by-law to delegate authority to the Director of Transportation Services to request the preparation of an amending by-law to make routine and administrative changes to the schedules of Traffic and Parking By-law 89-2000 in accordance with the Delegation of Authority Respecting Traffic and Parking By-law 89-2000 Matters Policy;

WHEREAS a memorandum dated July 16, 2021, has been received from the Director of Transportation Services in accordance with said Policy requesting the Clerk to prepare and present to Council an amending by-law to amend By-law 89-2000 for purposes of a speed limit reduction on Regional Road 24 and Regional Road 29 in the Town of West Lincoln.

NOW THEREFORE the Council of The Regional Municipality of Niagara enacts as follows:

1. That Schedule "W" of the said By-law No. 89-2000 be and the same is hereby amended by **deleting** the following:

Schedule "W"

Speed Limits

HIGHWAY	FROM	TO	MAXIMUM SPEED KM/H
Regional Road 24 (Vineland Townline Road)	400 meters south of Regional Road 20 (Old Hwy 20)	182 meters north of Regional Road 23 (Forks Road)	80

HIGHWAY	FROM	TO	MAXIMUM SPEED KM/H
Regional Road 29 (Webber Road)	Regional Road 24 (Vineland Townline Road)	100 meters west of Regional Road 36 (South Pelham Road)	80

2. That Schedule "W" of the said By-law No. 89-2000 be and the same is hereby amended by **adding** the following:

Schedule "W"

Speed Limits

HIGHWAY	FROM	TO	MAXIMUM SPEED KM/H
Regional Road 24 (Vineland Townline Road)	400 meters south of Regional Road 20 (Old Hwy 20)	Chantler Road	80

HIGHWAY	FROM	TO	MAXIMUM SPEED KM/H
Regional Road 24 (Vineland Townline Road)	Chantler Road	Regional Road 27	60

HIGHWAY	FROM	TO	MAXIMUM SPEED KM/H
Regional Road 24 (Vineland Townline Road)	Regional Road 27	182 meters north of Regional Road 23 (Forks Road)	80

HIGHWAY	FROM	TO	MAXIMUM SPEED KM/H
Regional Road 29 (Webber Road)	Regional Road 24 (Vineland Townline Road)	Farr Street	60

HIGHWAY	FROM	TO	MAXIMUM SPEED KM/H
Regional Road 29 (Webber Road)	Farr Street	100 meters west of Regional Road 36 (South Pelham Road)	80

3. That this by-law shall come into force and effect on the day upon which it is passed and signs are installed.

THE REGIONAL MUNICIPALITY OF NIAGARA

James Bradley, Regional Chair

Ann-Marie Norio, Regional Clerk

Passed: < >

THE REGIONAL MUNICIPALITY OF NIAGARA

BY-LAW NO.

A BY-LAW TO AMEND BY-LAW 89-2000 TO PROVIDE
FOR THE REGULATION OF TRAFFIC ON REGIONAL
HIGHWAYS (SPEED LIMIT REDUCTION REGIONAL
ROAD 3 IN THE TOWNSHIP OF WAINFLEET)

WHEREAS on the 20th day of April, 1989 the Council of The Regional Municipality of Niagara did pass By-law No. 89-2000, which is a by-law to provide for the regulation of traffic on Regional Highways;

WHEREAS it is necessary from time to time to amend said by-law;

WHEREAS on the 23rd day of July, 2020, Council of The Regional Municipality of Niagara passed By-law 2020-47 being a by-law to delegate authority to the Director of Transportation Services to request the preparation of an amending by-law to make routine and administrative changes to the schedules of Traffic and Parking By-law 89-2000 in accordance with the Delegation of Authority Respecting Traffic and Parking By-law 89-2000 Matters Policy; and,

WHEREAS a memorandum dated July 16, 2021, has been received from the Director of Transportation Services in accordance with said Policy requesting the Clerk to prepare and present to Council an amending by-law to amend By-law 89-2000 for purposes of a speed limit reduction on Regional Road 3 in the Township of Wainfleet.

NOW THEREFORE the Council of The Regional Municipality of Niagara enacts as follows:

1. That Schedule "W" of the said By-law No. 89-2000 be and the same is hereby amended by **deleting** the following:

Schedule "W"

Speed Limits

HIGHWAY	FROM	TO	MAXIMUM SPEED KM/H
Regional Road 3 (Lakeshore Road)	Southwest Limit of the Regional Municipality	596 meters east of Sideroad 26 (Daley Ditch Road)	60

HIGHWAY	FROM	TO	MAXIMUM SPEED KM/H
Regional Road 3 (Lakeshore Road)	Walnut Hill Road	Regional Road 3 (Station Road)	60

2. That this by-law shall come into force and effect on the day upon which it is passed and signs are installed.

THE REGIONAL MUNICIPALITY OF NIAGARA

James Bradley, Regional Chair

Ann-Marie Norio, Regional Clerk

Passed: < >

THE REGIONAL MUNICIPALITY OF NIAGARA

BY-LAW NO.

A BY-LAW TO PROVIDE FOR THE REGULATION OF
TRAFFIC ON REGIONAL HIGHWAYS (STOPPING
PROHIBITION ON REGIONAL ROAD 101 IN THE CITY OF
NIAGARA FALLS)

WHEREAS on the 20th day of April, 1989 the Council of The Regional Municipality of Niagara did pass By-law No. 89-2000, which is a by-law to provide for the regulation of traffic on Regional Highways;

WHEREAS it is necessary from time to time to amend said by-law;

WHEREAS on the 23rd day of July, 2020, Council of The Regional Municipality of Niagara passed By-law 2020-47 being a by-law to delegate authority to the Director of Transportation Services to request the preparation of an amending by-law to make routine and administrative changes to the schedules of Traffic and Parking By-law 89-2000 in accordance with the Delegation of Authority Respecting Traffic and Parking By-law 89-2000 Matters Policy; and,

WHEREAS a memorandum dated July 16, 2021, has been received from the Director of Transportation Services in accordance with said Policy requesting the Clerk to prepare and present to Council an amending by-law to amend By-law 89-2000 for purposes of a Stopping Prohibition on Regional Road 101 Mountain Road in the City of Niagara Falls.

NOW THEREFORE the Council of The Regional Municipality of Niagara enacts as follows:

1. That Schedule "A" of the said By-law No. 89-2000 be and the same is hereby amended by **adding** the following:

Schedule "A"

Stopping Prohibition

HIGHWAY	SIDE	FROM	TO	TIMES /DAYS
Regional Road 101 (Mountain Road)	South	100 meters west of Martinelli Drive	20 meters west of Martinelli Drive	Anytime

2. That this by-law shall come into force and effect on the day upon which it is passed and signs have been erected and are on display.

THE REGIONAL MUNICIPALITY OF NIAGARA

James Bradley, Regional Chair

Ann-Marie Norio, Regional Clerk

Passed: < >

THE REGIONAL MUNICIPALITY OF NIAGARA

BY-LAW NO.

A BY-LAW TO PROVIDE THE REGULATION OF TRAFFIC
ON REGIONAL HIGHWAYS IN THE TOWN OF LINCOLN &
CITY OF ST. CATHARINES

WHEREAS on the 20th day of April, 1989 the Council of The Regional Municipality of Niagara did pass By-law No. 89-2000, which is a by-law to provide for the regulation of traffic on Regional Highways;

WHEREAS it is necessary from time to time to amend said by-law;

WHEREAS on the 23rd day of July, 2020, Council of The Regional Municipality of Niagara passed By-law 2020-47 being a by-law to delegate authority to the Director of Transportation Services to request the preparation of an amending by-law to make routine and administrative changes to the schedules of Traffic and Parking By-law 89-2000 in accordance with the Delegation of Authority Respecting Traffic and Parking By-law 89-2000 Matters Policy; and,

WHEREAS a memorandum dated July 16, 2021, has been received from the Director of Transportation Services in accordance with said Policy requesting the Clerk to prepare and present to Council an amending by-law to amend By-law 89-2000 for purposes of a prohibiting U-turns on Regional Road 24 in the Town of Lincoln and Regional Road 89 in the City of St. Catharines.

NOW THEREFORE the Council of The Regional Municipality of Niagara enacts as follows:

1. That Schedule "R" of the said By-law No. 89-2000 and the same is hereby amended by **adding** the following:

Schedule "R"

Prohibited Turns

HIGHWAY	AT	TRAFFIC PROCEEDING	PROHIBITED TURN	TIMES/DAYS
Regional Road 24 (Victoria Avenue)	First Avenue	Southbound	U-Turn	Anytime

HIGHWAY	AT	TRAFFIC PROCEEDING	PROHIBITED TURN	TIMES/DAYS
Regional Road 89 (Glendale Avenue)	Tremont Drive	Westbound	U-Turn	Anytime

2. That this by-law shall come into force and effect the on the day upon which it is passed and signs have been erected and are on display.

THE REGIONAL MUNICIPALITY OF NIAGARA

James Bradley, Regional Chair

Ann-Marie Norio, Regional Clerk

Passed: < >

THE REGIONAL MUNICIPALITY OF NIAGARA

BY-LAW NO. < >

A BY-LAW TO ADOPT, RATIFY AND CONFIRM THE ACTIONS OF
REGIONAL COUNCIL AT ITS MEETING
HELD JULY 22, 2021

WHEREAS subsection 5 (3) of the Municipal Act, S.O. 2001, Ch. 25, as amended, provides that, except if otherwise authorized, the powers of Regional Council shall be exercised by by-law; and,

WHEREAS it is deemed desirable and expedient that the actions of Regional Council as herein set forth be adopted, ratified and confirmed by by-law.

NOW THEREFORE the Council of The Regional Municipality of Niagara enacts as follows:

1. That the actions of the Regional Council at its meeting held July 22, 2021, including all resolutions or motions approved, are hereby adopted, ratified and confirmed as if they were expressly embodied in this by-law.
2. That the above-mentioned actions shall not include:
 - a) Any actions required by law to be taken by resolution; or
 - b) Any actions for which prior Ontario Land Tribunal approval is required, until such approval is obtained.
3. That the Chair and proper officials of The Regional Municipality of Niagara are hereby authorized and directed to do all things necessary to give effect to the above-mentioned actions and to obtain approvals where required.
4. That unless otherwise provided, the Chair and Clerk are hereby authorized and directed to execute and the Clerk to affix the seal of The Regional Municipality of Niagara to all documents necessary to give effect to the above-mentioned actions.
5. That this by-law shall come into force and effect on the day upon which it is passed.

THE REGIONAL MUNICIPALITY OF NIAGARA

James Bradley, Regional Chair

Ann-Marie Norio, Regional Clerk

Passed: < >