



THE REGIONAL MUNICIPALITY OF NIAGARA COUNCIL ORDER OF BUSINESS

CL 12-2022

Thursday, June 23, 2022

6:30 p.m.

Meeting will be held by electronic participation only

This electronic meeting can be viewed on Niagara Region's Website at:

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

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

Pages

1. CALL TO ORDER
2. LAND ACKNOWLEDGMENT STATEMENT
3. ADOPTION OF AGENDA
 - 3.1. Addition of Items
 - 3.2. Changes in Order of Items
4. DISCLOSURES OF PECUNIARY INTEREST
5. PRESENTATIONS
6. CHAIR'S REPORTS, ANNOUNCEMENTS, REMARKS
7. DELEGATIONS
 - 7.1. Regional Development Charges Deferral Request – 683 York Road, NOTL (Minute Item 5.4, Minutes CSC 6-2022 (Agenda Item 10.3))
 - 7.1.1. Michael Colaneri Jr. and David Morse, Pinewood Homes (Niagara) Ltd.

7.2. Motion - Province of Quebec Bill 21 (Agenda Item 12.2)
These delegation requests were submitted after the deadline and will need to be considered by Council.

7.2.1. Rofyda Bassiouny, Resident, City of Niagara Falls 11 - 14

7.2.2. Fatima Nasser, Resident, City of Niagara Falls 15 - 16

8. ADOPTION OF MINUTES

8.1. Council Minutes CL 10-2022 (Regular Meeting) 17 - 37
 Thursday, May 19, 2022

8.2. Council Minutes CL 11-2022 (Special Meeting) 38 - 45
 Thursday, May 26, 2022

9. CORRESPONDENCE Disero

9.1. Receive and/or Refer

9.1.1. CL-C 40-2022 46 - 52
 A letter from W. A. Wilson, Senior Project Manager, MTE Consultants, dated June 14, 2022, respecting Niagara Region Official Plan - Settlement Area Boundary Review Assessment Review of Municipal Servicing for 4810 Garner Road, Niagara Falls SABR ID 1125 & SABR ID 1126.

Recommended Action: Receive.

9.1.2. CL-C 41-2022 53 - 58
 A letter from C. Ferguson, Principal, Parcel Economics Inc., dated June 15, 2022, respecting 4810 Garner Road, Niagara Falls - Review of Niagara Region Lands Needs Assessment.

Recommended Action: Receive.

9.1.3. CL-C 42-2022
 A letter from V. F. Pilla, Co-owner, dated June 15, 2022, respecting 4269 Michener Road.

This item has been removed at the request of the sender.

9.1.4. CL-C 44-2022 59 - 67
 An email from S. Mazzuto, dated June 16, 2022, respecting Exclusion of Land from Urban Boundary Expansion Report.

Recommended Action: Receive.

| | | |
|---------|---|-----------------|
| 9.1.5. | <i>CL-C 45-2022</i> | 68 - 71 |
| | A memorandum from T. Harrison, Commissioner, Corporate Services/Treasurer, dated June 23, 2022, respecting Canada Summer Games Park Project Financial Update. | |
| | Recommended Action: Receive. | |
| 9.1.6. | <i>CL-C 46-2022</i> | 72 - 73 |
| | A memorandum from C. Ryall, Director, Transportation Services, dated June 23, 2022 respecting Traffic Safety Issue on Regional Road 101 (Mountain Road). | |
| | Recommended Action: Receive. | |
| 9.1.7. | <i>CL-C 47-2022</i> | 74 - 98 |
| | A letter from N. Smith, Turkstra Mazza Associates, dated June 22, 2022, respecting Niagara Official Plan - 8970 and 9015 Stanley Avenue and Lands on the South Side of Lyons Creek Road. | |
| | Recommended Action: Receive. | |
| 9.1.8. | <i>CL-C 48-2022</i> | 99 - 102 |
| | A letter from G. Janes, Immediate Past President, Niagara Council of Women, dated June 23, 2022, respecting Comments on PDS 17-2022 Niagara Regional Official Plan Recommendation Report. | |
| | Recommended Action: Receive. | |
| 9.1.9. | <i>CL-C 50-2022</i> | 103 - 104 |
| | An email from S. Sivarajah, Weston Consulting, dated June 23, 2022, respecting Municipal Comprehensive Review - Niagara Official Plan. | |
| | Recommended Action: Receive. | |
| 9.1.10. | <i>CL-C 52-2022</i> | 105 - 106 |
| | Letter from Meaghan McDermid, Davies Howe LLP, dated June 23, 2022, respecting a request for re-inclusion in settlement area lands. | |
| | Recommended Action: Receive. | |
| 9.2. | <u>For Consideration</u> | |
| 9.2.1. | CAO 6-2022 | Huson 107 - 110 |
| | Council Endorsement of a Public Statement and Commitment to Address Systemic Discrimination and Anti-Indigenous Racism | |

10. COMMITTEE REPORTS - OPEN SESSION

- | | | | |
|-------|---|-----------|-----------|
| 10.1. | <u>Public Works Committee</u> Minutes PWC 5-2022, Tuesday, June 14, 2022 | Rigby | 111 - 160 |
| 10.2. | <u>Public Health and Social Services Committee</u> Minutes PHSSC 6-2022, Tuesday, June 14, 2022 | Chiocchio | 161 - 347 |
| 10.3. | <u>Corporate Services Committee</u> Minutes CSC 6-2022, Wednesday, June 15, 2022 | Foster | 348 - 742 |
| 10.4. | <u>Planning and Economic Development Committee</u> Minutes PEDC 5-2022, Wednesday, June 15, 2022 | Witteveen | 743 - 965 |

11. CHIEF ADMINISTRATIVE OFFICER'S REPORT(S)

None.

12. MOTIONS

- | | | | |
|-------|--|-----------|-----------|
| 12.1. | <u>Reconsideration of the Deferral of Development Charges for 7000 Oakwood Drive, Niagara Falls (Report CSD 66-2019 - Corporate Services Committee September 11, 2019).</u> In accordance with the notice and submission deadline requirements of Sections 18.1 (a), 19.16 (a) and 11.3, respectively, of Niagara Region's Procedural By-law, the Regional Clerk received from Councillor Greenwood a motion to be brought forward for consideration at the June 23, 2022 Council meeting requesting the reconsideration of the deferral of development charges for 7000 Oakwood Drive, Niagara Falls (Report CSD 66-2019 - Corporate Services Committee September 11, 2019). | Greenwood | 966 - 970 |
| 12.2. | <u>Province of Quebec Bill 21</u> In accordance with the notice and submission deadline requirements of Sections 18.1(a) and 11.3, respectively, of Niagara Region's Procedural By-law, the Regional Clerk received from Councillor Britton a motion to be brought forward for consideration at the June 23, 2022 Council meeting respecting Province of Quebec Bill 21. | Britton | 971 - 972 |

13. NOTICES OF MOTION

14. OTHER BUSINESS

15. CLOSED SESSION

- | | | | |
|---------|---|--|--|
| 15.1. | <u>Council Session - Closed Minutes</u> | | |
| 15.1.1. | Closed Session Minutes CL 11-2022, Thursday, May 26, 2022 | | |

(Special Meeting)

15.2. Committee Reports - Closed Session

15.2.1. Public Works Committee - Closed Session

Closed Session Minutes PWC 5-2022, June 14, 2022

15.2.2. Public Health and Social Services Committee - Closed Session

Tuesday, June 14, 2022

15.3. Confidential Items Submitted Directly to Council

15.3.1. Confidential CSD 23-2022

A Matter of Advice that is Subject to Solicitor-Client Privilege and Respecting Litigation under s. 239(2)(e)(f) of the Municipal Act, 2001 – Summary of Civil Lawsuits Commenced Against The Regional Municipality of Niagara (Niagara Region), Niagara Regional Police Service (NRPS) and Niagara Regional Housing (NRH)

15.3.2. Confidential CSD 25-2022

A Matter Regarding a Proposed Acquisition of Land by the Municipality under s. 239(2)(c) of the Municipal Act, 2001 – NE Regional Road 98, Niagara Falls

15.3.3. Confidential CSD 26-2022

A Matter Regarding a Proposed Acquisition of Land by the Municipality under s. 239(2)(c) of the Municipal Act, 2001 – SE Regional Road 98, Niagara Falls

15.3.4. *Confidential CAO 7-2022*

Personal Matters about an Identifiable Individual under s. 239 (2) of the Municipal Act, 2001 – Recruitment, Commissioner Public Works

16. BUSINESS ARISING FROM CLOSED SESSION

17. BY-LAWS

17.1. Bill 2022-40

973 - 993

A by-law to amend By-law 120-2010, The Procedural By-law - Appendix A Code of Conduct.

17.2. Bill 2022-41

994 - 995

A by-law to amend By-Law 89-2000 To Provide For the Regulation of Traffic On Regional Highways (Speed Reduction Regional Road 24 in the Town of Lincoln).

- | | | |
|-------|--|-------------|
| 17.3. | <u>Bill 2022-42</u> A by-law to amend By-Law 89-2000 To Provide For the Regulation of Traffic on Regional Highways (Parking Prohibition Regional Road 39 in The Town of Lincoln). | 996 - 997 |
| 17.4. | <u>Bill 2022-43</u> A by-law to amend By-Law 89-2000 to Provide For the Regulation of Traffic On Regional Highways (Prohibited Turns Regional Roads 27 and 63 in the Township of West Lincoln). | 998 - 999 |
| 17.5. | <u>Bill 2022-44</u> A by-law to amend By-Law 89-2000 To Provide For the Regulation of Traffic On Regional Highways (Speed Reduction Regional Road 27 in the Town of Wainfleet & City of Welland). | 1000 - 1002 |
| 17.6. | <u>Bill 2022-45</u> A by-law to Authorize an Application for Approval to Expropriate all Right, Title and Interest (Fee Simple) in Lands Required for Municipal Purposes – re NE Regional Road 98, Niagara Falls. | 1003 - 1010 |
| 17.7. | <u>Bill 2022-46</u> A by-law to Authorize an Application for Approval to Expropriate all Right, Title and Interest (Fee Simple) in Lands Required for Municipal Purposes – re SE Regional Road 98, Niagara Falls. | 1011 - 1018 |
| 17.8. | <u>Bill 2022-47</u> A by-law to provide for the adoption of the Official Plan for The Regional Municipality of Niagara. <i>The proposed Niagara Official Plan may be found in its entirety at the following link:</i> https://www.niagararegion.ca/official-plan/pdf/proposed-plan2/by-law-and-consolidated-plan.pdf | 1019 - 1020 |
| 17.9. | <u>Bill 2022-48</u> A by-law to adopt, ratify and confirm the actions of Regional Council at its meeting held on June 23, 2022. | 1021 |

18. ADJOURNMENT

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

From: [PF-Mailbox-01](#)
To: [Norio, Ann-Marie](#); [Spratt, Jenna](#)
Subject: FW: Online Form - Request to Speak at a Standing Committee or Regional Council
Date: Friday, June 17, 2022 11:10:15 AM

From: Niagara Region Website
Sent: Friday, 17 June 2022 11:09:44 (UTC-05:00) Eastern Time (US & Canada)
To: Clerks
Subject: Online Form - Request to Speak at a Standing Committee or Regional Council

Request to Speak at a Standing Committee or Regional Council

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

Name

Michael Colaneri Jr and David Morse

Address

2125 Fruitbelt Parkway

City

Niagara Falls

Postal

L2J 0A5

Phone

9053513733

Email

david.m@pinewoodniagarabuilders.ca

Organization

Pinewood Homes (Niagara) Ltd

standing committee

Regional Council

Presentation Topic

683 York Road

Presentation includes slides

No

Previously presented topic

Yes

Presentation only new info

No

Presentation Details

The Town of Niagara-on-the-Lake unanimously passed a motion on April 4th, 2022 to defer the payment of development fees at 683 York Road, referring this matter to the Niagara Region with the request that they do the same.

Video Consent

Yes



From: [PF-Mailbox-01](#)
To: [Norio, Ann-Marie](#); [Spratt, Jenna](#)
Subject: FW: Online Form - Request to Speak at a Standing Committee or Regional Council
Date: Wednesday, June 22, 2022 5:51:31 PM
Attachments: [Bill 21's violations of the human rights - Rofyda Bassiouny.pdf](#)

From: Niagara Region Website
Sent: Wednesday, 22 June 2022 17:51:22 (UTC-05:00) Eastern Time (US & Canada)
To: Clerks
Subject: Online Form - Request to Speak at a Standing Committee or Regional Council

Request to Speak at a Standing Committee or Regional Council

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

Name

ROFYDA BASSIOUNY

Address

[REDACTED]

City

NIAGARA FALLS

Postal

[REDACTED]

Phone

[REDACTED]

Email

[REDACTED]

standing committee

Regional Council

Presentation Topic

Bill 21's violations of the human rights

Presentation includes slides

No

Previously presented topic

No

Presentation Details

I would like to have from 10-15 minutes to present my talk. Tomorrow Jun 23, 2022.

Video Consent

Yes

Support_File_1

Bill 21's violations of the human rights - Rofyda Bassiouny.pdf



Rofyda Bassiouny

June 23rd, 2022

Bill 21's violations of the human rights

Quebec has been enriched by the diversity and historic contribution of the first nations and the Inuit, and by the English-speaking Quebeckers.

Quebec claims that its Federation has made it possible for cohabitation based on solidarity, cooperation and respect for diversity, according to the policy on Quebec affirmation and Canadian relations. Although it is claimed that they respect diversity their actions do not align.

Bill 21 is claimed to be an act perceiving the laicity according to the act. The parliament of Quebec enacted it on June 16, 2019. "The state's lacity should be affirmed in a manner that ensures a balance between the collective rights of the Quebec nation and human rights and freedoms."

Yet, there are many human rights violations when it comes to bill 21. Article 23 of the UDHR code states that everyone has the right to work to free choice of employment, to just in favourable conditions of work and to protection against unemployment"

Bill 21 does not respect or observe article 23 considering the number of teachers who were fired for wearing a hijab or a turban or other religious symbols which they are obligated to wear.

Article 18 also states that " everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or beliefs. And freedom either alone or in community with others in public or private to manifest his religion or belief in teaching, practice, worship and observance"

Bill 21 does not only prohibit religious symbols but it also gives the authority to employers to fire their employees because of their religious symbols.

Bill 21 is not logical considering Quebec views itself diverse and at the same time, it wants to protect its lacity. Wearing a religious symbol is not the same as teaching or forcing someone into a religion.

This act targets primarily religion with a majority of people of color. Religious symbols like the cross, hijab or Turban. The only religious symbol that is not obligatory is the cross. Hijab, or a turban or others, is mandatory in some religions. This act is technically telling individuals to either take off their hijab or Turban to work the job they are passionate about, or else they get fired or are forced to choose a different career or passion.

Rofyda Bassiouny

June 23rd, 2022

A human being should not consider having to choose between their religion or work. If an individual is passionate and very talented in a field, religious clothing should never be an obstacle to achieving their goal. Individuals shall not be fired or kept away from a job they are good at just because of their religion. Bill 21, instead of making people focus on others' talents in their job field, makes the majority focus on what these people are wearing which clearly does not align with the thoughts of diversity since it wasn't respected in the first place.

As a person who wears the hijab and will grow up wearing it, I find Bill 21 very unreasonable and unfair. I am very passionate about becoming a lawyer and I know how to get there and the amount of effort it will take, considering such circumstances, it is not easy to become a lawyer.

If someone passes such difficult tests, courses and the BAR itself, how could anyone tell them they are not obligated to work because of their religious clothing? This should never be acceptable in Canada as a whole and something shall be done to regard such a discriminative act.

From: [PF-Mailbox-01](#)
To: [Norio, Ann-Marie](#); [Spratt, Jenna](#)
Subject: FW: Online Form - Request to Speak at a Standing Committee or Regional Council
Date: Thursday, June 23, 2022 8:37:48 AM

From: Niagara Region Website
Sent: Thursday, 23 June 2022 08:37:43 (UTC-05:00) Eastern Time (US & Canada)
To: Clerks
Subject: Online Form - Request to Speak at a Standing Committee or Regional Council

Request to Speak at a Standing Committee or Regional Council

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

Name

Fatima Nasser

Address

[REDACTED]

City

Niagara falls

Postal

[REDACTED]

Phone

[REDACTED]

Email

[REDACTED]

standing committee

Regional Council

Presentation Topic

Bill 21

Presentation includes slides

No

Previously presented topic

No

Presentation Details

I will be speaking against Bill 21 to encourage others in the Muslim community to do the same

Video Consent

Yes



**THE REGIONAL MUNICIPALITY OF NIAGARA
PROCEEDINGS OF COUNCIL
MINUTES**

**CL 10-2022
Thursday, May 19, 2022
Council Chamber / Video Conference
Niagara Region Headquarters, Campbell West
1815 Sir Isaac Brock Way, Thorold, ON**

| | |
|---|--|
| Council Members Present in the Council Chamber: | Bradley (Regional Chair), Easton, Fertich, Foster, Gibson, Insinna, Ip, Rigby, Steele, Whalen |
| Council Members Present via Video Conference: | Britton, Butters, Bylsma, Campion, Chiocchio, Diodati, Disero, Edgar, Gale, Greenwood, Heit, Huson, Jordan, Junkin, Nicholson, Sendzik, Siscoe, Ugulini, Villella, Witteveen |
| Absent/Regrets: | Redekop, Zalepa |
| Staff Present in the Council Chamber: | D. Barnhart, Chief of Staff, Governance, H. Chamberlain, Director, Financial Management & Planning/Deputy Treasurer, T. Harrison, Commissioner/Treasurer, Corporate Services, Dr. M. M. Hirji, Acting Medical Officer of Health, A. Jugley, Commissioner, Community Services, M. Lewis, Client & Support Advisor, A.-M. Norio, Regional Clerk, R. Tripp, Chief Administrative Officer, B. Zvaniga, Interim Commissioner, Public Works |
| Staff Present via Video Conference: | E. Acs, Manager, Community Planning, R. Ferron, Acting Chief/Director, Emergency Medical Services, J. Garritsen, Associate Director, Labour & Employee Relations & Employee Health, D. Gibbs, Director, Legal & Court Services, S. Hendrie, Chief Information Officer, Dr. A. Kasmani, Associate Medical Officer of Health, P. Lambert, Director, Infrastructure Planning & Development Engineering, K. Lotimer, Legislative Coordinator, F. Meffe, Director, Human Resources, D. Pasto, Risk Management Program Manager, G. Spezza, Director, Economic Development, M. Villella, Labour Relations Manager |

1. CALL TO ORDER

Regional Chair Bradley called the meeting to order at 6:58 p.m.

2. LAND ACKNOWLEDGMENT STATEMENT

Councillor Sendzik read the Land Acknowledgment Statement.

3. ADOPTION OF AGENDA

3.1 Addition of Items

Moved by Councillor Siscoe
Seconded by Councillor Sendzik

That Irene Newton, Ukrainian Canadian Congress, Niagara Branch, **BE PERMITTED** to appear as a delegation respecting Motion - Voluntary Russian Sanction Request (Agenda Item No. 12.1).

Carried

3.2 Changes in Order of Items

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

Moved by Councillor Huson
Seconded by Councillor Disero

That Council Agenda CL 10-2022, **BE ADOPTED**, as amended.

Carried

4. DISCLOSURES OF PECUNIARY INTEREST

Councillor Gale declared a conflict with respect to the portion of the Public Health and Social Services Committee Minutes PHSSC 5-2022 (Agenda Item 10.3) concerning Correspondence Item COM-C 6-2022, respecting Seniors Services Long Term Care Homes Volunteer Report (Minute Item 6), as his daughter-in-law works in long-term care; therefore, he did not participate in any discussion or vote on this matter.

Councillor Nicholson declared a conflict with respect to the portion of the Public Health and Social Services Committee Minutes PHSSC 5-2022 (Agenda Item 10.3) concerning the presentation respecting Housing Services Waitlist and Rent Supplements (Minute Item 3.2), Correspondence Items COM-C 5-2022, respecting Niagara Regional Housing Quarterly Report - October to December 31, 2021 (Minute Item 6) and COM-C 7-2022, respecting Niagara Regional Housing Quarterly Report - January to March 31, 2022, (Minute Item 6), as these items reference matters involving potential litigation and he has an employment relationship with Tribunals Ontario; therefore, he did not participate in any discussion or vote on this matter.

Councillor Heit declared a conflict with respect to the portion of the Procedural By-law Review Committee Minutes PBLRC 3-2022 (Agenda Item 10.1) concerning Correspondence Item PBLRC-C 9-2022, respecting Referral of Minute Item 5.2 of Minutes PBLRC 2-2022, February 28, 2022, (Minute Item 5.3), as he previously declared a conflict on the original item indicating that, without specific definitions defining the interpretation and implementation of Councillor Gale's motion, he may have a conflict; therefore, he did not participate in any discussion or vote on this matter.

See Minute Item 10.6.

5. PRESENTATIONS

There were no presentations.

6. CHAIR'S REPORTS, ANNOUNCEMENTS, REMARKS

The Regional Chair provided an update respecting activities within the Region.

7. DELEGATIONS

7.1 Motion - Voluntary Russian Sanction Request (Agenda Item 12.1)

7.1.1 Saleh Waziruddin, Communist Party of Canada (Eric Blair Club)

Saleh Waziruddin, Communist Party of Canada (Eric Blair Club), appeared before Council to express concerns respecting the Voluntary Russian Sanction Request motion.

7.1.2 Irene Newton, Ukrainian Canadian Congress Niagara Branch

Irene Newton, Ukrainian Canadian Congress, Niagara Branch, appeared before Council to express gratitude for Niagara Region's support for the Ukraine and advised of the difficulties of finding accommodations for those that have fled the Ukraine in the Niagara region.

8. ADOPTION OF MINUTES

Minutes CL 8-2022, Thursday, April 14, 2022

Minutes CL 9-2022, Thursday, April 28, 2022 (Special Meeting)

Moved by Councillor Heit

Seconded by Councillor Nicholson

That Minutes CL 8-2022 being the Open and Closed Session minutes of the Regional Council meeting held on Thursday, April 14, 2022, and Minutes CL 9-2022 being the Open Session Minutes of the Special Regional Council meeting held on Thursday, April 28, 2022, **BE ADOPTED**.

Carried

9. CORRESPONDENCE

9.1 Receive and/or Refer

Moved by Councillor Jordan

Seconded by Councillor Villella

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

CHR 02-2022, respecting Meeting Request with Minister of Health Regarding EMS Offload Delays, **BE RECEIVED**;

CHR 03-2022, respecting Proposed Association of Municipalities of Ontario (AMO) Conference Delegation Requests for 2022, **BE RECEIVED**; and

CL-C 36-2022, respecting Notice of Procedural By-law Amendments, **BE RECEIVED**.

Carried

9.2 For Consideration

9.2.1 CL-C 33-2022

Filling of Vacant City of St. Catharines Regional Council Seat

Moved by Councillor Rigby

Seconded by Councillor Fertich

That Correspondence Item CL-C 33-2022, being a memorandum from A.-M. Norio, Regional Clerk, dated May 19, 2022, respecting Filling of Vacant City of St. Catharines Regional Council Seat, **BE RECEIVED** and the following recommendation **BE APPROVED**:

That, further to the correspondence received from the City of St. Catharines, dated April 19, 2022, respecting Filling a Vacancy on Regional Council – George Darte, Regional Council **APPROVE** the recommendation of the City of St. Catharines to appoint Mike Britton to fill the vacant seat of Regional Councillor for the City of St. Catharines.

Carried

Moved by Councillor Rigby

Seconded by Councillor Whalen

That Mike Britton **BE APPOINTED** as Regional Councillor for the City of St. Catharines, to fill the vacant seat for the remainder of the existing Council term (until November 14, 2022); and

That the Regional Clerk **ADMINISTER** the Declaration of Office to Mike Britton at this time, in order that Mr. Britton can assume his seat immediately after taking the Declaration of Office.

Carried

Ann-Marie Norio, Regional Clerk, administered the Declaration of Office to Mr. Mike Britton who then took his seat on Council.

Moved by Councillor Whalen

Seconded by Councillor Greenwood

That Councillor Britton **BE APPOINTED** to the Public Works Committee, Public Health and Social Services Committee, Corporate Services Committee, Planning & Economic Development Committee, Audit Committee, Procedural By-law Review Committee and Procurement Advisory Committee, effective immediately, for the remainder of this term of Council.

Carried

9.2.2 CL-C 34-2022

Request for Appointment to the Diversity, Equity and Inclusion
Advisory Committee

Moved by Councillor Ip
Seconded by Councillor Ugulini

That Correspondence Item CL-C 34-2022, being a memorandum from A.-M. Norio, Regional Clerk, dated May 19, 2022, respecting Request for Appointment to the Diversity, Equity and Inclusion Advisory Committee, **BE RECEIVED** and the following recommendation **BE APPROVED:**

That Councillor Huson **BE APPOINTED** to the Diversity, Equity and Inclusion Advisory Committee effective immediately.

Carried

9.2.3 CL-C 35-2022

Association of Municipalities of Ontario (AMO) Board of Directors
Endorsement

Moved by Councillor Edgar
Seconded by Councillor Easton

That Correspondence Item CL-C 35-2022, being a memorandum from A.-M. Norio, Regional Clerk, dated May 19, 2022, respecting Association of Municipalities of Ontario (AMO) Board of Directors Endorsement, **BE RECEIVED** and the following recommendation **BE APPROVED:**

That Regional Council **ENDORSE** Councillor Robert Foster as a candidate for the Association of Municipalities of Ontario Board of Directors.

Carried

9.2.4 CL-C 36-2022

Appointment of Budget Review Committee of the Whole Chair and Vice Chair for June 23, 2022 Budget Meeting

Moved by Councillor Insinna
Seconded by Councillor Campion

That Correspondence Item CL-C 36-2022, being a memorandum from A.-M. Norio, Regional Clerk, dated May 19, 2022, respecting Appointment of Budget Review Committee of the Whole Chair and Vice Chair for Budget Meeting on June 23, 2022, **BE RECEIVED** and the following recommendation **BE APPROVED**:

That Councillor Zalepa and Councillor Whalen **REMAIN** in their positions as Chair and Vice Chair of the Budget Review Committee of the Whole for the meeting being held on June 23, 2022.

Carried

10. COMMITTEE REPORTS - OPEN SESSION

10.1 Procedural By-law Review Committee

Minutes PBLRC 3-2022, Monday, April 11, 2022

Moved by Councillor Edgar
Seconded by Councillor Ip

That Minutes PBLRC 3-2022 being the Open Session minutes of the Procedural By-law Committee meeting held on Monday, April 11, 2022, **BE RECEIVED** and the recommendations contained therein **BE APPROVED**.

10.1.1 Minute Item 5.4 respecting Referral of Correspondence Item CL-C 11-2022 - Procedural By-law Amendments

The motion contained in Minute Item 5.4 was considered separately as follows:

That Correspondence Item PBLRC-C 10-2022, being a memorandum from A.-M. Norio, Regional Clerk, dated April 11, 2022, respecting Referral of Correspondence Item CL-C 11-2022 - Procedural By-law Amendments, **BE RECEIVED**; and

That the following amendments to the Procedural By-law **BE APPROVED**:

1. The addition of the following definitions to Section 1.1:

“Delegation”: means information provided to a Committee or Council in person, or over video conference, by an individual or group, on an issue already on an agenda of Committee or Council, or which is within the jurisdiction and mandate of Committee or Council to take action on.

“Presentation”: means information presented to Committee or Council in person, or over video conference, by an individual or group, on an issue which typically does not require any action to be taken by Committee or Council and/or a presentation by staff related to an item on an agenda.

2. The following wording be added to Sections 11 and 22:

Items or matters will not be added to the agenda of a Standing Committee or Council after publication unless directed by the Regional Chair/Committee Chair/Co-Chair and/or Chief Administrative Officer (CAO) in consultation with the Regional Clerk, and only if the urgent nature of the matter requires a decision prior to the next Council or Committee meeting.

3. Section 11.3 be amended to read as follows:

All reports, notices, motions and any other material to be included in the agenda for a regular Council meeting shall be delivered in writing or electronically to the Clerk by 9:00 a.m. on the Friday preceding the regular Council meeting. The deadline for the submission of matters permitted for inclusion in the addendum to the Council agenda shall be 9:00 a.m. the day before the Council meeting.

4. Section 13.2 be amended to read as follows:

It is Council's preference that all delegations be made to the appropriate Standing Committee. Nevertheless, delegations shall be permitted to appear at regular Council meetings with respect to items on the regular Council agenda provided a written request is made to the Clerk by 9:00 a.m. on the Tuesday prior to the meeting. Delegations appearing before a Standing Committee can only appear as a delegation at Council to present new information, subject to the approval of the Regional Chair in consultation with the CAO and/or Clerk. Speaking notes and/or presentation materials must be provided

for review by the Regional Clerk (and appropriate staff) to ensure only new information is being provided at the time of the delegation request.

5. Section 13.3 be amended to read as follows:

Any person wishing to submit a written communication regarding a Standing Committee recommendation for inclusion in the Council agenda may do so by filing a written communication with the Clerk by 9:00 a.m. on the Friday prior to the Council meeting. Written submissions for inclusion in the Addendum to the Council agenda must be filed with the Clerk by 9:00 a.m. the day before the Council meeting.

6. Section 13.4 be amended to read as follows:

Written notice to the Clerk from a delegation shall include the person's name, address, telephone number, and a detailed brief of their presentation including: the reason(s) for the delegation, the specific nature of their presentation, including presentation materials and/or speaking notes, the request/direction the presenter is seeking from the Standing Committee or Council and if applicable, the name, address and telephone number of any person(s) or organization which they represent. The brief will form part of the official record of the proceedings of Committee or Council and therefore will be considered to be a public document.

7. Section 13.5 be amended to read as follows:

In the case of extenuating circumstances, a Standing Committee may, by a Majority vote permit a person to appear as delegation who does not appear on the agenda. A written request must be made to the Clerk by 9:00 a.m. the day before Standing Committee meeting to request a delegation under this section that contains: the person's name, address, telephone number, and a detailed brief of their presentation including the reason(s) for the delegation, the specific nature of their presentation including presentation materials and/or speaking notes and the request/direction the presenter is seeking from the Standing Committee. If the delegation request does not relate to a matter already on the agenda, it must pertain to an emergent matter.

8. Section 13.6 be amended to read as follows:

Delegations and presentations shall be limited to a presentation of not more than ten (10) minutes at Standing Committee and five (5) minutes at Council, unless otherwise determined by the Committee Chair/Co-Chair or Regional Chair. A delegation of not more than five (5) persons, representing a group or organization, shall be limited to two (2) speakers, permitted to speak not more than ten (10) minutes in total at Standing Committee and five (5) minutes at Council. Only new information is to be presented by successive speakers of such delegation. Delegations shall confine their remarks to the business stated in their request.

9. The following wording be added to Section 13:

13.13 A request to appear before Council or Committee shall not be permitted regarding any of the following:

- a. a matter that is under litigation between the Delegate or a client of the Delegate and the Region, including matters before administrative tribunals;
- b. a matter that is under investigation by either the Ombudsman, Integrity Commissioner or pursuant to the Region's Whistleblower Policy;
- c. appeals by vendors or service providers who were not the successful proponents for awards of contract by the Region;
- d. during a Committee or Council Education Session, Training or Workshop;
- e. for the sole purpose of generating publicity for an event or to promote a business;
- f. in exceptional circumstances, notwithstanding Sections 13.1, 13.2, and 13.5, where the CAO, Clerk and Legal Counsel determine, acting reasonably, that a person requesting to be a delegate at a meeting is likely to engage in unreasonable or offensive conduct, make unreasonable or offensive statements or demands, repeatedly speak on a subject matter that is not within the Region's jurisdiction, or otherwise misuse the privilege of addressing Committee or Council.

10. The following wording be added to Section 13:

13.14 The Clerk may refuse to add a delegation to the agenda when, in the opinion of the Clerk, in consultation with the Committee Chair/Co-Chair or Regional Chair and CAO, the subject matter of the presentation is beyond the jurisdiction of the Region, does not relate to an agenda item, or does not provide new information in the case of a delegation that has already appeared at Committee. In the event the person requesting to appear as a delegation is dissatisfied with the ruling of the Clerk, the person may appeal the decision. In the event of an appeal, the Clerk shall include the request and rationale for refusing the request on the applicable agenda for a determination by Committee or Council. Committee or Council may refuse, by majority vote, to hear a delegation, when in the opinion of Committee or Council, the subject matter is beyond the jurisdiction of the Region, does not relate to an agenda item or does not provide new information, in the case of a delegation that has already appeared at Committee.

11. The following wording be added to Section 13:

13.15 Members of Council may only ask questions of clarification of a delegation for a maximum of five (5) minutes and shall hold all statements and debate until a motion has been duly moved and seconded.

12. The following wording be added to Section 13:

13.16 The Chair may curtail any delegation, any questions of a delegation or a member of Council during a delegation, for disorder or any other breach of this by-law, and if the Chair rules that the delegation is concluded, the person or persons appearing shall immediately withdraw from the meeting.

13. The following wording be added to Section 13:

13.17 Delegations regarding items not already on an agenda are requested to contact Regional staff to determine whether or not the matter may be appropriate for inclusion on a future agenda or if the matter can be resolved without an appearance before Committee or Council.

14. The following wording be added to Section 13:

13.18 Delegations shall observe proper decorum and shall not:

- a. speak disrespectfully to, or of any person;
- b. use offensive words;
- c. speak on any subject other than the subject for which they have received approval to address Committee or Council;
- d. disobey the rules of procedure or a decision of the Presiding Officer or of Committee or Council;
- e. enter into a cross debate with other delegations, administrative staff, Members of Council or the Chair;
- f. speak disrespectfully or to the integrity or conduct of any individual including a member of staff, Council, local board or committee, and any such concerns shall be referred to the CAO, the Chair or the appropriate Committee for consideration;
- g. reflect upon the motives of Members who may have voted for or against a particular motion;
- h. reflect upon the motives of staff in giving advice to Council; and
- i. direct enquiries to other members of Council or to staff.

Moved by Councillor Huson
Seconded by Councillor Witteveen

That Sections 13.6 and 13.13 (f) of the Procedural By-law **BE AMENDED** as follows:

- 13.6 Delegations and presentations shall be limited to a presentation of not more than ten (10) minutes ~~at Standing Committee and five (5) minutes at Council~~, unless otherwise determined by the Committee Chair/Co-Chair or Regional Chair. ***In situations where there are five or more delegations/presentations on a Council agenda, a five (5) minute time limit will be imposed.*** A delegation of not more than five (5) persons, representing a group or organization, shall be limited to two (2) speakers, permitted to speak not more than ten (10) minutes in total ***(five (5) minutes in total where there are five or more delegations/presentations on a Council agenda)*** ~~at Standing Committee and five (5) minutes at Council~~. Only new information is to be presented by successive speakers of such delegation. Delegations shall confine their remarks to the business stated in their request.
- 13.13 A request to appear before Council or Committee shall not be permitted regarding any of the following:
- f. in exceptional circumstances, notwithstanding Sections 13.1, 13.2, and 13.5, where the CAO, Clerk and Legal Counsel determine ***in consultation with the Chair***, acting reasonably, that a person requesting to be a delegate at a meeting is likely to engage in unreasonable or offensive conduct, make unreasonable or offensive statements or demands, repeatedly speak on a subject matter that is not within the Region's jurisdiction, or otherwise misuse the privilege of addressing Committee or Council.

Moved by Councillor Foster
Seconded by Councillor Heit

That Correspondence Item PBLRC-C 10-2022 and the proposed amendments to **BE REFERRED** to the Procedural By-law Review Committee.

Carried

10.1.2 Balance of the Recommendations from the Procedural By-law Review Committee

The Regional Chair called the vote on the balance of the recommendations from the Procedural By-law Review Committee and declared it,

Carried

10.2 Public Works Committee

Minutes PWC 4-2022, Tuesday, May 10, 2022

Moved by Councillor Rigby

Seconded by Councillor Fertich

That Minutes PWC 4-2022 being the Open and Closed Session minutes of the Public Works Committee meeting held on Tuesday, May 10, 2022, **BE RECEIVED** and the recommendations contained therein **BE APPROVED**.

Carried

10.3 Public Health and Social Services Committee

Minutes PHSSC 5-2022, Tuesday, May 10, 2022

Moved by Councillor Chiocchio

Seconded by Councillor Greenwood

That Minutes PHSSC 5-2022 being the Open Session minutes of the Public Health & Social Services Committee meeting held on Tuesday, May 10, 2022, **BE RECEIVED** and the recommendations contained therein **BE APPROVED**.

Carried

10.4 Corporate Services Committee

Minutes CSC 5-2022, Wednesday, May 11, 2022

Moved by Councillor Foster

Seconded by Councillor Whalen

That Minutes CSC 5-2022 being the Open and Closed Session minutes of the Corporate Services Committee meeting held on Wednesday, May 11, 2022, **BE RECEIVED** and the recommendations contained therein **BE APPROVED**.

Carried

10.5 Planning and Economic Development Committee
Minutes PEDC 4-2022, Wednesday, May 11, 2022

Moved by Councillor Huson
Seconded by Councillor Witteveen

That Minutes PEDC 4-2022 being the Open Session minutes of the Planning & Economic Development Committee meeting held on Wednesday, May 11, 2022, **BE RECEIVED** and the recommendations contained therein **BE APPROVED**.

Carried

10.6 Audit Committee
Minutes AC 2-2022, Monday, May 16, 2022

Councillor Huson declared a conflict with respect to the portion of the Audit Committee Minutes AC 2-2022 (Agenda Item 10.6) concerning Report CSD 15-2022, respecting Approval of the Statement of Revenues and Expenditures for Canada Summer Games (Minute Item 6), as Brock University is a financial partner on the project and she has an employment relationship with Brock University; therefore, she did not participate in any discussion or voting on this matter.

Moved by Councillor Whalen
Seconded by Councillor Rigby

That Minutes AC 2-2022 being the Open and Closed Session minutes of the Audit Committee meeting held on Monday, May 16, 2022, **BE RECEIVED** and the recommendations contained therein **BE APPROVED**.

Carried

11. CHIEF ADMINISTRATIVE OFFICER'S REPORT(S)

11.1 CAO 4-2022

Presentation: "Sharper Focus: Chief Administrative Officer Performance Objectives for 2022"

Ron Tripp, Chief Administrative Officer, provided information respecting Sharper Focus: Chief Administrative Officer Performance Objectives for 2022. Topics of the presentation included:

- Chief Administrative Officer Recruitment Experience
- What We Heard from Members of Council
- Chief Administrative Officer Performance Objectives for 2022

Moved by Councillor Heit

Seconded by Councillor Nicholson

That CAO 4-2022, being a presentation respecting "Sharper Focus: Chief Administrative Officer Performance Objectives for 2022", **BE RECEIVED** for information.

Carried

12. MOTIONS

12.1 Voluntary Russian Sanction Request

Moved by Councillor Gibson

Seconded by Councillor Insinna

Whereas Russia's unprovoked and brazen invasion of the sovereign nation of Ukraine has been unequivocally condemned by the majority of the free world, including by those living and working in Niagara;

Whereas the death and destruction caused by Russia's senseless invasion will have a lasting impact on the innocent and independent citizens of Ukraine;

Whereas Russia has placed sanctions on many Canadian premiers, mayors, journalists, military officials as well as senior staff in the federal government, "indefinitely" banning these individuals from entering Russia;

Whereas those Russian sanctions include Toronto Mayor John Tory and Ottawa Mayor Jim Watson;

Whereas the residents and businesses of Niagara stand in solidarity with the people of Ukraine and the proud Ukrainian-Canadian community who call our region home;

Whereas Niagara Region continues to be a willing host to those Ukrainian citizens fleeing their homeland during this challenging time, providing support through the Region's Community Services Department as well as number of other local agencies;

Whereas silence may be interpreted as complicity; and

Whereas any sanctions placed on Niagara's elected officials be considered wholly ineffective and be received as a demonstration of Niagara's steadfast commitment to support Ukraine during this time.

NOW THEREFORE BE IT RESOLVED:

1. That Niagara Regional Council unequivocally **DENOUNCES** Russia's unjustifiable invasion of the sovereign nation of Ukraine;
2. That Niagara Regional Council **SUPPORTS** all of the sanctions that the Federal Government of Canada has thus far imposed on Russia;
3. That any Regional Councillor who wishes to be voluntarily sanctioned **INDICATE** their support by advising the Regional Chair's Office by phone or email by no later than Friday, May 20 at 4:30 p.m.;
4. That the Regional Chair **BE DIRECTED** to send correspondence to the Consulate General of the Russian Federation with the names of the Regional Councillors who have indicated their support to be voluntarily sanctioned, resulting in their "indefinite" ban from entering Russia;
5. That the Regional Clerk **BE DIRECTED** to circulate this motion to Niagara's 12 local councils;
6. That this motion **BE FORWARDED** to all other municipalities in Ontario, requesting they consider enacting similar measures in order to present a united front and support the citizens of Ukraine.

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

5. That the Regional Clerk **BE DIRECTED** to circulate this motion to Niagara's 12 local councils, **local area MPs, MPPs, AMO, and FCM.**

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

Recorded Vote:

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

No (0).

Carried

13. NOTICES OF MOTION

13.1 Reconsideration of Deferral of Development Charges

Councillor Greenwood advised that she would be bringing forward a motion to the next Council meeting respecting reconsideration of the deferral of development charges for the property located at 7000 Oakwood Drive in the City of Niagara Falls.

13.2 Province of Quebec Bill 21

Councillor Britton advised that he would be bringing forward a motion to the next Council meeting respecting joining other municipalities around Canada in denouncing Bill 21.

14. OTHER BUSINESS

14.1 Canada Games Park Naming Sponsorships

Councillors Sendzik and Ugulini acknowledged Algoma Central and the Haj-Ahmad Family Foundation for their naming sponsorships at Canada Games Park.

15. CLOSED SESSION

Council did not resolve into closed session.

16. BUSINESS ARISING FROM CLOSED SESSION

16.1 Confidential CHR 4-2022

A Matter respecting Personal Matters about an Identifiable Individual –
Chief Administrative Officer 2022 Performance Objectives

Moved by Councillor Witteveen
Seconded by Councillor Heit

That CHR 4-2022, being a Confidential Memorandum from Regional Chair
Jim Bradley, dated May 19, 2022, respecting Chief Administrative Officer
2022 Performance Objectives, **BE RECEIVED**; and

That Regional Council **APPROVE** the 2022 Performance Objectives for
the Chief Administrative Officer as presented in Appendix 1 to Confidential
Memorandum CHR 4-2022.

Carried

17. BY-LAWS

Moved by Councillor Steele
Seconded by Councillor Bylsma

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

Bill 2022-27

A by-law to accept, assume and dedicate Part of Lot 17, Concession 2, in the
Town of Lincoln as part of Regional Road No. 18 (Ontario Street).

Bill 2022-28

A by-law to accept, assume and dedicate Part of Lot 1266 CP Plan 2, in the City
of St. Catharines as part of Regional Road No. 72 (Louth Street).

Bill 2022-29

A by-law to accept, assume and dedicate Part of Lot 16, Concession 12, in the
Town of Fort Erie as part of Regional Road No. 25 (Netherby Road).

Bill 2022-30

A by-law to accept, assume and dedicate Block 5, Plan 30M-452, in the Town of
Niagara-on-the-Lake as part of Regional Road No. 87 (Lakeshore Road).

Bill 2022-31

A by-law to rename a portion of Regional Road No. 50 (Merrittville Hwy) from the
intersection of Sir Isaac Brock Way to the entrance of Niagara Region
Headquarters, in the City of Thorold, to Canada Games Way.

Bill 2022-32

A by-law to regulate the use of the Waste Management System for The Regional Municipality of Niagara and to repeal By-law 2017-56.

Bill 2022-33

A by-law to regulate access to closed landfill and repurposed sites owned by the Regional Municipality of Niagara and to repeal Bylaw 83-2016.

Bill 2022-35

A by-law to regulate water pipe smoking in The Regional Municipality of Niagara.

Bill 2022-36

A by-law to amend By-law 120-2010, the Procedural By-law to permit electronic meetings.

Bill 2022-37

A by-law to adopt, ratify and confirm the actions of Regional Council at its meeting held on May 19, 2022.

Carried

Bill 2022-34 was voted on separately as follows:

Moved by Councillor Steele
Seconded by Councillor Bylsma

That Bill 2022-34 being a by-law to expropriate lands required for municipal purposes (179 St. Paul Crescent, City of St. Catharines), **BE NOW READ** and **DO PASS**.

Carried

18. **ADJOURNMENT**

There being no further business, the meeting adjourned at 9:13 p.m.

Jim Bradley
Regional Chair

Kelly Lotimer
Legislative Coordinator

Ann-Marie Norio
Regional Clerk

**THE REGIONAL MUNICIPALITY OF NIAGARA
PROCEEDINGS OF SPECIAL COUNCIL
MINUTES**

CL 11-2022

Thursday, May 26, 2022

Council Chamber / Video Conference

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

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

Council Members Present via Video Conference: Britton, Bylsma, Campion, Chiocchio, Diodati, Disero, Easton, Edgar, Fertich, Foster, Greenwood, Heit, Insinna, Ip, Junkin, Nicholson, Rigby, Sendzik, Siscoe, Ugolini, Villella, Whalen, Witteveen

Absent/Regrets: Butters, Gale, Gibson, Huson, Jordan, Redekop, Steele, Zalepa

Staff Present in the Council Chamber: H. Chamberlain, Director, Financial Management & Planning/Deputy Treasurer, E. Fabiani, Technology Support Analyst, S. Fraser, Transportation Lead, GO Implementation Office, D. Gibbs, Director, Legal & Court Services, T. Harrison, Commissioner/Treasurer, Corporate Services, F. Meffe, Director, Human Resources, A.-M. Norio, Regional Clerk, M. Robinson, Director, GO Implementation Project, H. Talbot, Financial & Special Projects Consultant, R. Tripp, Chief Administrative Officer, B. Zvaniga, Interim Commissioner, Public Works

Staff Present via Video Conference: D. Barnhart, Chief of Staff, Governance, S. Hendrie, Chief Information Officer, L. Tracey, Project Coordinator, GO Implementation Office

Others Present: M.E. Bench, Dentons LLP, External Legal Counsel, E. Gillespie, Operations Working Group Lead (via Video Conference), R. Groves, Dentons LLP, External Legal Counsel, J. Hagar, Human Resources Consultant, Transit, O. Poloni, KPMG, LLP (via Video Conference)

1. CALL TO ORDER

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

2. ADOPTION OF AGENDA

2.1 Changes in Order of Items

Moved by Councillor Edgar
Seconded by Councillor Nicholson

That the order of the agenda **BE AMENDED** to move Closed Session (Agenda Item 5) to be dealt with before Reports for Consideration (Agenda Item 4).

Carried

Moved by Councillor Whalen
Seconded by Councillor Insinna

That Council Agenda CL 11-2022, **BE ADOPTED** as amended.

Carried

3. DISCLOSURES OF PECUNIARY INTEREST

There were no disclosures of pecuniary interest

5. CLOSED SESSION

Moved by Councillor Rigby
Seconded by Councillor Foster

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

A Matter of Legal Advice Subject to Solicitor-Client Privilege and A Matter of Personal Information about Identifiable Individuals pursuant to Section 239 (2) (b) and (f) of the Municipal Act: Moving Transit Forward – Municipal Transfer Agreement Considerations.

Carried

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

6. BUSINESS ARISING FROM CLOSED SESSION

Council reconvened in open session at 8:42 p.m. with the following individuals in attendance:

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

Council Members Present via Video Conference: Britton, Bylsma, Campion, Chiocchio, Diodati, Disero, Easton, Edgar, Fertich, Foster, Greenwood, Heit, Insinna, Ip, Junkin, Nicholson, Rigby, Sendzik, Siscoe, Ugulini, Villella, Whalen, Witteveen

Absent/Regrets: Butters, Gale, Gibson, Huson, Jordan, Redekop, Steele, Zalepa

Staff Present in the Council Chamber: H. Chamberlain, Director, Financial Management & Planning/Deputy Treasurer, E. Fabiani, Technology Support Analyst, S. Fraser, Transportation Lead, GO Implementation Office, D. Gibbs, Director, Legal & Court Services, T. Harrison, Commissioner/Treasurer, Corporate Services, F. Meffe, Director, Human Resources, A.-M. Norio, Regional Clerk, M. Robinson, Director, GO Implementation Project, H. Talbot, Financial & Special Projects Consultant, R. Tripp, Chief Administrative Officer, B. Zvaniga, Interim Commissioner, Public Works

Staff Present via Video Conference: D. Barnhart, Chief of Staff, Governance, S. Hendrie, Chief Information Officer, L. Tracey, Project Coordinator, GO Implementation Office

Others Present: M.E. Bench, Dentons LLP, External Legal Counsel, E. Gillespie, Operations Working Group Lead (via Video Conference), R. Groves, Dentons LLP, External Legal Counsel, J. Hagar, Human Resources Consultant, Transit, O. Poloni, KPMG, LLP (via Video Conference)

6.1 Confidential CAO 5-2022

A Matter of Legal Advice Subject to Solicitor-Client Privilege and A Matter of Personal Information about Identifiable Individuals pursuant to Section 239 (2) (b) and (f) of the Municipal Act: Moving Transit Forward – Municipal Transfer Agreement Considerations

Moved by Councillor Fertich
Seconded by Councillor Whalen

That Confidential Report CAO 5-2022, dated May 26, 2022, respecting A Matter of Legal Advice Subject to Solicitor-Client Privilege and A Matter of Personal Information about Identifiable Individuals pursuant to Section 239 (2) (b) and (f) of the Municipal Act: Moving Transit Forward – Municipal Transfer Agreement Considerations, **BE RECEIVED**; and

That staff **PROCEED** as directed in closed session.

Carried

4. REPORTS FOR CONSIDERATION

4.1 CSD 19-2022

Moving Transit Forward: Establishing the Niagara Transit Commission as a municipal service board and Update regarding the transfer of municipal transit assets to the Commission

Moved by Councillor Nicholson
Seconded by Councillor Greenwood

That Report CSD 19-2022, dated May 26, 2022, respecting Moving Transit Forward: Establishing the Niagara Transit Commission as a municipal service board and Update regarding the transfer of municipal transit assets to the Commission, **BE RECEIVED** and the following recommendations **BE APPROVED**:

1. That Regional Council **APPROVES** the passage of a by-law to establish the Niagara Transit Commission (“NTC”) as a municipal service board of the Region, pursuant to section 196 of the *Municipal Act, 2001*, in accordance with the draft by-law attached as **Appendix “1”** to this report; including the provision of corporate and administrative services by staff to the NTC as set out in Schedule “B” of the draft by-law on a cost recovery basis; and the application of Regional policies and procedures to the NTC as set out in Schedule “A” to the draft by-law with such necessary amendments as may be required to give effect to this resolution;

2. That the Chief Administrative Officer (CAO) **BE AUTHORIZED** to negotiate and execute an appropriate service level agreement with the NTC for corporate and administrative support services provided to the NTC by Regional Staff on a cost recovery basis in a form satisfactory to the Director of Legal and Court Services;
3. That Regional Council **APPOINT** the members of the NTC Board as set out in **Appendix “2”** for a term from May 26, 2022, until their term on municipal or regional council ends or until January 31, 2023 whichever is earlier;
4. That Regional Council **APPROVES** the application of its Code of Conduct, as may be amended from time to time, to the members of the NTC Board with such necessary amendments as may be required to give effect to this resolution;
5. That Regional Council **APPOINTS** the Commissioner of Corporate Services/ Treasurer as an interim signing officer for NTC with delegated authority to execute such documents on behalf of NTC as may be required, in order to advance transitional activities required to implement regional transit consolidation until such time as NTC appoints its own signing officers;
6. That Staff **BE DIRECTED** to report back to Regional Council at its meeting of July 21, 2022 regarding the completion of the Municipal Transfer Agreements.

Moved by Councillor Siscoe

Seconded by Councillor Diodati

That the language in the draft by-law respecting the provision of support services by the Region to the Niagara Transit Commission (NTC) **BE AMENDED** to reflect that support *may* be provided to the NTC by the Region instead of *shall* be provided.

Carried

Moved by Councillor Campion
Seconded by Councillor Villella

That clause 2 **BE AMENDED** as follows:

2. That the Chief Administrative Officer (CAO) **BE AUTHORIZED** to negotiate ~~and execute~~ an appropriate service level agreement with the NTC for corporate and administrative support services provided to the NTC by Regional Staff on a cost recovery basis in a form satisfactory to the Director of Legal and Court Services **and report back to Corporate Services Committee for approval.**

Defeated

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

That Report CSD 19-2022, dated May 26, 2022, respecting Moving Transit Forward: Establishing the Niagara Transit Commission as a municipal service board and Update regarding the transfer of municipal transit assets to the Commission, **BE RECEIVED** and the following recommendations **BE APPROVED**:

1. That Regional Council **APPROVES** the passage of a by-law to establish the Niagara Transit Commission ("NTC") as a municipal service board of the Region, pursuant to section 196 of the *Municipal Act, 2001*, in accordance with the draft by-law attached as **Appendix "1"** to this report; including the provision of corporate and administrative services by staff to the NTC as set out in Schedule "B" as amended of the draft by-law on a cost recovery basis; and the application of Regional policies and procedures to the NTC as set out in Schedule "A" to the draft by-law with such necessary amendments as may be required to give effect to this resolution;
2. That the Chief Administrative Officer (CAO) **BE AUTHORIZED** to negotiate and execute an appropriate service level agreement with the NTC for corporate and administrative support services provided to the NTC by Regional Staff on a cost recovery basis in a form satisfactory to the Director of Legal and Court Services;
3. That Regional Council **APPOINT** the members of the NTC Board as set out in **Appendix "2"** for a term from May 26, 2022, until their term on municipal or regional council ends or until January 31, 2023 whichever is earlier;

4. That Regional Council **APPROVES** the application of its Code of Conduct, as may be amended from time to time, to the members of the NTC Board with such necessary amendments as may be required to give effect to this resolution;

5. That Regional Council **APPOINTS** the Commissioner of Corporate Services/ Treasurer as an interim signing officer for NTC with delegated authority to execute such documents on behalf of NTC as may be required, in order to advance transitional activities required to implement regional transit consolidation until such time as NTC appoints its own signing officers;

6. That Staff **BE DIRECTED** to report back to Regional Council at its meeting of July 21, 2022 regarding the completion of the Municipal Transfer Agreements.

Clause 2 was voted on separately as follows:

2. That the Chief Administrative Officer (CAO) **BE AUTHORIZED** to negotiate and execute an appropriate service level agreement with the NTC for corporate and administrative support services provided to the NTC by Regional Staff on a cost recovery basis in a form satisfactory to the Director of Legal and Court Services.

Carried

Clause 6 was voted on separately as follows:

6. That Staff **BE DIRECTED** to report back to Regional Council at its meeting of July 21, 2022 regarding the completion of the Municipal Transfer Agreements.

Carried

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

Carried

7. **BY-LAWS**

Moved by Councillor Ugolini
Seconded by Councillor Heit

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

Bill 2022-38

A by-law to establish the Niagara Transit Commission as a Municipal Service Board.

Bill 2022-39

A by-law to adopt, ratify and confirm the actions of Regional Council at its special meeting held on May 26, 2022.

Carried

8. **ADJOURNMENT**

There being no further business, the meeting adjourned at 9:15 p.m.

Jim Bradley
Regional Chair

Ann-Marie Norio
Regional Clerk



MTE Consultants
1016 Sutton Dr., Unit A, Burlington, Ontario L7L 6B8

June 14, 2022

MTE File No.: 51344-100

Niagara Region
1815 Sir Isaac Brock Way
P.O. Box 1042
Thorold, ON
L2V 4T7
Email: makingourmark@niagararegion.ca

To Whom It May Concern:

**RE: Niagara Region Official Plan
Settlement Area Boundary Review Assessment
Review of Municipal Servicing for 4810 Garner Road, Niagara Falls
SABR ID 1125 & SABR ID 1126**

We represent DCC Lands Inc., the owner of two adjacent parcels of land located at 4810 Garner Road, Niagara Falls. In the document “Niagara Official Plan Appendix 9 – PDS 41-2021 Urban Settlement Area Assessment Review and Comments” (“NOP-A9”), these two parcels are identified as SABR ID 1125 and SABR ID 1126 (the ‘Subject Lands’).

At present, the Subject Lands remain outside of the Designated Greenfield Area set out in the April 2022 draft Niagara Official Plan (Draft OP). The purpose of this letter is to review the availability of municipal services that would allow these lands to be brought into the Designated Greenfield Area.

A table for each parcel is attached that reviews the availability of sanitary sewers and watermain, based on the findings and recommendations of the Niagara Region 2016 Master Servicing Plan. The availability of a legal storm drainage outlet and road access is also reviewed.

It is anticipated that both parcels will be developed together, with phased implementation. SABR 1125, abutting Kalar Road, would be developed first, which would extend sanitary sewers and watermain westward to SABR 1126, which would then be developed.

As noted in the attached tables:

1. There are no significant servicing impediments for these lands to be developed.
2. There is adequate capacity in both the existing water and wastewater systems to accommodate the development of these lands.
3. They have direct access to an existing watercourse that provides a legal storm drainage outlet.
4. Existing natural heritage areas can be protected with the implementation of appropriate buffers and stormwater management facilities.
5. The lands have direct access to an existing collector road.
6. It appears that these lands could be developed immediately.

Based on our review of the serviceability of these lands, we recommend that they should be included in the Designated Greenfield Area in the new Niagara Official Plan.

Yours truly,

MTE Consultants Inc.



Ward A. Wilson, P.Eng.

Senior Project Manager
905-639-2552 Ext. 2401

wwilson@mte85.com

cc: John Paul Cahill
Daniel J. Russell
Jennifer Meader, Turkstra Mazza Associates

M:\51344\100\02 - Reports\MTE\51344-100 4810 Garner Road Servicing Review 2022-06-14.docx

TABLE 1**SABR 1125****Sanitary Servicing**

1. The 2016 MSP indicates that the Niagara Falls WWTP has surplus capacity to accommodate growth until 2041.
2. This area has approximately 500m of frontage on Kalar Road with existing sanitary sewers.
3. This area is within the catchment area of Kalar Road Pumping Station.
4. The 2016 MSP indicates that Kalar Road Pumping Station and forcemain have significant spare capacity for new development.
5. This area is approximately 350m from the pumping station. Based on the inlet elevation of the pumping station (approximately 181.0m), and NPCA topographic mapping, it is anticipated that all of this area can drain to the Kalar Road Pumping Station by gravity.
6. The 2016 MSP (Figure 4.F.4) indicates that there are no current capacity restrictions in the downstream sewer system to the WWTP.
7. The 2016 MSP (Figure 4.F.5) indicates that with the exception of a short section of sewers immediately upstream of the WWTP, there are no anticipated capacity restrictions for the 2041 wet weather flows in the downstream sewer system to the WWTP. The future capacity issues upstream of the WWTP will be addressed in the Preferred Wastewater Treatment Strategy through the proposed wet weather flow management plan, and diversion of flows to the proposed new WWTP in south Niagara Falls.

Based on the above items, it is anticipated that this area could proceed to development immediately, with little or no impact on the existing wastewater infrastructure.

Water Servicing

1. The 2016 MSP indicates that the Niagara Falls Water Treatment Plant has surplus capacity to accommodate growth until 2041.
2. This area has approximately 500m of frontage on Kalar Road with existing watermains.
3. This area is within the 250 Pressure Zone.
4. The 2016 MSP indicates:
 - There is surplus pumping capacity within the 250 Pressure Zone for the 2041 demands (Table 3.C.11).
 - There is adequate storage capacity within the 250 Pressure Zone for the 2041 demands (Table 3.C.12).
5. The 2016 MSP (Figure 3.C.6) indicates that the existing Maximum Day Demand Pressure on Kalar Road in the vicinity of this area is good (60-80psi).
6. The 2016 MSP (Figure 3.C.7) indicates that the Existing System Fire Flow on Kalar Road in the vicinity of this area is good (generally 100-150 L/s or more).
7. The 2016 MSP (Figure 3.C.8) indicates that the 2041 Maximum Day Demand Pressure on Kalar Road in the vicinity of this area is good (60-80psi).

8. The 2016 MSP (Figure 3.C.9) indicates that the 2041 System Fire Flow on Kalar Road in the vicinity of this area is good (generally 100-150 L/s or more).
9. A detailed water distribution system analysis is required to confirm appropriate connection points to the existing system on Kalar Road and if any localized watermain improvements are required.

Based on the above items, it is anticipated that this area could proceed to development immediately, with little or no impact on the existing watermain infrastructure.

Storm Drainage and Stormwater Management

1. There are existing regulated watercourses on this site, which will provide a legal outlet for storm drainage from the site.
2. An Ecological Impact Study (EIS) will be required to establish the limits of the natural heritage areas, appropriate buffers and other protection measures required to protect the existing watercourse and/or wetland features.
3. Appropriate stormwater management facilities will be required to provide water quantity and quality controls for stormwater runoff before discharge to the existing water courses on the site. This will include surface water and ground water balances as necessary to maintain the existing watercourse/wetland features.

Base on the above items, there is a legal outlet for drainage from this site, and it is anticipated that the site can be developed without significant impacts to the existing natural heritage features on the site.

Roads

1. This site has frontage on and direct access to an existing collector road, Kalar Road, in the City of Niagara Falls.
2. Multiple accesses to the site can be aligned with existing intersections on Kalar Road.
3. A traffic Impact study will be required to determine possible intersection improvements on Kalar Road (e.g. potential turning lanes or traffic signals).

TABLE 2**SABR 1126****Sanitary Servicing**

1. The 2016 MSP indicates that the Niagara Falls WWTP has surplus capacity to accommodate growth until 2041.
2. This area abuts SABR 1125, and has approximately 130m of frontage on Garner Road.
3. This area will require extension of a sanitary sewer through SABR 1125 from the existing sanitary sewer on Kalar Road.
4. This area is within the catchment area of Kalar Road Pumping Station.
5. The 2016 MSP indicates that Kalar Road Pumping Station and forcemain have significant spare capacity for new development.
6. Based on the inlet elevation of the pumping station (approximately 181.0m), and NPCA topographic mapping, it is anticipated that at least a portion of this area can drain to the Kalar Road Pumping Station by gravity. A more detailed topographic survey of this site and confirmation of the depth of sewers on Kalar road will be required to confirm how much of the site can drain by gravity. A portion of the site may require pumping.
7. The 2016 MSP (Figure 4.F.4) indicates that there are no current capacity restrictions in the downstream sewer system to the WWTP.
8. The 2016 MSP (Figure 4.F.5) indicates that with the exception of a short section of sewers immediately upstream of the WWTP, there are no anticipated capacity restrictions for the 2041 wet weather flows in the downstream sewer system to the WWTP. The future capacity issues upstream of the WWTP will be addressed in the Preferred Wastewater Treatment Strategy through the proposed wet weather flow management plan, and diversion of flows to the proposed new WWTP in south Niagara Falls.

Based on the above items, it is anticipated that this area could proceed to development in conjunction with SABR 1125 immediately, with little or no impact on the existing wastewater infrastructure.

Water Servicing

1. The 2016 MSP indicates that the Niagara Falls Water Treatment Plant has surplus capacity to accommodate growth until 2041.
2. This area will require extension of a watermain through SABR 1125 from the existing watermain on Kalar Road.
3. This area is within the 250 Pressure Zone.
4. The 2016 MSP indicates:
 - There is surplus pumping capacity within the 250 Pressure Zone for the 2041 demands (Table 3.C.11).
 - There is adequate storage capacity within the 250 Pressure Zone for the 2041 demands (Table 3.C.12).

5. The 2016 MSP (Figure 3.C.6) indicates that the existing Maximum Day Demand Pressure on Kalar Road in the vicinity of this area is good (60-80psi).
6. The 2016 MSP (Figure 3.C.7) indicates that the Existing System Fire Flow on Kalar Road in the vicinity of this area is good (generally 100-150 L/s or more).
7. The 2016 MSP (Figure 3.C.8) indicates that the 2041 Maximum Day Demand Pressure on Kalar Road in the vicinity of this area is good (60-80psi).
8. The 2016 MSP (Figure 3.C.9) indicates that the 2041 System Fire Flow on Kalar Road in the vicinity of this area is good (generally 100-150 L/s or more).
9. A detailed water distribution system analysis is required to confirm appropriate connection points to the existing system on Kalar Road, internal watermain sizing within SABR 1125 and SABR 1126, and if any localized watermain improvements are required.

Based on the above items, it is anticipated that this area proceed to development in conjunction with SABR 1125 immediately, with little or no impact on the existing watermain infrastructure.

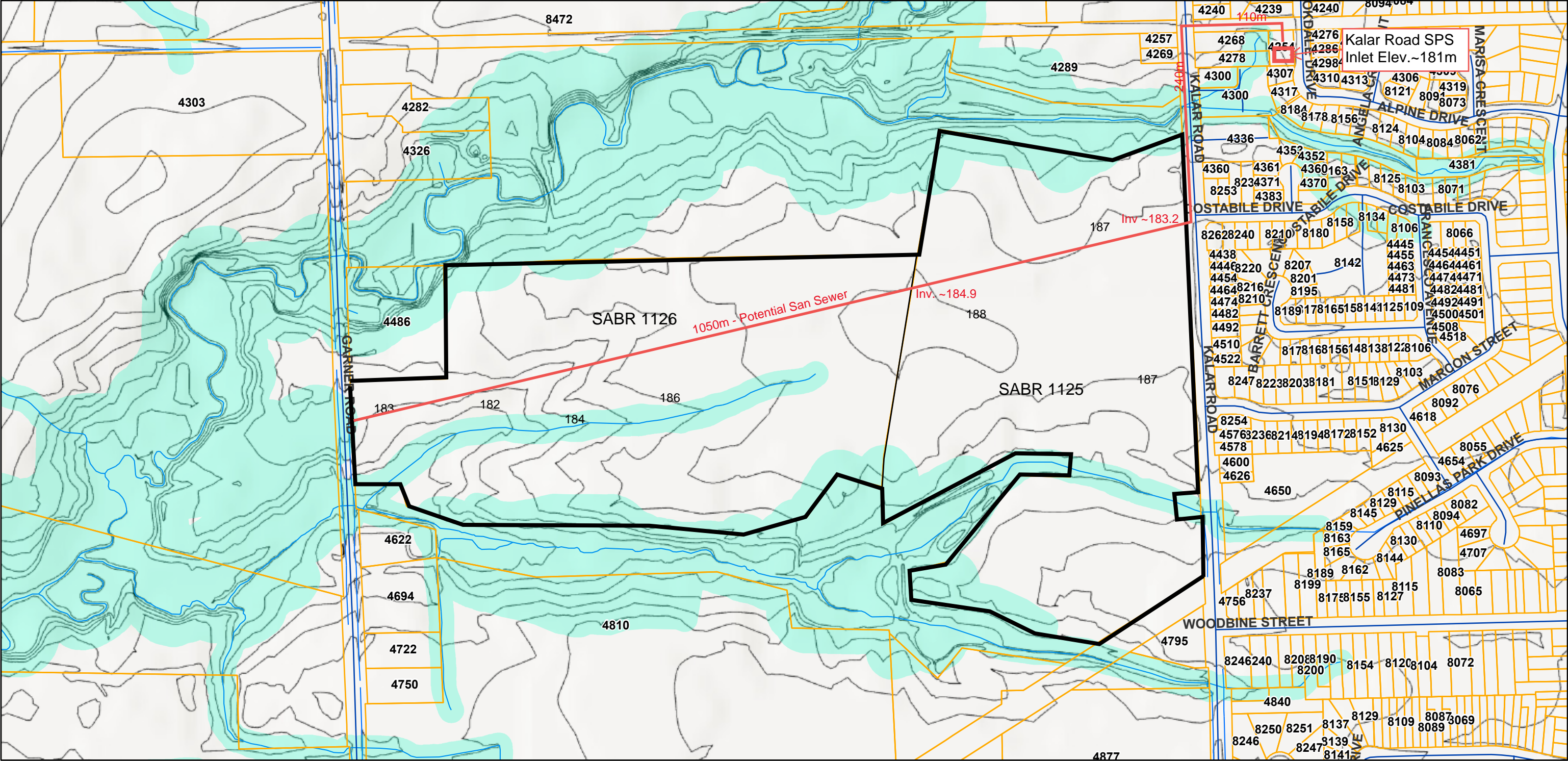
Storm Drainage and Stormwater Management

1. There are existing regulated watercourses on this site, which will provide a legal outlet for storm drainage from the site.
2. An Ecological Impact Study (EIS) will be required to establish the limits of the natural heritage areas, appropriate buffers and other protection measures required to protect the existing watercourse and/or wetland features.
3. Appropriate stormwater management facilities will be required to provide water quantity and quality controls for stormwater runoff before discharge to the existing water courses on the site. This will include surface water and ground water balances as necessary to maintain the existing watercourse/wetland features.

Base on the above items, there is a legal outlet for drainage from this site, and it is anticipated that the site can be developed without significant impacts to the existing natural heritage features on the site.

Roads

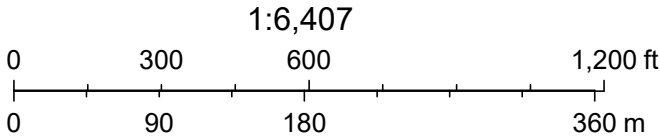
1. This site has frontage on and direct access to Garner Road, in the City of Niagara Falls.
2. It is anticipated that the internal road system of SABR 1125 will provide a road link from SABR 1126 through SABR 1125 to Kalar Road.
3. A traffic Impact study will be required to determine possible intersection improvements on Garner Road and Kalar Road (e.g. potential turning lanes or traffic signals).



6/12/2022, 3:13:59 PM

- Contours_2010
- Roads
- NPCA Member Municipalities
- Assessment Parcels
- NPCA APPROXIMATE REGULATION LANDS
- Watercourses 2K 2002

Figure 1 - Topo Plan



Sources: Esri, Airbus DS, USGS, NGA, NASA, CGIAR, N Robinson, NCEAS, NLS, OS, NMA, Geodatastyrelsen, Rijkswaterstaat, GSA, Geoland, FEMA, Intermap and the GIS user community



Greg Bowie

Planner

June 15, 2022

Niagara Region

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

RE: 4810 Garner Road, Niagara Falls - Review of Niagara Region Land Needs Assessment

Parcel Economics Inc. ("Parcel") has been retained by DCC Lands Inc. to review the *Niagara Official Plan 2051 Land Needs Assessment*, June 2022 (the "LNA"). DCC Lands Inc. are the owner of lands located at 4810 Garner Road, in the City of Niagara Falls. As part of the ongoing Municipal Comprehensive Review ("MCR"), DCC Lands Inc. has submitted an expression of interest in having their lands included within the City of Niagara Falls settlement area boundary to accommodate Community Area growth to 2051.

The purpose of our review has been to determine if the methodology and assumptions used in preparing the LNA are consistent with *Land Needs Assessment Methodology for the Greater Golden Horseshoe* (the "Provincial Land Needs Methodology"). Based on our review of the LNA and supporting documentation, it is evident that the Designated Greenfield Area ("DGA") Community Area expansion of 320 hectares, which is identified in Table 13 of the LNA, is not sufficient to accommodate the growth allocated to the City of Niagara Falls to 2051. This shortfall in land will result in housing shortages that would lead to housing affordability issues, as identified in the Provincial Land Needs Methodology.

Our primary concerns with the LNA relate to 1) the amount of unplanned designated lands that are available to accommodate growth, and 2) errors in calculating the DGA density target. Our concerns with these components of the LNA are expanded upon in the following sections.

Unplanned DGA Land Supply

The LNA includes a revised land supply, which has reduced the amount of unplanned designated lands in comparison to the 160 hectares of unplanned designated lands that were included in the *December 2021 Niagara*

Official Plan 2051 Land Needs Assessment. The revision to the unplanned land supply is associated with the removal of 70 hectares of land that were constrained due to proximity to a phosphine plant.¹

However, we continue to have concerns that the supply of unplanned designated lands in the LNA is not sufficient to accommodate population and employment growth on Community Area lands in Niagara Falls to 2051, as some of the remaining lands have significant constraints that will impede or limit development over the horizon of the new Official Plan.

Based on correspondence between Parcel and Regional Planning staff, the location of the “Unplanned Developable Area” is shown in Figure 1. This figure also shows the approximately 70 hectares that was removed from the unplanned designated land supply as lands labeled “Encumbered Unplanned Area”, which are within the 2-kilometre radius of the Cytech Phosphine Plant, also known as the Cytec Arc.

As shown as Area A on Figure 1, the LNA includes approximately 25 hectares of Unplanned Developable Area on the south side of McLeod Road that are outside of the 2-kilometre radius of the Cytec Arc. However, the Grand Niagara Secondary Plan states under Cytec Canada Inc. Setback Policies:

2.3.1 Notwithstanding any other policy of this Plan, an approximate 200 metre setback from the 2km Cytec Arc, as shown on Schedule A-4 – Land Use, is established for the purposes of limiting development on lands designated Residential Low/Medium Density within this setback to single detached dwelling units on larger lots. The building height shall be a maximum of 2.5 storeys or 8 metres, whichever is the lesser, in accordance with the implementing zoning by-law.

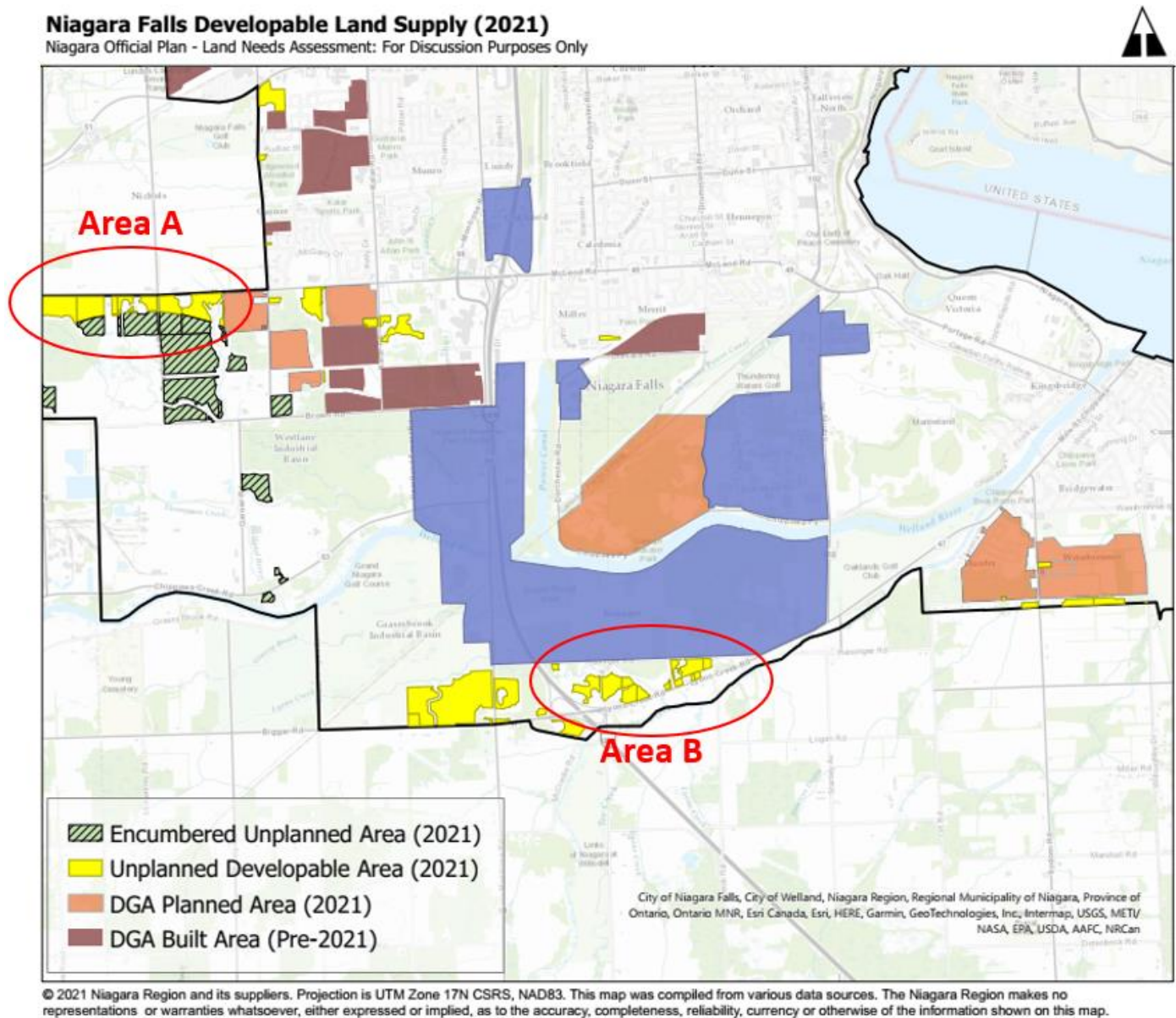
The 25 hectares of Unplanned Developable Area in Area A are within the 200-metre setback from the Cytec Arc. Therefore, based on Policy 2.3.1 of the Grand Niagara Secondary Plan, these lands have constraints that will limit the development to “single detached dwelling units on larger lots”. It does not appear that the constraints on the development of these lands are considered by Regional staff, as the LNA has proposed a DGA density target of 65 persons and jobs per hectare.

Further, the Unplanned Developable Area lands located south of McLeod Road and west of Garner Road (Area A in Figure 1) are designated as Industrial in Schedule A to the City of Niagara Falls Official Plan. Therefore, as these lands are designated Industrial, they are not available to accommodate Community Area population growth to 2051.

¹ Page 30, 2051 Land Needs Assessment, June 2022.

Figure 1

Niagara Falls Vacant DGA Lands



Source: Parcel based on information from Niagara Region.

Figure 1 also includes approximately 17 hectares of Unplanned Developable Area lands located in the area of Reixinger Road and Dell Road (shown as Area B in Figure 1). These lands are directly south of the proposed sewage treatment facility, which is considered a major facility based on the definition in the Provincial Policy Statement ("PPS"). Therefore, if the new sewage treatment facility is located north of the Area B lands, they could be within the

potential influence area. If these lands are within the potential influence area, they would not be developable for residential purposes, as residences are considered a sensitive land use based on the definition in the PPS. Section 1.2.6 of the Provincial Policy Statement ("PPS") address land use compatibility issues, which states:

1.2.6.1 Major facilities and sensitive land uses shall be planned and developed to avoid, or if avoidance is not possible, minimize and mitigate any potential adverse effects from odour, noise and other contaminants, minimize risk to public health and safety, and to ensure the long-term operational and economic viability of major facilities in accordance with provincial guidelines, standards and procedures.

1.2.6.2 Where avoidance is not possible in accordance with policy 1.2.6.1, planning authorities shall protect the long-term viability of existing or planned industrial, manufacturing or other uses that are vulnerable to encroachment by ensuring that the planning and development of proposed adjacent sensitive land uses are only permitted if the following are demonstrated in accordance with provincial guidelines, standards and procedures:

a) there is an identified need for the proposed use;

b) alternative locations for the proposed use have been evaluated and there are no reasonable alternative locations;

c) adverse effects to the proposed sensitive land use are minimized and mitigated; and

d) potential impacts to industrial, manufacturing or other uses are minimized and mitigated.

It is clear from policies in the Niagara Falls Official Plan and the PPS that a large portion of the Unplanned Developable Area lands identified in Niagara Falls are either limited or not available to accommodate residential growth to 2051 and should therefore be removed from the unplanned land supply in the LNA. The removal of these Unplanned Developable Area lands from the land supply will necessitate a larger expansion of the settlement area boundary in Niagara Falls than the 320 hectares identified in Table 13 of the LNA.

Errors in Calculating the DGA Density Target

In addition to reducing the unplanned designated lands in Niagara Falls, the LNA has also increased the DGA Community Area jobs forecast to 4,210 jobs, which is a significant increase over the 1,065 DGA Community Area job in the *December 2021 Niagara Official Plan 2051 Land Needs Assessment*.

At the same time, the LNA continues to forecast 10,010 new housing units in the DGA between 2021 and 2051, with nearly 77% of these units being single-detached and semi-detached, as shown in Figure 2. These 10,010 new housing units would accommodate 27,115 persons based on person per unit ("PPU") forecasts in the recently released *Development Charges Background Study, Regional Municipality of Niagara*, May 30, 2022. This results in a total of 31,325 persons and jobs in the DGA between 2021 and 2051, as shown in Figure 2.

Figure 2

DGA Population and Job Growth, Niagara Falls

| | Single/Semi | Row | Apartment | Total |
|---------------------------------------|-------------|-------|-----------|---------------|
| DGA Household Growth ¹ | 7,660 | 2,040 | 310 | 10,010 |
| Persons Per Unit ² | 2.92 | 2.08 | 1.68 | |
| Persons on DGA Lands 2021-2051 | 22,342 | 4,252 | 522 | 27,115 |
| DGA Job Growth 2021-2051 ³ | | | | 4,210 |
| Total Persons and Jobs | | | | 31,325 |

¹ Based on Table 10 of the LNA

² Based on Development Charges Background Study, Regional Municipality of Niagara, May 30, 2022.

³ Based on Table 11 of the LNA

Source: Parcel based on Niagara Region Official Plan, 2051 Land Needs Assessment, June 2022 and Development Charges Background Study, Regional Municipality of Niagara, May 30, 2022.

Based on our review of the LNA, the Region has made an error in calculating the Community Area DGA lands needed to accommodate population and community area job growth between 2021 and 2051. Table 2 of the LNA assumes a planned DGA density of 65 persons and jobs per hectare on vacant DGA lands in Niagara Falls. However, as shown in middle column of Figure 3, based on a forecast of 31,325 persons and jobs in the Community Area between 2021 and 2051, an expansion of 362 hectares would be required to accommodate growth, rather than the 320 hectares shown in Table 13 of the LNA. Therefore, an additional 42-hectare expansion would be required to meet the density target of 65 persons and jobs per hectare.

As shown in the far-left column of Figure 3, the expansion of 320 hectares shown in Table 13 of the LNA is based on a density of 71 persons and jobs per hectare. It is our opinion that it would not be possible to meet either the 65 persons and jobs per hectare or 71 persons and jobs per hectare density target included in the LNA. As noted earlier in Figure 2, approximately 77% of household growth in the DGA is forecast to occur in single-detached and semi-detached units.

The density target of 50 persons and jobs per hectare that was included in the *December 2021 Niagara Official Plan 2051 Land Needs Assessment* is a reasonable target based on the share of growth allocated to single-detached and

semi-detached units. Therefore, for reference, we have included the additional Community Area lands that would be required based on a density target of 50 persons and jobs per hectare in the far-right column of Figure 3. As shown, under this scenario, a Community Area expansion of 507 hectares would be required to accommodate growth to 2051.

Figure 3

Niagara Falls Community Area DGA Density and Land Needs

| | LNA Scenario (71 persons and jobs per hectare) | 65 persons and jobs per hectare | 50 persons and jobs per hectare |
|---|--|---------------------------------------|---------------------------------------|
| Total Persons and Jobs | 31,325 | 31,325 | 31,325 |
| Overall DGA Area 2021-2051 | 440 | 482 | 627 |
| Density (persons and jobs per hectare) | 71 | 65 | 50 |
| Existing DGA Lands | 120 | 120 | 120 |
| Need for Additional Community Area Lands | 320 | 362 | 507 |

Source: Parcel based on Niagara Region Official Plan, 2051 Land Needs Assessment, June 2022

By not expanding the settlement area boundary by more than 320 hectares, it will result in housing shortages that would lead to housing affordability issues, as identified in the Provincial Land Needs Methodology. It would also result in Niagara Region not planning to achieve the population and employment forecasts identified in Schedule 3 of the Growth Plan.

Sincerely,

Parcel

Parcel Economics Inc.



Craig Ferguson

Principal

From: [REDACTED]
To: [Norio, Ann-Marie](#)
Subject: Fwd: Mr. Mazutto's Property
Date: Friday, June 17, 2022 12:51:37 PM

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

Hi Ann-Marie,

Dave Hayworth suggested that I contact you to have my e-mail forwarded to Regional Council. Can you please facilitate that request?

Thank you ..

Shawn

----- Forwarded message -----

From: Shawn Mazzuto [REDACTED]
Date: Thu, Jun 16, 2022 at 8:58 AM
Subject: Re: Mr. Mazutto's Property
To: Heyworth, David <david.heyworth@niagararegion.ca>, <wredkop@forterie.ca>
CC: Steven Rivers - South Coast Consulting [REDACTED], Morin, Lindsey <Lindsey.Morin@niagararegion.ca>, Brian Miller <dbmcapitalcorp@gmail.com>, Morreale, Diana <Diana.Morreale@niagararegion.ca>, Bowie, Greg <Greg.Bowie@niagararegion.ca>, Acs, Erik <Erik.Acs@niagararegion.ca>

Hi Everyone,

Thank you for allowing us the opportunity to be a part of the discussion yesterday. I didn't realize that we didn't or couldn't have rebuttal time for comments made by a Regional Councillor, specifically Mayor Redekop. It appears by his comments that he fully endorses the new official plan by the Region. The big issue I have as a resident and how this impacts the Mazzuto family is that the Town of Fort Erie identified our property as priority #1. I understand that the Region doesn't prioritize areas but the Town of Fort Erie has done so nonetheless. Having said that, I would imagine that a detailed study or planning took place in terms of the future growth and various impacts on the area including transportation etc. before recommending our area. We firmly believe that our area was removed because of the public response of the horse and pony farm to the East of our location. However, removing all of our 10.5 hectares of the area to me was a quick knee jerk reaction to that issue and not entirely fair to our family. I wanted to mention that our land to the south also borders Smalls Road and a newer sub-division of Hetram Court. As far as servicing, there is a Town water line that runs through our property which again stands to reason that our land is a prime area for future expansion but I do understand that it may require service upgrades to facilitate a new sub-division. We have been members of this

community for 44 years and are in good standing with the Town. In fact, approximately 25 years ago my father donated some land to the Town for \$1 in order to construct a municipal drain. The region could have carved out a portion of our land and not the entire parcel in this case and that could have been justified in my mind.

What is also really concerning to me, a member of the town, is that Marz Homes purchased the land at Schooley Road and Michener Road as of January 2022. Approximately 6 months later, their parcel has continued to be a part of the expansion area but we and the pony farm were excluded citing additional studies and concerns for transportation etc. Let us be honest here folks, If that was indeed the case, Marz Homes should have also been excluded from the expansion area. However, they also own the parcel across the street (East) from this particular location and they have the resources and network of human resources to push things through and as an outsider, the optics of this situation is quite alarming. This particular parcel of land purchased by Marz Homes is slightly smaller than our proposed area and we have servicing at the south end of our land so it really doesn't matter which area was included first. The fact is we have been residents of the town and region for over 40 years and we were tossed away for simply a political reason, the public outcry for the pony farm and as a result, we were tossed under the bus. Had the parcel from Marz Homes been excluded and we included, I'm certain a legal battle would have ensued and with the deep pockets of a developer (Marz Homes) spearheading the battle so it was far easier to just have us removed instead.

Furthermore, Mayor Redekop decided to respond to another applicant during the questions for our segment who was identified as 9th in priority and they were so far down the priority list, that they basically were already not considered a top candidate. Although the regional staff said in a previous email that the priority list is not a major deciding factor, Mayor Redekop was quick to utilise it to basically inform another excluded delegation that because they were so far down the priority list that they essentially didn't have a shot. So how is it that a number one priority parcel identified such as ours was so quickly stricken out, and without adequate notice given to our family? I have to think that the negative public outcry from the pony rescue is the predominant reason, and that it was easy to throw our land in with it and Marz Homes remains in the proposal. This is simply not equitable, and I strongly draw attention to this. If they should remain, so should we too, unless there is undue influence as a factor due to this being a successful developer, and special treatment is being applied. If the Mazzuto family were to seek legal action for our exclusion and hired the best firm in the Region to argue this point, how would we stand in the end? I know there would be major red flags surrounding the Marz Homes parcel versus our parcel?

We are passionate about several solutions our parcel of land provides to the region, and I would like to highlight them below on behalf of the Mazzuto family;

I understand that there is a strong focus on maintaining/ preserving ecological and agricultural lands and we have ideas on how sectioning off our 10 hectare parcel can greatly and positively impact the ecological health and sustainability of the area, while

making better use of the town boundary. Please see some of our ideas below:

1) BETTER SEPARATION OF FARM/ NEIGHBOURHOOD, IMPROVED TOWN BOUNDARY LINES. IMPROVEMENT OF SENSITIVE NATURAL NATURE CORRIDOR

Currently as mentioned we have a legacy neighbourhood immediately to our south, but now on our eastern border with the addition of 35+ homes on Hertram Court. Many of these homes back right onto our farm land subjecting residents directly to whatever farming noise, applications of sprays, and other farming uses we may choose with no buffer. Not only would the proposed 10 hectare parcel square off the town boundary to be more linear and practical, but we had the idea to on our farm side of the retained land designate a green belt plus an additional set back from this of any farming activities and the positive impact would be two fold. There is sensitive ecological areas as found in the Niagara environmental maps which this green strip would connect to. The benefits are obvious for both residents and wildlife;

- It would create a proper separation between farm and residential housing. We were thinking of a 10-20 metre green belt with a gentle berm which would be created from the excavation of development. This could then be planted with natural flora and fauna and left as a more natural nature corridor for animals to access. Additionally we would create a 15 metre setback on our side of the property line on top of this, keeping farming activity further from these areas while still maintaining most of our farmable fields, and losing very little productive lands overall in the process. The establishment of a much better nature corridor leading into our sensitive ecological lands which also abut onto the Point Abino conservation area (more on that below) would allow for better overall movement of nature and sustainability of natural habitat.

2) EXPANSION OF POINT ABINO CONSERVATION AREA BY DONATION OF LANDS FROM THE MAZZUTO FAMILY

Perhaps the biggest potential loss in this process of not being able to fully identify our land for inclusion in the boundary is that we have approximately forty acres of significant ecologically sensitive areas that we are willing to formally donate to the region, with respect to future development considerations and credits with the proposed section of our land, which also join up to the existing conservation area and double or triple it's size and allow for full control of ecological management of this important area. had we had the opportunity to properly address this with staff, and council they would have the opportunity to see that our ideas do in fact fall directly in line with the maintenance of ecological and agricultural land, and serve to create a better defined town boundary for Crystal beach while providing lands for a lovely housing development in the future and maintaining a better separation between farm land and housing while also creating an invaluable green strip for an already identified important nature corridor. A huge opportunity is being struck down here arbitrarily.

We formally appeal and request that the staff and council re-consider adding our

proposed portion of land to the town boundary, as this opportunity allows our family to help the region, and to help ourselves with a modest development opportunity which also helps the region and town to achieve some of its objectives. We feel a huge opportunity for all sides is being squandered here, and we are very disappointed with the outcome of the last two weeks. 90% of our agricultural activity will be retained, and in fact the revenues of a potential development will allow us to intensify certain aspects of our agricultural activity potentially through much needed capital infusion. We implore you to consider the very serious strategic ecological considerations we have given above and to lead with the mind that our parcel of land actually offers much more intrinsic value in the spirit of this comprehensive review, and certainly more than the Marz Homes development site which has been included for Crystal Beach.

Lastly, we did not receive any information whether by phone or otherwise that our land was removed from the official plan. Our plan of action to argue this situation was very rushed. I literally found that we were excluded when I chose to review the Niagara Region website on Sunday, June 5.

We welcome some serious feedback and additional personal meetings, as we feel the region will actually consider this folly to not have included us in hindsight in the future.

Thank you

Shawn

On Tue, Jun 14, 2022 at 10:57 AM Heyworth, David <david.heyworth@niagararegion.ca> wrote:

Hi Steven:

Thank you for your e-mail. Please see a response below for each of your requests as follows:

- [a chronology of events and decisions following the public meeting leading to staff's decision to remove the land from the urban area designation](#)
- The subject lands were included within the urban area boundary in the proposed Niagara Official Plan that was posted for the statutory public meeting.
- The subject lands and abutting parcel to the east have been removed from the urban area for the Niagara Official Plan being recommended for adoption on June 15th, 2022 to the Region's Planning and Economic Development Committee.

- a copy of the letter sent to Mr. Mazzuto notifying him of the changed recommendation regarding his late father's land
- Regional staff made numerous attempts to contact the landowners that were affected by the change through phone calls and emails. Region planning staff did not send letters to the owner advising of the change. In particular, Mr. Mazzuto was advised of the reason for the change via phone.
- a copy of the letter sent to the Town notifying it of the changed recommendation regarding the urban area designation of its highest priority request for including the land in the urban area designation
- Town Planning staff were advised verbally of the change along with the Mayor and Regional Councillor of Fort Erie. It is important to note the Town's assessment occurred before the Region completed its Settlement Area Boundary Review (SABR). The Region's SABR incorporated the required Provincial criteria along with additional regional criteria. The Region's assessment did not identify locations by priority. The reasons noted below resulted in the lands being removed.
- a planning policy justification report supporting the changed recommendation and any agency or municipal comments and staff's response to them..
- After the April 28th Statutory Public Meeting staff reviewed the area further. The Crystal Beach Secondary Plan area is the subject of development interest with several proposals exceeding the density targets identified in the Plan. After careful consideration, planning staff took a cautious approach on the amount of land to bring in to the urban area until the Transportation Master Plan (TMP) can be updated to 2051. Therefore, Mr. Mazzuto site and adjacent property to the east were not included within the urban settlement area boundary.
- The implications of changed decision on the targets in the NOP and the recommended reallocation of the population that would have been accommodated on the land taken out of the urban boundary
- There are no implications on targets or reallocation of growth from Fort Erie to other municipalities associated with revised boundary recommendation. As outlined in the December Land Needs Assessment and Final Land Needs Assessment, the overall boundary expansion in Fort Erie is greater than required based on the Land Needs Assessment.

I hope this information is of assistance.

Dave Heyworth, MCIP, RPP

Manager, Long Range Planning
Planning and Development Services
Niagara Region

Phone: 905-980-6000 ext. 3476 Toll-free: 1-800-263-7215

www.niagararegion.ca

From: Heyworth, David

Sent: Friday, June 10, 2022 4:28 PM

To: 'Steven Rivers - South Coast Consulting' [REDACTED]; Morin, Lindsey
<Lindsey.Morin@niagararegion.ca>

Cc: Norman, Sean <Sean.Norman@niagararegion.ca>; Shawn Mazzuto [REDACTED];
Brian Miller <dbmcapitalcorp@gmail.com>; Morreale, Diana <Diana.Morreale@niagararegion.ca>

Subject: RE: Your Phone Call - Niagara Official Plan

Hi Steven:

I will send a reply to this e-mail on Monday.

Dave Heyworth, MCIP, RPP

Manager, Long Range Planning
Planning and Development Services
Niagara Region

Phone: 905-980-6000 ext. 3476 Toll-free: 1-800-263-7215

www.niagararegion.ca

From: Steven Rivers - South Coast Consulting [REDACTED] >
Sent: Friday, June 10, 2022 2:51 PM
To: Morin, Lindsey <Lindsey.Morin@niagararegion.ca>
Cc: Heyworth, David <david.heyworth@niagararegion.ca>; Norman, Sean <Sean.Norman@niagararegion.ca>; Shawn Mazzuto <[REDACTED]>; Brian Miller <dbmcapitalcorp@gmail.com>
Subject: Re: Your Phone Call - Niagara Official Plan

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

Good afternoon again Lindsay,

I hope you're having a great time doing something you like on this beautiful afternoon.

We are of course looking for information related our delegation to the Planning Committee on 2022-06-15,

- a chronology of events and decisions following the public meeting leading to staff's decision to remove the land from the urban area designation
- a copy of the letter sent to Mr. Mazzuto notifying him of the changed recommendation regarding his late father's land
- a copy of the letter sent to the Town notifying it of the changed recommendation regarding the urban area designation of it's hghes priority request for including the land in the urban area designation
- a planningpolicy justification report supporting the changed recommendation and any agency or municipal comments and staff's response to them..
- The implications of changed decision on the targets in the NOP and the recommended reallocation of the population that would have been accommodated on the land taken out of the urban boundary

Steven Rivers

South Coast Consulting

Land Use Planning & Development Project Management

189 Clare Avenue
Port Colborne, ON L3K 5Y1
Mobile: 905-733-8843
Email: info@southcoastconsulting.ca

On Fri, 10 Jun 2022 at 11:59, Morin, Lindsey <Lindsey.Morin@niagararegion.ca> wrote:

Hi Steven,

I hope you're well. I understand you were trying to reach me yesterday and spoke with our planning student.

I remember that you made a submission in February 2022 asking for the incorporation of the two zone concept for flood plains into the Niagara Official Plan.

Your comments were included as part of report PDS 14-2022 for our Statutory Public Meeting on April 28, 2022, which is available on our website at the following link:
<https://www.niagararegion.ca/official-plan/proposed-plan-meeting-april-2022.aspx>

In Appendix 4 to report PDS 14-2022 the following response was provided to your submission:

"It continues to be the position of Regional Planning staff that it is not the jurisdiction of the Regional Official Plan to attempt to implement a two zone floodplain in Niagara."

In addition, there is nothing that prevents the Local Area Municipalities from applying the two zone concept.

I wanted to mention this in case you were following up to your earlier submission.

We would be happy to discuss this further. If you were calling regarding a different matter, please let me know and I can redirect you to the most appropriate staff.

Kind Regards,

Lindsey

Lindsey Morin, MES(Pl.), MCIP, RPP
Senior Planner – Regional Official Plan

Niagara Region

Planning and Development Services

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.

--

Shawn

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Shawn

MEMORANDUM

CL-C 45-2022

Subject: Canada Summer Games Park Project Financial Update

Date: June 23, 2022

To: Council

From: Todd Harrison, Commissioner Corporate Services/Treasurer

At Corporate Services Committee on Wednesday June 15, 2022 Committee asked for a current financial update on the Canada Summer Games Park Project. While there are still ongoing activities in the project, the chart below provides a financial summary for the project as of June 17, 2022.

| | Council Approved Budget CAO 10-2021 | Budget Increase per CSD 55-2021 | Budget Change per CSD 4-2022 | Revised Council Approved Budget (D) = (A) + (B) + (C) | Expended & Committed | Contract Award/ Forecast | Total Forecast | Budget Remaining |
|--|--|---------------------------------------|------------------------------------|--|---------------------------|--------------------------------|---------------------------|---------------------|
| | (A) | (B) | (C) | | (E) | (F) | (G) = (E) + (F) | (H) = (G) - (E) |
| <u>Total Estimated Project Cost</u> | | | | | | | | |
| Construction (including Construction Contingency) | \$ 91,120,949 | \$ 3,765,276 | \$ 500,000 | \$ 95,386,225 | \$ 95,386,225 | \$ - | \$ 95,386,225 | \$ - |
| Construction paid by Host | - | (631,638) | - | (631,638) | (631,638) | - | (631,638) | - |
| (b) Project Contingency | 121,102 | 378,898 | (500,000) | - | - | - | - | - |
| (c) Consulting Services | 5,055,162 | 129,090 | 1,000,000 | 6,184,252 | 5,950,308 | 277,059 | 6,227,367 | (43,115) |
| (d) Permitting | 438,774 | (7,790) | - | 430,984 | 430,984 | - | 430,984 | - |
| (e) Furniture, Fixtures and Equipment | 288,500 | 280,000 | 250,000 | 818,500 | 643,911 | 65,602 | 709,513 | 108,987 |
| (f) Project Management (In-House) and Operations | 305,404 | 217,508 | - | 522,912 | 548,284 | 40,500 | 588,784 | (65,872) |
| Total Estimated Project Cost | \$ 97,329,891 | \$ 4,131,344 | \$ 1,250,000 | \$ 102,711,235 | \$ 102,328,074 | \$ 383,161 | \$ 102,711,235 | \$ - |

Project Funding Sources

| | \$ | \$ | \$ | \$ | \$ | \$ | \$ | \$ |
|--------------------------------------|------------------------|-----------------------|-----------------------|-------------------------|------------------------|------------------------|-------------------------|-------------|
| Federal Grants | (27,792,730) | (1,207,270) | - | (29,000,000) | (26,100,000) | (2,900,000) | (29,000,000) | - |
| Provincial Grants | (27,792,730) | (1,207,270) | - | (29,000,000) | (26,100,000) | (2,900,000) | (29,000,000) | - |
| Gas Tax Revenue - Federal | (13,686,786) | 10,267,730 | - | (3,419,056) | - | (3,419,056) | (3,419,056) | - |
| Capital Reserves | - | (10,267,730) | - | (10,267,730) | (10,267,730) | - | (10,267,730) | - |
| LAM Grants | (15,211,002) | 2,414,540 | - | (12,796,462) | (12,796,462) | - | (12,796,462) | - |
| Other External - Sponsorship Revenue | (5,400,000) | - | (1,250,000) | (6,650,000) | (4,800,000) | (1,850,000) | (6,650,000) | - |
| Other External - Other | (996,643) | - | - | (996,643) | (996,643) | - | (996,643) | - |
| Debt Funding | (6,350,000) | - | - | (6,350,000) | (6,350,000) | - | (6,350,000) | - |
| Capital Variance - Levy | (100,000) | (4,131,344) | - | (4,231,344) | (4,231,344) | - | (4,231,344) | - |
| Total Project Funding | \$ (97,329,891) | \$ (4,131,344) | \$ (1,250,000) | \$ (102,711,235) | \$ (91,642,179) | \$ (11,069,056) | \$ (102,711,235) | \$ - |

*All costs exclude HST

** Total Contract Award is equal to i) \$95,386,225 before tax; ii) \$107,786,434 including 13% HST

Respectfully submitted and signed by

Todd Harrison, CPA, CMA
Commissioner Corporate Services/Treasurer

MEMORANDUM

CL-C 46-2022

Subject: Traffic Safety Issue on Regional Road 101 (Mountain Road)

Date: June 23, 2022

To: Regional Council

From: Carolyn Ryall, Director Transportation Services Division

At the June 14, 2022 Public Works Committee Meeting, under Other Business, Regional Councillor Gale noted that a motor vehicle collision recently occurred at the intersection of the Queen Elizabeth Way (QEW) off-ramp at Regional Road 101 (Mountain Road), City of Niagara Falls. He also noted that materials have been present on-site for sometime and asked that Commissioner Zvaniga provide information at the next council meeting about when a traffic signal was scheduled to be installed.

The traffic signal at this location is intended as a temporary installation to be turned on as part of the detouring when the Glendale Diverging Diamond Interchange work triggers the need; tentatively September 2022.

The Diverging Diamond Interchange reconstruction project (DDI) at QEW and Regional Road 89 (Glendale Avenue) is led by the Ministry of Transportation (MTO). In order to finalize the construction of the south-west off-ramp a detour is required for a duration of approximately 60 days. In order to accommodate this closure, a detour route was established with Niagara Region to move the vehicular traffic to Mountain Road where traffic will be detoured to Regional Road 70 (Taylor Road) and Glendale Avenue.

Niagara Region made provisions for a permanent traffic signal to be installed at the intersection of Taylor Road and Glendale Avenue based on recent warrant traffic analysis, plus the additional detour traffic related to this project. The construction of this intersection is underway.

As the QEW and Mountain Road interchange falls under MTO's responsibility and jurisdiction, all decisions regarding traffic control at this intersection are under their purview.

As part of a Senior MTO-Niagara Region Liaison Meeting held on June 20, 2022, senior staff raised concerns brought forward by the residents in the area and those of elected officials, and requested that MTO complete and activate the temporary signal as soon as possible.

MTO was unaware of the recent collision and has agreed to quickly review the timing to activate the temporary traffic signal. In addition, they agreed to review the traffic in the area, in Q4 2022 once the DDI is fully operational, to determine whether the traffic signal should be made a permanent control measure at the intersection of Mountain Road and the QEW south-west off-ramp.

Respectfully submitted and signed by

Carolyn Ryall
Director, Transportation Services Division

Turkstra Mazza

Hamilton London Toronto

15 Bold Street
Hamilton Ontario Canada L8P 1T3
Receptionist 905 529 3476 (905 LAW-FIRM)
Facsimile 905 529 3663
nsmith@tmalaw.ca

VIA EMAIL

June 22, 2022

Regional Chair and Council Members
The Regional Municipality of Niagara
1815 Sir Isaac Brock Way
P.O. Box 1042
Thorold, ON L2V 4T7

Attn: Ann-Marie Norio, Regional Clerk

Dear Chair and Council Members:

Re: Niagara Official Plan
8970 and 9015 Stanley Avenue and Lands on the South Side of Lyons Creek Road

We represent 2610832 Ontario Inc. ("**261**"), owners of lands municipally known as 8970 and 9015 Stanley Avenue, Niagara Falls.

We have reviewed Staff Report PED 17-2022 ("**Report**") that went to Committee on June 15, 2022 and Appendix 4, the response table for written submissions received during statutory consultation ("**Chart**"). We made two submissions to the Region as part of its consultation:

1. Robyn Brown's email attaching a letter to the City of Niagara Falls dated January 26, 2022 ("**Submission 1**") - attached;
2. A letter to Niagara Official Plan Team dated March 4, 2022. ("**Submission 2**") – attached.

Neither Submission 1 nor Submission 2 is referenced in the Chart.

Please consider 261's input before your final decision at your Council Meeting on June 23, 2022 at 6:30 p.m.

Yours truly,



Nancy Smith
ns/l

From: [Robyn Brown](#)
To: [Nancy Smith](#); [Brenda Khes](#)
Cc: [Jennifer Ricci \(riccilaw2008@gmail.com\)](#)
Subject: FW: Niagara Falls LNA
Date: June 22, 2022 12:11:27 PM
Attachments: [Letter to Mayor and Members of Council - Jan 26 2022.pdf](#)

From: Robyn Brown
Sent: Friday, March 25, 2022 10:59 AM
To: Bowie, Greg <Greg.Bowie@niagararegion.ca>
Subject: Niagara Falls LNA

Hi Greg,

As I mentioned in my previous email, I have been retained by some landowners in Niagara Falls to review Employment LNA which has been completed by the City and Watson. We have met with the municipality and Watson to discuss some of the assumptions which underpin their analysis, including ones that seem to contradict the Regional work. For your reference I have attached our submission to the City.

I was hoping to schedule a call to discuss how these two documents relate to one another, and how some of the different assumptions, in particular the assumption of 25 jobs/ha and the 20% land vacancy will impact the Region's findings.

I know you had said to include Diane on the email, however you didn't copy her so I do not have her email address. Please forward this email, or copy her on the reply.

If you could let me know some times you are free to chat next week I would really appreciate it.

Have a good weekend,

Robyn

Robyn Brown MA, MPL

Director - Sr. Practice Lead, Planning

Explore IBI's global Placemaking practice: <https://www.ibigroup.com/ibi-services/placemaking/>

IBI GROUP

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Turkstra Mazza

Hamilton London Toronto

Nancy Smith

15 Bold Street

Hamilton Ontario Canada L8P 1T3

Receptionist 905 529 3476 (905 LAW-FIRM)

Facsimile 905 529 3663

nsmith@tmalaw.ca

VIA EMAIL

January 26, 2022

Mayor and Members of Council
City of Niagara Falls
City Hall
4310 Queen Street
Niagara Falls ON L2E 6X5

Dear Mayor Diodati and Members of Council:

**Re: 8970 and 9015 Stanley Avenue
2610832 Ontario Inc.
REQUEST FOR A MEETING**

INTRODUCTION

We represent 2610832 Ontario Inc. ("**261**"), owners of lands municipally known as 8970 and 9015 Stanley Avenue, Niagara Falls ("**Subject Lands**"). The portion of the Subject Lands west of Stanley Avenue were formerly used as a trailer park ("**Former Trailer Park Lands**") while the portion east of Stanley Avenue were formerly used as a golf course ("**Former Golf Course Lands**"). Our retainer is focused on assisting 261 in realizing the development potential of the Subject Lands in accordance with the applicable policy regime.

OUR VISION

The present official plan policy vision for the lands is dated: Resort Commercial and Open Space. The uses no longer exist. 261 envisions land uses that respond to provincial policy intensification and environmental protection objectives: Residential, Commercial and Environmental Protection Area. To this end, 261 submitted an Official Plan Amendment application on July 11, 2021 with supporting studies. Additional supporting studies were submitted on November 4, 2021. An open house was held on January 10, 2022. An implementing Zoning By-law Amendment application with more studies will be submitted shortly. We look forward to sharing our Vision with you in more detail as this process unfolds.

EMPLOYMENT LAND STRATEGY

As you know, 261 has been working with the City for approximately three (3) years to realize its Vision for the Subject Lands. Needless to say, we were surprised to learn in June/July of 2021 that the City consultants, Watson and Associates, were looking to the Former Trailer Park Lands as potential Employment Lands.

We retained Robyn Brown of IBI Group in Toronto, land use planner and land economist, to assist us in understanding the City's interest in looking to the Former Trailer Park Lands as potential Employment Lands. I am attaching Ms. Brown's CV for your perusal. Please read it. My client and the City are fortunate to have Ms. Brown's perspective to inform decision-making moving forward.

Not only is Ms. Brown participating in the growth management exercises in virtually all major centres in Ontario, you will see that she served on the technical working group for the Province's 2020 Land Needs Assessment Methodology. Her work on that team informed the methodology to be used by all GTHA municipalities when completing their Municipal Comprehensive Reviews ("**MCR**") to determine future land need. To be clear, the 2020 Lands Needs Methodology recommended by Ms. Brown's working group is currently being used by Ontario municipalities including Niagara Region in its MCR.

On December 7, 2021, you resolved "that Council receive the Niagara Falls Employment Lands Strategy Phase 3 report [("**Watson Report**")]] for information." Ms. Brown reviewed the Watson Report. I am attaching her January 20, 2022 Memorandum ("**IBI Peer Review**"). Please read it. Ms. Brown concludes in the IBI Peer Review that:

Overall, the City and the Region have taken different approaches to the land needs assessment, they have used different densities, identified different vacant areas, which has led to significantly different findings. It is IBI Group's opinion, that the City's work is premature and needs to incorporate the land needs assessment that the Region of Niagara is currently completing as part of their MCR.

OUR PROCESS APPROACHES ALIGN

On December 7, 2021, you resolved "that Council direct staff to prepare draft Official Plan and Zoning By-law amendment for additional stakeholder consultation and for consideration and adoption at a later Council session; and to only extend to Stanley Avenue, not go east beyond Stanley Avenue."

261 appreciates the focus on "additional stakeholder consultation". As mentioned, we look forward to sharing our Vision for the Subject Lands as part of the planning process. Given the Watson Report, this by necessity includes discussing the basis for you approaching your land needs assessment differently than the Region. It is unclear to us why you are not waiting for and incorporating the Region's land needs assessment.

The IBI Peer Review poses the following questions (“**IBI Peer Review Questions**’):

1. What is the status of the proposed employment land conversions? Has the Region reviewed these applications and incorporated them in the MCR?
2. Will the conversions still be accommodating jobs on site? If so, how were these jobs considered in the analysis?
3. How was the 20% land vacancy determined?
4. How does the employment land inventory align with the Region of Niagara’s current work?
5. How does the assessment of employment land intensification opportunities factor into the supply? How does the 10% job allocation relate to the total hectares of land identified for potential intensification?
6. Is the City intending on updating the supply to reflect 2021 so that it aligns with the demand forecast?
7. How did the City establish the density assumption? The City has included a variety of densities across existing employment areas – was a weighted average used?
8. How is the City considering the Region’s work, their employment density assumption of 35 hectares?

Answers to these important questions will assist 261 in engaging in the stakeholder consultation you directed.

INTERIM CONTROL BY-LAW (“ICB”)

On December 7, 2021, you resolved to “defer interim control by-law”. I was pleased to see this. I had advised my client of my legal concerns in proceeding with an ICB in the circumstances of this case. Given your resolution, I need not share those concerns in this letter. If your approach in using an ICB in this case changes, I respectfully request notice so that I may make submissions to you on behalf of 261.

OUR ASK

We request written answers to IBI Peer Review Questions and a meeting to discuss them as part of your “additional stakeholder consultation”. Please direct your staff in this regard.

Yours truly,



Nancy Smith
ns/l

cc. Jason Burgess, Chief Administrative Officer
Kira Dolch, Director of Planning, Building and Development

Robyn Brown MA, MPL, PLE Director – Sr. Practice Lead, Planning

Ms. Robyn Brown, MA, MPI, is a senior land use planner and professional land economist in the Real Estate, Economics and Planning division at IBI Group. Robyn brings her experience in commercial real estate, including an extensive understand of the GTA ICI and land market. At IBI Group, she leads a team of planners, economists and GIS specialists on growth management exercises, highest and best use studies, economic and market impact assessments across Canada. Robyn helps her clients make strategic decisions about their real estate assets.

Previously, Ms. Brown worked as a sales representative at DTZ Barnicke, a nationally represented commercial real estate brokerage. Focused on land acquisition and leasing, Ms. Brown helped in the disposition of over 500 acres of development land across the GTA, along with portfolio analysis and disposition strategies.

Specialties: Growth Management, Economic Development, Transit Oriented Communities, Financial and Economic Feasibility Studies, Market Analysis, Site Selection, Employment Land Conversions and Land Needs Analysis

She is the former co-chair of ULI's Women's Leadership Initiative (2018 - 2020), is currently on the Board of Directors for Toronto CREW (Commercial Real Estate Women) and a member of the Ontario Professional Planning Institute, a member of the Association of Ontario Land Economists (PLE) and Lambda Alpha International (Land Economics Society).

Robyn has served on the technical working group for the Province's 2020 Land Needs Assessment Methodology, the 2021 work on the revised Projection Guidelines, and has been a stakeholder on various other Provincial Initiatives including the 2020 Growth Plan.

Representative Experience

Land Needs and Growth Management

City of Winnipeg Residential Growth Study – IBI Group was retained to complete a residential growth strategy to accommodate approximately 200,000 new residents to 2040. Ms. Brown is the project manager on this file and dealt with day to day communications, stakeholder outreach and sub-consultants. A three phased approach which with a. develop a weighted criterion to measure growth opportunities b. using the weighted criteria to examine identified areas for growth and c. allocating the growth to various areas based on results of the evaluation.

Welland Employment Lands Re-designation – Empire Communities – IBI Group was retained by Empire Communities to work with the City of Welland and the Region of Niagara to review the re-designation of two parcels of former industrial land, one the former John Deere plant to mixed use. This study looks at the potential number of jobs and space which will need to be retained on the site, and how the re-designation of

Education

Master of Planning (MPI Urban Development, Planning), Ryerson University, 2012

Master of Arts (MA, History), University of Toronto, 2002

Bachelor of Arts (Honours, History & Political Science), University of Toronto, 2001

Experience

2012–Present

IBI Group, Toronto, ON

Director – Senior Practice Lead, Planning

Land Use Planner/Land Economist

2011

City of Toronto, Policy and Planning Department, Intern

2005–2011

DTZ Barnicke Limited, Real Estate Sales Person, Industrial Coordinator

Awards and Publications

Paper: "Barriers to Midrise Development in Toronto", Ryerson University (2012)

Thesis: "Them: the Role of the Scientist in Fifties Science Fiction Films". An analysis of the changing nature of authority and science as reflected in science fiction films of the fifties. University of Toronto (2002)

Fast Company – Transit Oriented Communities (2021)

Land Economist Journal – Future of the Mall (2022)

2015 WLI Championship Team

2019 ULI Prologis Award Winner

Organizations

Urban Land Institute (Toronto)

WLI – Women's Leadership Initiative (ULI)

Toronto CREW (Commercial Real Estate Women) – Board of Directors

BILD

OPPI (Ontario Professional Planners Institute)

Lambda Alpha International

Association of Ontario Land Economists (Board Member)

the sites will impact the City of Welland's ability to accommodate future employment growth. (ongoing)

450 Dufferin Employment Land Conversion – Hullmark Developments– IBI Group was retained by Hullmark Developments, a predominantly non-residential developer, to assist in supporting their conversion of an employment land site near Liberty Village, in the City of Toronto, through the City's Municipal Comprehensive Review. IBI Group worked with designers and planners to assess the potential employment yields for the non-residential component of a proposed mixed-use development. IBI Group assessed the City of Toronto's employment forecasts, the existing employment area, information from the City of Toronto's Employment Survey to address local changes in employment and considered the provincial and city-specific employment land conversion criteria. Ms Brown is the Project Manager and Director on this file. (ongoing)

Ottawa Land Needs Assessment –Mattamy/ Minto Communities – IBI Group was retained by two major developers in the City of Ottawa to review and complete an analysis of the City of Ottawa's land needs assessment to 2041. IBI Group reviewed the impact of employment land conversions, servicing, available land and intensification to determine if the City had sufficient land to accommodate the forecasted residential growth to the planning horizon.

City of Toronto Employment Land Conversion – IBI Group was retained to assess the feasibility of submitting three privately owned employment sites for conversion during the recent City of Toronto's Official Plan Review. Ms. Brown was responsible for review of the current planning status of the site and employment projections across the City using the City of Toronto Employment Survey and information on the construction and availability of current industrial product across the Greater Toronto Area. These studies were used to augment the conversion applications.

Halton Residential Land Needs – South Georgetown Landowners Group – IBI Group was retained to monitor and participate in the Halton Region Municipal Comprehensive Review by the South Georgetown Landowners Group, who have lands outside of the current settlement boundary. The assignment includes analysis on the housing forecast, employment land and residential land needs assessment. Ms. Brown is the Project Director on this file. (ongoing)

Vaughan Employment Lands Review – IBI Group was retained by a landowner group in the City of Vaughan to complete an employment land inventory in support of a land use conversion. Ms. Brown was the project manager in charge of creating an employment land inventory and assessment, along with a review of the City of Vaughan's employment forecasts and an assessment of the ability to accommodate future growth.

Bolton Residential Expansion Areas – IBI Group was retained by one of the landowners in the potential Bolton Residential Expansion Areas to represent their lands as part of the assessment of the expansion areas. IBI Group was responsible for the land needs assessment, monitoring the Peel 2041+ growth forecasts and the fiscal impact assessment of the different options. Ms. Brown was the project manager on this file, and coordinated with the different consultants, and managed day to day activity on the file.

Clarington Official Plan Update – Tribute Communities – IBI Group was retained to assist a developer with lands in the Courtice area, to understand and advise on the impact of the draft Official Plan policies on their land holdings. Ms. Brown as project manager reviewed the proposed policies, attended public meetings and assessed the future residential lands proposed by the by-law. This study included a residential land needs assessment.

Brantford/Brant County Employment Accommodation – Walton Development and Management LP – IBI Group was retained by Walton Development to examine the current inventory of employment and residential lands in the City of Brantford and Brant Country to assess the need for additional lands to accommodate forecasted growth. Ms. Brown conducted a high-level overview of employment lands across the Greater Golden Horseshoe, including availability, competitiveness and local employment lands market.

Burlington Employment Lands Review – Paletta Developments – IBI Group was retained by the developer to review the Phase 1 and Phase 2 Employment Lands Study including the key assumptions in the land budget and employment forecasts. Ms. Brown assisted in the analysis of the vacant Burlington Employment Lands, including development potential, servicing constraints, market appeal and timing of market absorption.

Kitchener/Waterloo Land Needs Assessment – Schlegel Villages – IBI Group to monitor and participate in the Region of Waterloo's Municipal Comprehensive Review process in order to assist Schlegel in understanding the potential inclusion of their lands in the urban settlement area. This work included reviewing land supply and demand assumptions. (Ongoing)

Development Charges and Municipal Finance Work

City of Toronto Development Charge Background Study – IBI Group has been retained by BILD (Building Industry Land Development) to monitor and participate in the City of Toronto's development charges review which will implement the new development charge to collect for growth related capital. IBI Group is a stakeholder in this process and will review the capital allocations, infrastructure and other assumptions which underpin the charge. Robyn is the Project Director on this file. (ongoing)

Burlington Parkland Cash-In-Lieu Study – Brookfield Homes -IBI Group was retained by Brookfield Homes and their development partners to assess the City's Cash-in-Lieu charge calculated for high-density development in their Urban Growth Centre. IBI Group assessed cash-in-lieu policies from various other municipalities and created an alternative charge option for ongoing negotiations with the City. Robyn was the Project Director on this file. (ongoing)

Peel & Halton Region – Non- Residential Development Charges – Orlando Corporation – IBI Group was retained by Orlando Corporation, one of the largest non-residential developers in North America to assist them in assessing the validity of the proposed development charges in Peel and Halton Region along with their respective municipalities. IBI Group's work considered the anticipated non-residential development, trends in employment land employment related development and floor space per worker assumptions which underpinned the charge.

Community Benefit Charge Impacts – Homestead Homes – IBI Group was retained by Homestead to understand the potential magnitude of the proposed new charge on "soft" services, replacing Development Charges, Parkland contributions and Section 37. IBI Group compared the current charges in multiple municipalities on a proposed development with the proposed charges to understand the magnitude of the charge. This work was used to draft a letter to the province.

Devonleigh Homes – Community Benefit Charges/Development Charge Monitoring – Devonshire Homes has nearly 2,000 units in six different municipalities, and has retained IBI Group to monitor and review proposed changes to the charges, along with Community Benefit Charge Strategy Studies and Parkland studies across the various municipalities to keep Devonleigh Homes appraised of any changes, their impacts and to represent Devonleigh Homes in discussions/negotiations with the municipalities and their consultants. (ongoing)

McMaster University – Development Charges – Student Housing – IBI Group has been retained by McMaster University to represent them in a hearing regarding the City of Hamilton's decision to no longer allow exemptions for the University space and student housing. (ongoing)

South East Courtice Secondary Plan – Fiscal Impact Assessment – IBI Group represents the SE Courtice Landowners Group (LOG) in the Secondary Plan process. IBI Group, in submission to the Town of Clarington and its consultants has assessed the operating impacts on the City's finances of various land use concepts proposed throughout the process to assist in assessing one of the criteria used in assessing the concepts.

28 Bathurst Street -- Build Toronto -- IBI Group was retained to conduct a residual land value analysis to illustrate how the remediation costs influence the financial viability of residential, office

and industrial redevelopment options. The analysis was informed by the market for these three asset classes, the job potential by asset class, and the impact of the development on the success of the area. The review helped Build Toronto select a financially viable development option aligned with stakeholder interests.

Tourist Train Extension Feasibility Study – Albany, NY – IBI Group was part of a multi-disciplinary team looking at the feasibility of extending an existing tourist train route through Warren County to Albany and New York City. Ms. Brown was the project manager on the economic and demographic component of this study. She looked at current tourism spending in the area, conducted case study research of other tourist trains and ridership across North America, and looked at trends in North American Tourism to inform the market and ridership feasibility component of this study.

Hotel/Office Feasibility Study – Vaughan, ON – IBI Group was retained by a developer who had a parcel of land, planned to develop with office and hotel facilities to undertake a feasibility study to support changes to the permitted size and design. Ms. Brown, as project manager on this file, directed the research into the Vaughan and York Region office market, including supply and demand assessments. Hotels and banquet facilities, along with neighbouring tourist attractions were mapped, in order to develop an understanding of the competitive environment. Finally, a review of trends in GTA hotels and hospitality informed the opportunities for increased hotel space. **Market, Financial and Economic Studies**

Waterfront LRT Funding Model Assessment – Toronto, ON – IBI Group was retained by the Waterfront BIA to determine how the Waterfront LRT may be accelerated through different financing models. IBI Group used parametric design to determine the magnitude of development which could be accommodated along the proposed route and examined various revenue tools which could be used to fund infrastructure, including land value capture, tax increment financing and development levies. Robyn was the Project Director and Project Manager on this file.

Milton Mobility Hub -Market Peer Review – IBI Group represents a majority landowner in the proposed Milton Mobility Hub. Planned for densities in excess of 150 people and jobs per hectare and supported by the implementation of high-order rail, the Town of Milton and Metrolinx the Regional transit provider are seeking to create a master plan which will transform a suburban community to transit supportive densities. IBI Group has been retained to review and comment on the plans. Specifically, Ms. Brown has been retained to assess the market fundamentals, financial assumptions and feasibility of the planned development.

County of Leduc – Economic Impact Assessment – IBI Group was retained by Leduc County to complete an Economic Impact Study (“EIS”) for the proposed expansion of the Nisku Spine Road in Leduc County, Alberta. The purpose of the EIS was to assess and quantify the short and long-term economic impacts of the proposed Spine Road expansion and to provide support and input for the County’s Western Economic Diversification Canada grant application for the Canadian Coal Transition Initiative. The EIS assessed whether future lands which could develop and contribute to the County’s tax base, and an economic impact assessment, based on the

construction of the Spine Road and the build out of the vacant lands. The findings of the report were used by the County in their grant application.

Economic Development Strategy – Duke Heights BIA – IBI Group was retained by the BIA to assist this employment area with their economic development strategy and re-branding. The existing employment area was looking to capitalize on recent transportation infrastructure investments, including a new subway stop and future LRT investments. IBI Group completed an employment SWOT which looked at existing typologies, transit infrastructure, employment clusters and local institutions. In concert with local business stakeholders, IBI Group helped create a vision for the future of the BIA, along with recommendations for fiscal and planning policies to allow the area to capitalize on new infrastructure and growing employment sectors.

Champagne Centre – Toronto, ON - IBI Group was retained to complete a market and economic impact assessment of the Champagne Centre, a 270,000 sf former Ginger Ale bottling plant. The building had recently been purchased by a medical company looking to develop a health facility which was proposed to include extended supportive uses such as restaurants, retail, a long-term stay hotel and other wellness activities. IBI Group was retained to assist in demonstrating the positive economic impact of the proposed uses to the local and regional economy. As part of this study IBI Group completed a high-level market study which reviewed trends in medical office, hotel and recreational industries in order to inform the optimal mix of tenancies and create a synergistic environment which would support the local economy.

Canada Lands Corporation (CLC) – Due Diligence/Highest and Best Use Studies – IBI Group, along with EY and Golder has been retained to complete businesses cases for redundant federal properties to inform CLC whether they should retain these sites for redevelopment. Ms. Brown is the project manager on the Real Estate and Highest and Best Use component of these studies reviewing policy and market information to determine the potential on the site for added value. (ongoing)

Economic Impact & Economic Development Study - St. Paul's Hospital, Vancouver, ON – Robyn was the project manager on this economic impact study, looking at the relocation of the St. Paul's hospital in downtown Vancouver. As part of this three-phased project, was an analysis of the localized impact on businesses and real estate, for the existing and new site. In addition, this study included an economic development strategy for a health innovation district. Using case study work in Canada and the United States, policies, tools and cluster analysis informed the planning and marketing of the 1 million sf of ancillary medical office, retail and research.

Racetrack Redevelopment Feasibility Study – Fort Erie, ON – IBI Group was retained by the owners of a defunct racetrack in Fort Erie to test the market feasibility of developing a mixed use community featuring residential, retail and tourist attraction. IBI Group worked to assess the market for different housing typologies, retail and tourism opportunities to inform a master plan along with phasing. Ms. Brown is the Project Director on the market component. (ongoing)

Delta Bingo – OPA & Land Use Conversion – Sequoia Grove Homes – Toronto, ON – IBI Group was retained to assist Sequoia Homes in their land use conversion of a site located in the newly designated Keele and St. Clair Major Transit Station Area in the City of Toronto. Robyn Brown lead the Community Services and Facilities Study, Affordable Housing and Employment Land Conversion components of the study in support of an OPA which would re-designate the lands from employment land to mixed use and support a high-density residential development. (ongoing)

Retail Impact and Fiscal Impact Assessment - Glen Abbey Golf Course -- IBI Group is part of a larger consultant group retained in relation to the proposed redevelopment of the historic Glen Abbey Golf course to a mixed-use community. IBI Group was retained to prepare a fiscal and retail impact study for the proposed development in 2016, along with updates to the reports and additional Community Services and Facilities Study in 2021. Ms. Brown is the project manager on this file and was the main liaison with the consultant group and the client.

Uptown Belgrade – Economic and Market Peer Review – IBI Group was retained to peer review the AECOM/McKinsey background work for the Master Plan for Uptown Belgrade, a 2,400-hectare greenfield site adjacent to New Belgrade, Serbia. The site was being master planned as a mixed-use community anchored by five themes; education, IT; Health and Wellness Tourism, Sports and Tourism. IBI Group was retained to review the urban design, master planning, market and economic assumptions to determine the feasibility of the scale and scope of development. Ms. Brown leads the market and economic component. (ongoing)

Milton Mobility Hub -Market Peer Review – IBI Group represents a majority landowner in the proposed Milton Mobility Hub. Planned for densities in excess of 150 people and jobs per hectare and supported by the implementation of high-order rail, the Town of Milton and Metrolinx the Regional transit provider are seeking to create a master plan which will transform a suburban community to transit supportive densities. IBI Group has been retained to review and comment on

the plans. Specifically, Ms. Brown has been retained to assess the market fundamentals, financial assumptions and feasibility of the planned development.

Plains Road, Retail Needs Assessment – Burlington, ON – IBI Group was retained to assist a developer who was intended to redevelop an older strip-mall along Plains Road to a mixed-use building with residential and ground floor retail. The study was intended to help the client assess the amount of new retail which could be supported by the development, along with address neighbourhood concerns regarding the loss of the existing retail space in the community. This study looked at the Burlington retail hierarchy, reviewed the policy environment, conducted a high-level inventory of the Plain Road retail corridor, looked at residential and non-residential growth projections, and suggested potential tenants and unit sizes to maximize market supported retail opportunities.

Airport Road, Retail Needs Assessment – Caledon ON – IBI Group was retained to complete a retail needs assessment to support an Official Plan Amendment to convert a historic house to retail, adding an additional 14,000 sf along Airport Road in Caledon East. The study reviewed the current retail hierarchy, pending developments (residential and non-residential) in the community, the policy environment, growth projections, and completed a high level retail space per capita assessment to support the development. Ms. Brown acted as the project manager on this file.

Burnaby Mixed Use Development Feasibility Study – IBI Group was retained to complete a three part study to i) test the Burnaby residential, office and retail market ii) design a mixed use building for an infill site and iii) test the financial feasibility of the project. Ms. Brown was the project manager on the market and financial feasibility of this project. Ms. Brown reviewed the current supply and demand for residential and office space in Burnaby, with a focus on the Edmonds Town Centre to inform the future design. After a draft of the building was circulated, Ms. Brown tested the financial feasibility of the opportunity to inform the clients on whether to move forward with the development.

Winnipeg Eastern Corridor Route Selection – Winnipeg, MB – IBI Group was retained a sub-consultant by the City of Winnipeg to aid in undertaking a transit study to establish a plan for Rapid Transit within the eastern area of Winnipeg. The transit route has the potential to provide access to important destinations within the city, and strengthen connections between residents, employment, institutions, and cultural nodes. IBI Group lead the City Building stream of the study, encouraging the route selection and concept design to be used as a means for creating more vibrant mixed-use neighbourhoods with active pedestrian realms. Ms. Brown was responsible for the cost-benefit analysis component of this study.

Hotel/Residential Development Assessment – Trivat, Montenegro – IBI Group was retained to design a potential residential long-term stay/hotel seaside development in Trivat. Ms. Brown was the project manager on the market and financial feasibility component, which determined the opportunities for the two types of development. Analysis included construction costs, operational costs, property tax implications, occupancy and overall annual revenues.

Other Studies

Durham-Scarborough Bus Rapid Socio-Economic and Land Use Study _ Metrolinx– IBI Group was awarded a contract by Metrolinx to develop a preliminary design and conduct an environmental assessment for the Durham-Scarborough BRT corridor. The Real Estate, Economics and Planning team will complete a socio-economic and land use review to determine the potential impact that the project would have on these environments, and will put forward a collection of mitigation and monitoring measures to address potential adverse impacts. Robyn is the project manager on this task, and this work will support the overall corridor assessment and will inform the mitigation and monitoring measures. (Ongoing)

Peel Housing Corporation Feasibility Assessment – IBI Group was retained by Peel Housing Corporation to analyze nine affordable housing sites and identify which sites are most appropriate for infill and redevelopment opportunities. The Real Estate, Economics and Planning team completed a Market Demand Assessment to understand the current market conditions and determine rental

demand looking forward. Robyn was the project manager of the demographic and market demand assessment to give an insight into the local rental market in Brampton and Mississauga.

CN Intermodal Federal Hearing, Milton ON - IBI Group was retained as part of the larger consulting group to represent CN in a federal Environmental Assessment Hearing regarding their proposed intermodal located on approximately 1,000 acres in south-west Milton, Ontario. The hearing sought to understand the impacts of the potential intermodal on the environment, finances, economy, real estate and traffic operations for the Town of Milton and the Region of Halton. IBI Group was retained specifically to understand the municipal financial impact, and impact on the Region to achieve employment growth targets to 2031. Ms. Brown was responsible for the growth management component and establishing the primary assumptions contemplated within the modeling relate to absorption, assessment value, capital costs, operating costs, user fees and development charges.

Community Services and Facilities Studies – Ms. Brown has worked on a number of community services and facilities (CS&F) studies in the City of Toronto and beyond to assess the impact of new development on existing community facilities and services. This work includes an assessment of area demographics, a development pipeline assessment including the forecasting of future residents and employment densities, CS&F inventories and gaps, 10-year service standard assessments and implementation strategies. Service delivery models include the review of the feasibility of community hubs.

Studies include:

- King Spadina Community Services and Facilities Update for the City of Toronto
- 87 Ethel, Toronto
- East Liberty Street, Toronto
- 2799-1683 Kingston Road, Toronto
- 1683 Bloor Street West, Toronto
- 180 Finch Avenue West, Toronto
- Glen Abbey Redevelopment, Oakville

Urban School Accommodation – City of Toronto – IBI Group was retained by Tribute Communities to review school capacity and accommodation opportunities at an important transit hub. Ms. Brown was the project manager on this file, and considered current school capacities, redevelopment opportunities, reviewing case studies and demographics to inform the future school needs.

Office Accommodation Study – Region of Peel – IBI Group was retained by the Region of Peel to conduct a review of their existing offices, renovation and retrofitting costs, and market alternatives. As member of the IBI Team, Ms. Brown, assisted in the review of existing office accommodation, office alternatives and redevelopment options for surplus properties for the Region of Peel. Included in her work was a review of the current Peel Region and GTA West Office and land market, an inventory of potential lease, purchase and design build options to meet various timing and space needs for expansion and/or relocation.

Toll Plaza Facilities Reuse Study – Los Angeles – Ms. Brown was part of a study to explore the adaptive reuse and potential repurposing of 10 toll facilities and adjacent acreage. As part of this analysis, an inventory and assessment model was developed to evaluate the feasibility of the reuse proposals. Criteria included cost-benefit analysis, environmental sustainability, market desirability and site configuration for adaptive uses.

Railside Drive, Brampton Ontario – IBI Group was retained to assess the opportunity for a joint venture development of a site adjacent to the Brampton Go Station. Ms. Brown assisted in conducting the market analysis and residual land value analysis.

Glendale District Plan – Region of Niagara – IBI Group was retained by the Region of Niagara to complete the Second Phase of their Glendale District Plan. Ms. Brown was responsible for the commercial needs assessment component of this study, looking at future commercial demand in light of population growth, in order to ensure the community had sufficient local retail services.

O’Connor Drive Streetscape Masterplan – Toronto, ON – IBI Group was retained to establish a vision, layout and detained specifications for the implementation of a co-ordinated and high quality public/private streetscape. As part of this project, Ms. Brown completed a high level retail and development inventory, along with looking at trends and opportunities in street front retail. Demographic analysis complimented this assessment.

Parking Studies

Shared Parking Feasibility Study – Regional Municipality of Wood Buffalo – In concert with IBI Group’s Transportation Group, Ms. Brown assisted in a study on the feasibility of constructing civic shared parking in the downtown core in order to encourage new civic amenities and residential development in the downtown. Ms. Brown looked at case studies of parking authority models across North America and conducted a high level financial assessment.

St. Catharines – Downtown Parking Strategy – IBI Group was retained by the City of St. Catharines to develop a set of parking policies and strategies that would support the Garden City Plan and builds upon the existing parking system. As part of this study, Ms. Brown participated in the residential and employment growth forecasts, along with the financial model. Ms. Brown reviewed other municipalities to understand operating and financing systems, and did an analysis of the operating fund, rate structure, cash-in-lieu and the parking management model

Town of Whitby – Downtown Parking Accommodation Site Evaluation – Ms. Brown, as part of a larger parking strategy, assessed the potential for accommodating additional stalls within locations in the downtown. Phasing and redevelopment options were considered as part of this high level assessment.

Other Parking Studies:

- City of Oshawa
- City of Barrie
- City of Hamilton

Memorandum

| | | | |
|---------------------|--|-------------------|------------------|
| To/Attention | Nancy Smith | Date | January 20, 2022 |
| From | IBI Group | Project No | 135603 |
| cc | Angelo Butera; Frank Ianniello; Jennifer Ricci; Louise Sudac; Craig Rohe | | |
| Subject | Niagara Falls Employment Land Strategy Phase 3 Report | | |

Dear Ms. Smith,

IBI Group ("IBI") was retained to assist the owners of 9015 Stanley Avenue in Niagara Falls to review and assess the City of Niagara Falls Employment Land Studies completed as part of their employment lands strategy. IBI Group has reviewed the two previous employment land reports, along with a review of the Region of Niagara's recent employment land needs assessment work.

Overall, the City and the Region have taken different approaches to the land needs assessment, they have used different densities, identified different vacant areas, which has led to significantly different findings. It is IBI Group's opinion, that the City's work is premature, and needs to incorporate the land needs assessment that the Region of Niagara is currently completing as part of their MCR.

The City of Niagara Falls established that there is a shortfall of 76 hectares of Employment Land in the City of Niagara Falls, whereas, the Region of Niagara's draft Land Needs Assessment has determined that there is a shortfall of 35 hectares.

The following differences in the assumptions which underpin the two-analysis lead to the different conclusions. This memo is themed by the various components of the land needs assessment, including:

- Employment Land Supply;
- Employment Land Demand;
- Land Needs Assessment; and

Employment Land Supply

- The City has identified a total employment land supply of 1088 gross hectares with 79 hectares vacant. This was further adjusted to 78 hectares based on infrastructure.

Figure 4-2 of Niagara

City of Niagara Falls - Vacant Employment Lands - Figure 4-2

| | Gross ¹ | Net ² | Gross ¹ | Net ³ | Net of Internal Infrastructure ⁴ | Gross | Net |
|---|--------------------|------------------|--------------------|------------------|---|--------------|--------------|
| | A | B | C | D | E | F = A + C | G = B + D |
| Montrose Road Industrial Area | 136 | 133 | 1 | 1 | 1 | 147 | 145 |
| Q.E.W. Centre Employment Area | 29 | 27 | 0 | 0 | 0 | 29 | 27 |
| North Niagara Falls Secure Storage Employment | 112 | 112 | 43 | 43 | 41 | 155 | 155 |
| Stanley Avenue Business Park | 123 | 12 | 5 | 5 | 5 | 128 | 126 |
| Highway 405 Employment Area | 16 | 16 | 0 | 0 | 0 | 16 | 16 |
| Q.E.W./420 Employment Area | 55 | 54 | 0 | 0 | 0 | 55 | 54 |
| Dorchester Road Employment Area | 1 | 1 | 0 | 0 | 0 | 1 | 1 |
| Outside Employment Areas | 528 | 522 | 21 | 21 | 21 | 549 | 543 |
| Total | 1,008 | 997 | 79 | 79 | 78 | 1,088 | 1,076 |

Source: Watson & Associates Economists Ltd., 2020.

1. Gross (columns A and C) has been calculated in accordance with the Growth Plan, 2019. Take-outs include environmental features, major roads and hydro corridors.

2. Net developed land area (Column B) has been calculated based on parcel fabric (excludes local roads, parks and other non-developable features).

3. Net vacant land area (Column D) is calculated based on parcel fabric (excludes roads, parks and other non-developable features).

4. Net of internal infrastructure (Column E) has been calculated based on parcel fabric (excludes local roads, parks and other non-developable features) and a downward adjustment to large parcels (greater than 10 ha/25 acres) of 10% for internal infrastructure.

- 74% of these lands are in Employment Areas, with 21 hectares outside.
- The City further refined these lands by their “shovel-ready” status – selecting those with services to the lot line, and along arterial and collector roads. This resulted in a supply of 49 vacant hectares.
- Analysis of existing employment lands identified 63 sites, a total of 76 hectares which could accommodate intensification. Only 10 of these sites are more than 2 hectares. The analysis further refined those with high potential, including 16 sites and a total of 19 net hectares.
- In Section 4 – the vacant supply is further identified as 82 gross hectares
- Finally, the assessment then further decreases the vacant supply to accommodate potential employment land conversion, and an additional 20% for land vacancy, resulting in only 48 hectares of vacant employment areas.

Employment Land Demand

- The City of Niagara Falls is estimating that the City’s employment lands will need to accommodate 3,450 jobs between 2020 and 2051.
- This aligns with the Region of Niagara’s forecast of 3,500 jobs, however the overall job number appears to be lower to the Region’s total employment growth.

City of Niagara Falls Employment Growth on Employment Areas, 2020 to 2051 (Figure 6-6)

| Employment Type | City of Niagara Falls Employment Growth by Type | City of Niagara Falls Employment Growth in Employment Areas | % in Employment Areas |
|-------------------------|---|---|--------------------------|
| | 2020-2051 | 2020-2051 | |
| Major Office | 1,170 | - | 0% |
| Population Related | 14,740 | 720 | 5% |
| Employment Land | 2,730 | 2,730 | 100% |
| Rural Area | 840 | - | 0% |
| Total Employment | 19,480 | 3,450 | 18% |

Source: Derived from Hemson Consulting Ltd. Niagara Region Municipal Comprehensive Review – Growth Allocation

Land Needs Assessment

- In reconciling the forecasted demand with the current supply, the City's analysis uses a density of 25 jobs per hectare to determine a future land need of 124 hectares.
- The City is estimating that 10% of growth (345 jobs) will be accommodated through intensification in existing employment areas.

Figure 6-7

| City of Niagara Falls | | | | | | |
|-----------------------|---|--|--|---|--|--|
| Growth Period | Employment Growth in Employment Area | | | Employment Density (Jobs per gross ha) | Total Employment Area Land Demand (Gross ha) | Average Annual Employment Area Land Demand (Gross ha) |
| | Total Employment in Employment Areas | Intensification in Employment Areas - 10% | Total Employment in Employment Areas Adjusted for Intensificati on | | | |
| | A | B | C = A - B | D | E = C / D | F |
| 2020-2026 | 670 | 67 | 603 | 25 | 24 | 4 |
| 2020-2031 | 990 | 99 | 891 | 25 | 36 | 3 |
| 2020-2036 | 1,440 | 144 | 1,296 | 25 | 52 | 3 |
| 2020-2041 | 2,000 | 200 | 1,800 | 25 | 72 | 3 |
| 2020-2046 | 2,700 | 270 | 2,430 | 25 | 97 | 4 |
| 2020-2051 | 3,450 | 345 | 3,105 | 25 | 124 | 4 |

Source: Derived from Hemson Consulting Ltd. Niagara Region Municipal Comprehensive Review – Growth Allocation Update to 2051 Memorandum, April 5, 2021,
by Miron & Associates Economists Ltd. 2021

The Region of Niagara is also completing their land needs assessment, and the most recent assessment indicates a higher density assumption (35 jobs per hectare) which results in a lower land need of 35 hectares.

Table 12 provides a summary of the Employment Area Land Needs.

Table 12: Employment Area Land Need, by Municipality, 2021 to

| Employment Area Land Need by Municipality, 2021-2051 | | | |
|--|----------------------------------|---|---------------------------------|
| Municipality | Unaccommodated Employment Growth | Vacant Employment Area Density Target (Jobs/ha) | Employment Area Land Need (ha)* |
| Fort Erie | 1,940 | 15 | 130 |
| Grimsby | 40 | 50 | 0 |
| Lincoln | 740 | 45 | 15 |
| Niagara Falls | (1,300) | 35 | (35) |
| Niagara-on-the-Lake | (2,220) | 95 | (25) |
| Pelham | 0 | 0 | 0 |
| Port Colborne | (3,625) | 30 | (120) |
| St. Catharines | 1,450 | 50 | 30 |
| Thorold | (1,690) | 30 | (55) |
| Wainfleet | 0 | 0 | 0 |
| Welland | (175) | 20 | (10) |
| West Lincoln | 1,165 | 25 | 50 |
| Niagara Region | (3,670) | 30 | (20) |

Note: Above numbers have been rounded to the nearest 5.

- In reconciling the land needs the City assumes that there is a shortfall of 76 hectares to 2051. This is based on a vacant supply of 60 hectares, with an additional deduction of 20% for land vacancy – resulting a total supply of 48 hectares.

Figure 6-9

| City of Niagara Falls Employment | | Land Need |
|---|----------------|-----------|
| Employment Growth | A | 3,105 |
| Employment Area Demand at 2051 | B | 124 |
| Employment Density (Jobs per gross ha) | $C = A / B$ | 25 |
| Vacant Employment Area (gross ha) | D | 60 |
| Land Vacancy Adjustment (20%) | $E = D * 20\%$ | 12 |
| Vacant Developable Employment Area (gross ha) | $F = D - E$ | 48 |
| Employment Area Surplus/Shortfall at 2051 | $G = F - B$ | (76) |

Source: Watson & Associates Economists Ltd., 2021.

Questions:

1. What is status of the proposed employment land conversions? Has the Region reviewed these applications and incorporated them in the MCR?
2. Will the conversions still be accommodating jobs on site? If so, how were these jobs considered in the analysis?
3. How was the 20% land vacancy determined?
4. How does the employment land inventory align with the Region of Niagara's current work?
5. How does the assessment of employment land intensification opportunities factor into the supply? How does the 10% job allocation relate to the total hectares of land identified for potential intensification?
6. Is the City intending on updating the supply to reflect 2021 so that it aligns with the demand forecast?
7. How did the City establish the density assumption? The City has included a variety of densities across existing employment areas – was a weighted average used?
8. How is the City considering the Region's work, their employment density assumption of 35 hectares?

https://ibigroup.sharepoint.com/sites/Projects1/135603/Internal Documents/6.0_Technical/6.17_Planning/03_Tech-Reports/PTM_Niagara_ELE_Phase_3-2021-12-14.docx2022-01-26\RB

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nsmith@tmalaw.ca

VIA EMAIL

March 4, 2022

Niagara Official Plan Team
makingourmark@niagararegion.ca
1815 Sir Isaac Brock Way
Thorold, ON L2V 4T7

Dear Sirs and Madam:

**Re: Draft Regional Official Plan
8970 and 9015 Stanley Avenue and Lands on the South Side of Lyons Creek Road**

We represent 2610832 Ontario Inc., owners of lands municipally known as 8970 and 9015 Stanley Avenue, Niagara Falls ("**Subject Lands**"). The Subject Lands are shown within the yellow boundary in Figure 1 below. The portion of the Subject Lands west of Stanley Avenue were formerly used as a trailer park while the portion east of Stanley Avenue were formerly used as a golf course. Our retainer is focused on assisting 261 in realizing the development potential of the Subject Lands in accordance with the applicable policy regime.

Our client has reviewed the Region of Niagara's proposed Regional Official Plan and offer the following comments, which are provided in the context of a site-specific development application for the Subject Lands.



Figure 1 - Subject Lands

EMPLOYMENT DESIGNATION

Schedule G of the Draft Regional Official Plan shows our client's lands partially designated as Dynamic Employment Area on the west side of Stanley Avenue, as per **Figure 2** below. Currently, the lands are designated as Urban Area and Built-up Area in the Regional Official Plan with no employment land or employment area designations.

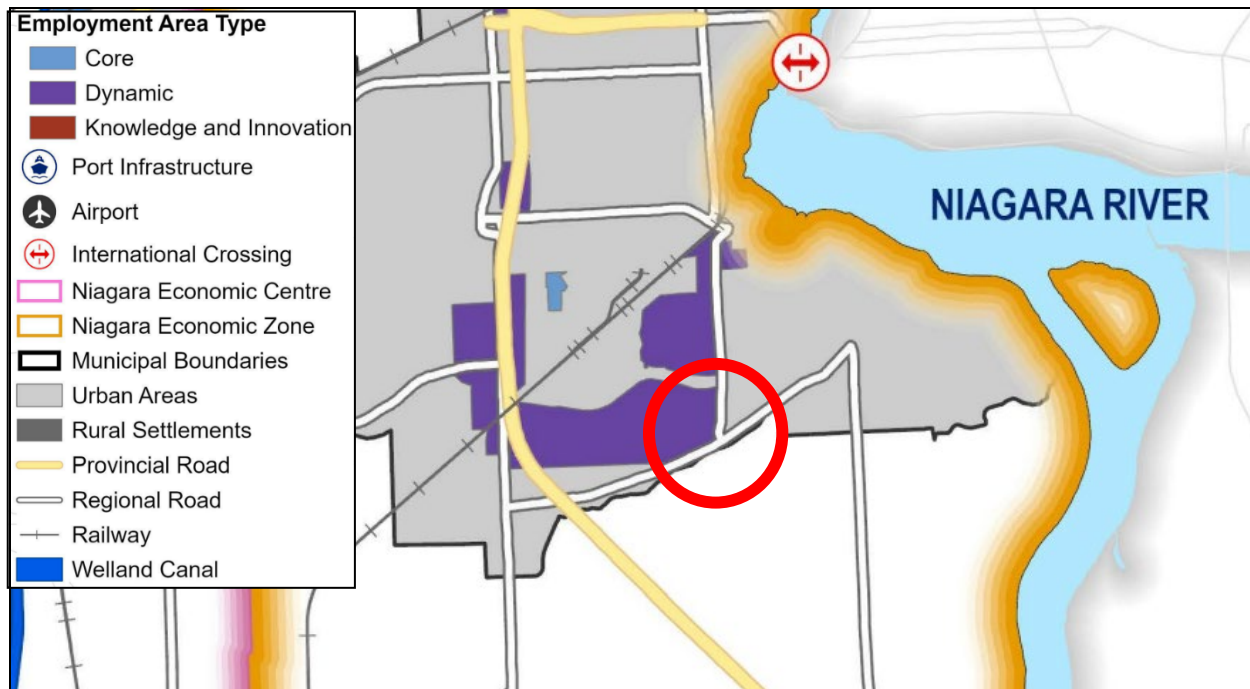


Figure 2 - Draft Schedule G of the Regional Official Plan - Affected Lands within Red Circle

Schedule G of the Draft Regional Official Plan illustrates a sizable swath of land south of the Chippewa Creek, along the north side of Lyon's Creek Road/Reixinger Road extending westerly from Stanley Avenue to the QEW/Montrose Road as a *Dynamic Employment Area* as noted in the Excerpt below.

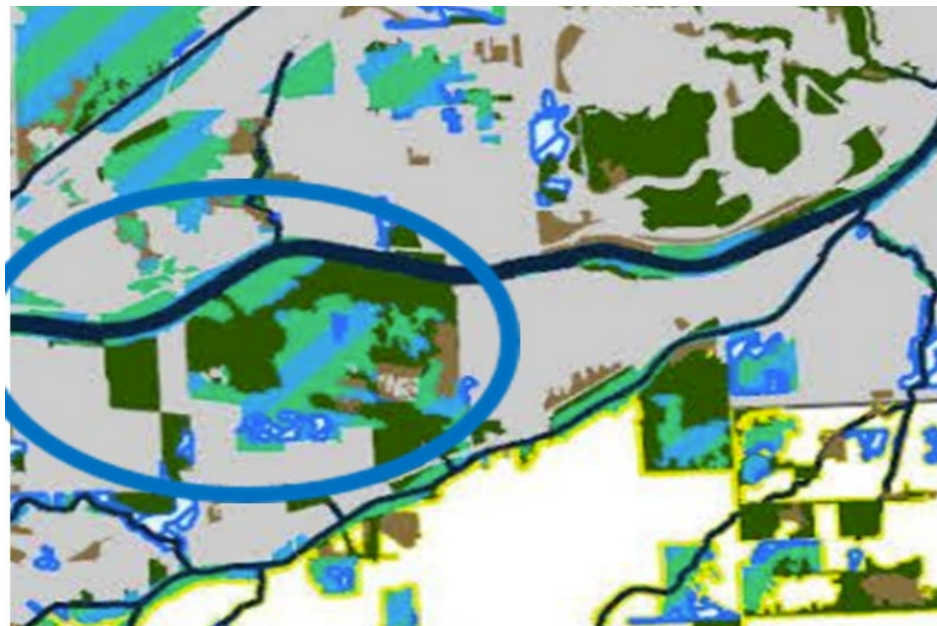
Excerpt from Schedule G – Employment Area



However, the eastern half of this land area is likely not developable due to the predominance of a *Natural Environment System Overlay*, including Significant woodlands, other woodlands, and provincially significant wetlands (refer to Excerpt from Schedule C1 and C2 below). The inclusion of the eastern half of this large area with nominal development potential as Employment land is not realistic and will result in a land area that is not readily available for development purposes. In turn, this will unreasonably inflate the total supply of Employment land within Niagara Falls.



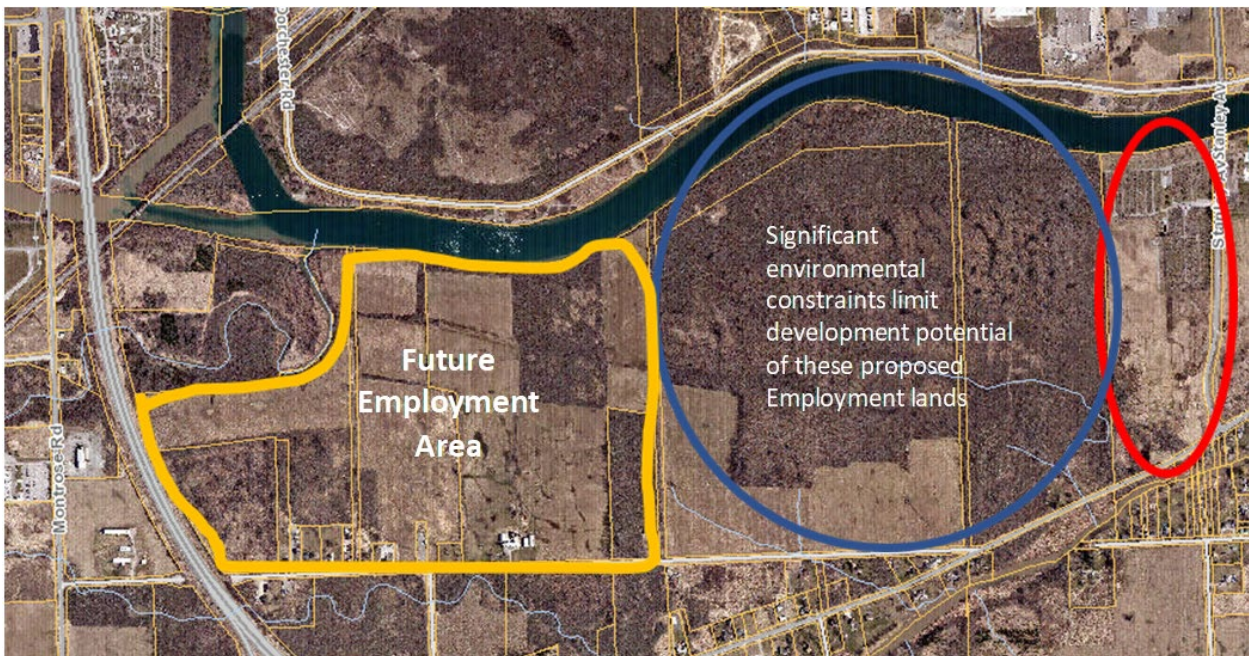
*Excerpt from Schedule C1 –
Natural Environment System
Overlay and Provincial
Natural Heritage Systems*



*Excerpt from Schedule
C2 – Natural
Environment System
Overlay: Individual
Components and
Features*

The 2018 air photo excerpt below, taken from the City of Niagara Falls Viewer mapping system illustrates how the lands fronting Stanley Avenue are clearly separate from the environmentally

sensitive lands to the west where significant woodland cover is evident. This environmental feature/woodland provides a reasonable buffer from potential employment lands further west that have development potential.



Accordingly, consideration should be given to remove the eastern half of the proposed Employment area from Schedule G – Employment Area.

Our clients currently have an active local Official Plan and Zoning By-law Amendment application before the City of Niagara Falls (City File AM-2021-016). The intent of this application is to change the land use designation on the properties from Resort Commercial and Open Space to Residential and Minor Commercial. On-site and adjacent natural heritage features have also been evaluated through a Regionally scoped Environmental Impact Study (“**EIS**”) and are to be designated for long term protection through this amendment. The submitted Zoning By-law Amendment application implements the Official Plan Application.

The City has deemed the Official Plan Amendment Application complete. The City has yet to deem the Application for Zoning By-law Amendment Application but has until March 10, 2022 to do so.

We respectfully request that the proposed change in land use designation to Dynamic Employment Area for these lands be deferred until such time the City has considered the Official Plan Amendment application.

NATURAL HERITAGE DESIGNATION

The Region has provided a preliminary natural heritage mapping tool that shows proposed features on lands throughout the Region. This property is no exception, and does have a variety of natural heritage features shown on the property, as shown in **Figure 3** below.

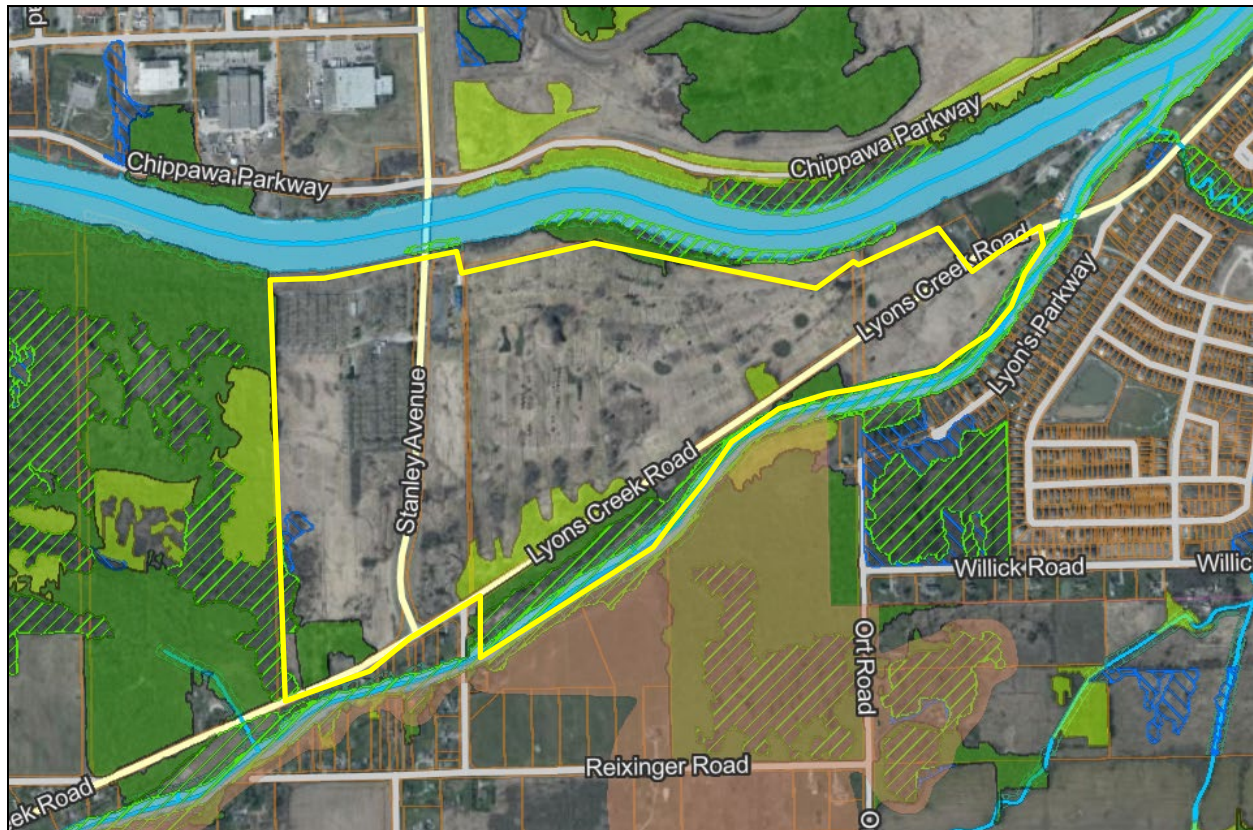


Figure 3 - Proposed Niagara Region Natural Heritage Mapping

As noted, our client has submitted an EIS for the Subject Lands which has been scoped by Regional staff. It is our understanding that this report has been circulated to Niagara Region with the Official Plan Amendment for review and comment.

Given this circumstance, it is requested that the application of new natural heritage mapping to this property be deferred until such time that the EIS and amendment to implement the corresponding land use designations be approved.

Thank you in advance for your consideration of these submissions. We would be happy to meet with you to discuss our clients concerns in greater detail.

Yours truly,

A handwritten signature in black ink, reading "Jennifer Meader". The script is cursive and fluid, with the first name and last name clearly distinguishable.

Jennifer Meader

JM/my

For: Nancy Smith

Encl. (0)

The Niagara District Council of Women

Established . 1918

To The Niagara Regional Council

Comments on PDS 17-2022 Niagara Regional Official Plan Recommendation Report

June 23rd, 2022

-Gracia Janes , Past-President NDCW

I have submitted briefs regarding the new Regional Niagara Official Plan on behalf of the Niagara District Council of Women several times over the last two years, the most recent being at the April 28th Regional Council Official Public meeting under the Planning Act, and the Regional Planning and Economic Development meeting on June 16th. Nevertheless, given the significance of this 2022 proposed Niagara Official Plan, and that questions and comments of Councillors, and staff responses further clarified some of the key issues to the Committee, but not the whole Council, I am once again presenting NDCW's updated, final, views on this very important planning document to Regional Councillors.

By approving the new Regional Official Plan , Council will most certainly be making a leap thirty years into the future, following a Plan that favors unneeded development, based on the “market demand – sprawl “ formula approach rather than strong protection of Carolinian ecosystems, prime farmlands and proven climatically – favoured tender potential fruit and grape lands , in this very unique part of Canada

To begin , we thank the Regional Niagara planners for adjusting the plan to ensure wider buffers between prime farmland and urban development, and agreeing with Port Colborne's use of some planned community development lands at the front end of the 30year planning period.

However, regarding the designation of 3,692 acres of Rural lands across the Region as “Prime Agricultural Lands” , to replace currently designated and zoned prime farm lands lost, it is clear that in the main, these rural lands are probably not owned by full time farmers. And although there is the potential for rural estate lot owners to rent lands out to farmers , this is not a panacea , when stacked up against the prime farm land planned for development, the number of farms and prime farm land incrementally being lost for other reasons , and the urban stresses on farmland and farmers, as noted in a May 5th article in the ‘Rural Life’ Column of the Wellington Advertiser News by the

President of the Ontario Federation of Agriculture and in earlier Niagara Federation of Agriculture e mail comments to Niagara Regional planners..

We note that the current Niagara Official Plan favours the preservation of tender fruit and grape lands and prime agricultural lands, southerly -directed growth, housing intensification, and a balanced approach to economic growth and agriculture, the latter being a significant employment driver, second to General motors and its spin-off jobs at one time . This in turn, was intended to support farmers with the ability to help provide healthy food locally and to close- by urban markets , and further afield to the East Coast, and even west to Regina.

In stark contrast, the proposed new Official Plan is built on priority slogans, such as “a *Healthy and Vibrant Community, Responsible Growth and Infrastructure Planning, and Sustainable and Engaging Government-e.g. successful relationships between all levels of government*, and as one Regional Councillor noted, fails to strongly promote the Agriculture Industry and the farmers who make it succeed.

For those taking the time to sit through multiple Regional Planning Department meetings over 3 years, read through ever -changing planning reports, staff recommendations and public comments on the proposed New Regional Official Plan , it is clear that quite a few were from lawyers representing developers who praised the OP’s “*market-based*” approach, a large number of individuals who made lot-specific development requests ; and, a considerable number of individuals and some public interest groups representing urban and rural interests opposed to unneeded development on our prime farmlands, fruit land and natural heritage lands , with many making notable precautionary comments .

For example, in an e mail to Regional planners the Niagara Federation of Agriculture , said that it “*feels that this is a large, cumulative amount of farmlands loss that will occur within a single policy decision, contrary to several provincial policies focused on protecting prime agricultural areas. Other alternatives for development should be considered in alignment with applicable policies.* “....

..*”This land is finite and non-renewable-great care should be taken to make sure we have this resource for generations of farmers to come.,” As well, NFA supports fixed settlement area boundaries and supports this ambitious approach to intensification . It is unclear , however, why, or how similar ambitious targets could be directed to slow or stop the absolute loss of farmland, or how the loss of farmland could not be further prevented with these ambitious intensification targets.”... “ Urban intensification and farmland protection are ‘two sides of the same coin-ambitious targets to intensify should translate to ambitious protection of farmland.’*”

For their part, Niagara Home Builders said “ *This policy will allow a municipality to put all its intensification in the strategic worth areas and eliminate or virtually eliminate intensification in the built up area. This is not consistent with the PPS or a place to grow.* And long-time Councillor Heit, said, “ *Don’t allow for urban expansion if it is not for food*”; South Niagara farmer and member of the Regional Niagara Agricultural Policy and Action Committee Joe Schonberger, commented that “ *It is noted that Prime agricultural land was sacrificed to accommodate settlement boundary expansions*”; and, the National Farm Union -Ontario (NFU-O) in response to Staff Reports PDS 41-2021 and PDS 42-2021 urged “ *Regional Staff to oppose any urban boundary expansion that would result in the loss of prime farmland and to reimagine population growth through responsible densification rather than urban boundary expansion.*”

These precautionary warnings and others in the Region’s recorded comments, are echoed in a May 5th 2022 news article by Drew Spoelstra, President of the Ontario Federation of Agriculture. He wrote. “ *The OFA supports the goal of building more homes to accommodate a growing population*” ... “ *As we continue the trend of losing acreage every day, I think it’s time we asked ourselves ‘ How do we plan on producing safe, sustainable food for a growing population if our farmers are losing the finite resources needed to grow and produce these commodities.? ‘* To back this up, he noted as other participants in the Regional Official Plan meetings have, “ *less than 5% of Ontario’s land base can support agricultural production ..and “New research also shows southwestern Ontario lost 72,000 acres of prime agricultural land to urban development between 1996 and 2016, the equivalent of 175 acres a day*”.

In Niagara our tender fruit lands (being, along with the Okanagan in BC and a small acreage in Essex County, less than .0004% of Canada’s land mass) have been reduced by urbanization from 36,000 acres in 1974 to about 10,000 potential acres, with about 7,600 in production. And grape lands have been reduced to about 15,000 acres from 36,000 acres in 1974. More recently fruit farmers are finding it increasingly difficult to find land to buy or even rent, and established wineries and individual farms are being impacted by non-farm rural uses, such as Barn events, so much so that the Golden Horseshoe Alliance is working on regulations that could stem the tide .

Conclusion

As noted in our initial brief, the Niagara District Council of Women for many years has been supportive of protecting this very special place in Canada, as it is part of the Carolinian zone, has the best and most economically viable fruit lands in Canada, as well as wonderfully productive prime farmlands, and of course, the many attributes of the Niagara Escarpment, which is a foundation for increased eco tourism. Niagara is favored by its potential to better withstand rapidly changing and increased weather

events and produce healthy food close to urban markets. Our farm lands also are strong employment and tourism related economic drivers . Therefore we must place far more emphasis on farmland and natural heritage area protections now and in the years to come.

.It is for these reasons, that we are disappointed that at its meeting on June 15th the Regional Planning and Economic Development Committee, by approving the newly proposed 2022 Regional Niagara Official Plan overwhelmingly rejected our recommendations that the Region :

- * accept the Provincial Population target of 674,000 residents,

- * retain, as recommended by Niagara Falls Planners, the current urban boundary in Niagara Falls , and thus the potential for a review of the Niagara Falls twice proven , climatically favoured tender fruit lands and an expansion of the Greenbelt there .

- *accept the Niagara Falls planners, and Council- approved plan for intensification and improved transit which better serves much needed affordable housing , rather than the market-based urban sprawl, which, as housing advocates have noted, suits the high-end homes.

- * reduce the population projection for West Lincoln to a reasonable amount ; protect the prime farmlands and karst formations there ; and only expand the urban boundary, if necessary through a five year review and Municipal and Regional Official Plan amendments .

- * plan for more housing and employment land development in Welland, Thorold and Port Colborne if needed.

We are of the opinion, that when presented with a Regional plan having the original Provincial population target, plus a very decent intensification goal, the Province could well consider such a progressive plan with its reasonable population target, increased density goal, well protected prime farm lands and urban and rural ecosystems, and the potential to add more fruit lands, very favorably. .The Region could then move quickly forward to finalize the Plan, and local Municipalities could as well.

. . .

From: [Niagara Region Website](#)
To: [Clerks](#)
Cc: [webincoming](#)
Subject: Online Form - Enquiry from Region website
Date: June 23, 2022 8:00:13 AM

Enquiry from Region website

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

name

Saravanan Sivarajah

phone

[REDACTED]

email

ssivarajah@westonconsulting.com

municipality

Lincoln

subject

MCR Letter

comments

Office of the Regional Clerk Niagara Region 1815 Sir Isaac Brock Way, P.O. Box 1042 Thorold, Ontario L2V 4T7 June 23, 2022 File 10498 Attn: Chris Ventura, MEd Legislative Coordinator Administration – Office of the Regional Clerk Dear Sir, RE: MCR Letter Part N, Part Lot 11 designated as Part Lot 4 on 30R-9485, Concession 9 Municipal Comprehensive Review Letter Weston Consulting has been retained as the authorized planning consultant for the owner of the lands located at Part N, Part Lot 11 designated as Part Lot 4 on 30R-9485, Concession 9 (HWY 20 – NS) in the Township of West Lincoln (herein referred to as the “subject property”). We have been engaged to assist the owner during the Municipal Comprehensive Review (MCR) process. The purpose of the correspondence is to provide formal comment on behalf of the property owner to express our support for designating the subject property as a part of the settlement area through a settlement boundary expansion for residential use. This letter details the relevant policies, legislation, and regulations under the planning hierarchy.

The Region is undertaking a MCR in accordance with the Provincial Growth Plan and pertains to growth management because the Region is required by the Province to plan for a population of 694, 000 people (endorsed Made-in-Niagara Forecast). West Lincoln currently has a population of 16, 370 and a projected growth projection of 38, 370 by 2051. PDS 41-2021 lists a Municipal DGA Density Target of 50 people and jobs per hectare and a Planned DGA Density on Vacant Lands of 55 people and jobs per hectare in West Lincoln. Weston previously submitted a MCR letter to the Region on August 25, 2021 in support of the Township of West Lincoln's request to expand the Smithville Urban Area, as show in the Report PDS 33-2021 Niagara Official Plan: Land Needs Assessment and Settlement Area Boundary Review Update. Weston also conducted a Pre-Consultation Meeting with the Township of West Lincoln Staff on June 16th, 2022 where Weston presented to Town staff presented staff with concept plan for residential development which was well received. The proposed development exceeds the minimum density targets as it contemplates nearly 400 residents with an approximate area of 3.8 hectares. The subject lands are designated under the Urban Area Boundary within the 2014 Regional Official Plan. The Draft Niagara Regional Official Plan designates the subject property as Designated Greenfield Area which areas which will be planned as compact, complete, communities with a minimum density of 50 residents and jobs combined per hectare. The subject property is surrounded by existing residential development and has all community infrastructure to support the residential development. The inclusion of lands for residential developments represents the most appropriate use of the underutilized lands. On behalf of the landowner, we request the continued inclusion of the subject lands into the Smithville Urban Area for residential use. Should the subject property be included into the Region's new Official Plan then we look forward to working with both the Township and the Region in developing these lands appropriately to accommodate forecasted growth and meet local and regional planning objectives. We look forward to continuing monitoring and being involved in the MCR process. Please do not hesitate to contact the undersigned at ext. 335 should you have any questions or concerns. Yours truly, Weston Consulting Per: Katie Pandey, MAES, MCIP, RPP Associate

reply
no

Page Referrer

<https://www.niagararegion.ca/government/council/writtenletter.aspx>



June 23, 2022

By E-Mail Only to *clerk@niagararegion.ca*

Regional Chair Jim Bradley and Members of Council
Niagara Region
1815 Sir Isaac Brock Way
P.O. Box 1042
Thorold, ON L2V 4T7

Regional Chair Bradley and Members of Council:

**Re: Request for Re-Inclusion in Settlement Area
SABR ID: 1151 – Lands located on Garrison Road between Rosehill Road
and Municipal Centre Drive, Town of Fort Erie
June 23, 2022 Council Meeting
Agenda Item 10.4 PEDC Minutes June 15, 2022
PDS 17-2022 Niagara Official Plan: Recommendation Report for Adoption**

We are counsel to Mega Canada Ltd., the owner of approximately 19.7 hectares of land located on Garrison Road between Rosehill Road and Municipal Centre Drive in the Town of Fort Erie (the “**Subject Lands**”). The Subject Lands have been identified as SABR ID: 1151 in the Region’s Settlement Area Boundary Review (“**SABR**”) process.

On behalf of our client, we previously filed correspondence, which was received at the Planning and Economic Development Committee (“**PEDC**”) on June 15, 2022, and our client’s planning consultant Mr. Maurizio Rogato of Blackthorn Development Corp. made a delegation at that meeting. A copy of our prior correspondence identified as PDS-C 44-2022 is included in the Council Agenda as part of Item 10.4.

For the reasons outlined in detail in our prior correspondence, our client requests that a 10 hectare portion of the Subject Lands be re-included in the Settlement Area boundary in the proposed Niagara Official Plan. The Subject Lands were recommended for inclusion in the Settlement Area by the Town of Fort Erie (“**Town**”) Council on February 22, 2021 and initially, by Regional Staff in their December 8, 2021 SABR report PDS 41-2021.

The reasons why the Subject Lands were subsequently recommended for removal from the Settlement Area in March, 2022 have since been addressed by our client’s proposal to include only the developable area of the Subject Lands (approximately 10 hectares) in

the Settlement Area, excluding identified environmental features and their buffers, and through future servicing studies which are already required for lands in this area.

Although not ultimately recommended by PEDC, our client re-iterates its request for re-inclusion of the Subject Lands in the Settlement Area for all of the reasons set out in our correspondence. We respectfully request that, prior to adoption, Council modify the Niagara Official Plan to include the 10 hectare developable area of the Subject Lands.

We request notice of any decision made by Council in respect of this matter.

Yours truly,
DAVIES HOWE LLP



Meaghan McDermid

MM

copy: Client
Mr. Maurizio Rogato, Blackthorn Development Corp.

MEMORANDUM

CAO 6-2022

Subject: Council Endorsement of a Public Statement and Commitment to Address Systemic Discrimination and Anti-Indigenous Racism

Date: June 23, 2022

To: Niagara Regional Council

From: Ron Tripp, Chief Administrative Officer

On June 24, 2021, Regional Council adopted Niagara's Community Safety and Well-Being Plan which included the recommendations of the Mno Bmaadziwin (Living the Good and Healthy Life) Indigenous Engagement Report.

As an organization, we recognize that we have work to do to continue to confront systemic anti-Indigenous racism and discrimination. We are committed to taking specific, measurable, and continued action by implementing the recommendations in the Mno Bmaadziwin Report.

One of the first recommendations in the Report is the creation of a Joint Roundtable to establish sustainable relationships between local, urban Indigenous and Regional leadership. In late 2021, a Joint Roundtable was created with representation from the Niagara Indigenous Community Executives (N.I.C.E.) and corporate leadership from Niagara Region including the Niagara Regional Police Service. Three meetings have taken place to-date focused on building those relationships and setting a framework to co-develop an **Indigenous Action Plan** before the end of the year. The Plan will work towards reconciliation between Niagara Region and First Nations, Métis and Inuit communities, and will include the following:

- Identifying activities to implement the Truth & Reconciliation Commission's Calls to Action and Missing and Murdered Indigenous Women Inquiry's Calls to Justice, which fall under municipal jurisdiction;
- Developing responsive, inclusive policies, programs and services with, and that meet the needs of, off-reserve Indigenous communities and organizations;
- Identifying and implementing ways to make Regional spaces and buildings welcoming and safe for Indigenous Peoples; and,

-
- Identifying and removing barriers that exist for Indigenous peoples in gaining employment with Niagara Region, and create career development opportunities for Indigenous employees.

The second recommendation in the Mno Bmaadziwin Report seeks a public statement from the Region on its intention to address systemic racism within all its systems as it pertains to Indigenous people. With the work of the Joint Roundtable and progress on the development of an **Indigenous Action Plan**, the organization is in a better position to support a public statement that includes a commitment to action.

The proposed public statement below has been reviewed by Corporate Leadership and members of N.I.C.E., which includes organizations such as:

- Fort Erie Native Friendship Centre
- Niagara Regional Native Centre
- Niagara Chapter Native Women
- Ohsto: Seri Urban Aboriginal Homes
- Oonuhseh Niagara Native Homes Inc.
- Niagara Region Métis Council
- De dwa da dehs nye>s Aboriginal Health Centre

Recommendation

If Council is supportive of endorsing the release of a public statement confirming Niagara Region's commitment to address system discrimination and anti-Indigenous racism within its institution, the following motion would be in order:

That Regional Council **APPROVE** the release of the following public statement and commitment:

Niagara Region Commits to Address Anti-Indigenous Racism and to Work Towards Reconciliation

Municipal governments, as well as other levels of government in Canada, share responsibility and have an important role to play in eradicating anti-Indigenous racism and discrimination, and fostering equity and respect for all.

Niagara Region acknowledges that colonialism and past actions and inactions across all levels of government have created discriminatory policies and practices against Indigenous Peoples. This has had direct, widespread and devastating effects on the health and well-being of First Nations, Métis and Inuit communities. Acknowledging this reality is essential to changing it.

Niagara Region hereby issues a commitment to address systemic discrimination and anti-Indigenous racism within its institution.

Niagara Region recognizes that this statement will not stand alone. As an organization, we have work to do to continue to confront systemic anti-Indigenous racism and discrimination. We are committed to taking specific, measurable, and continued action. As a start, a Joint Roundtable has been established with the Niagara Indigenous Community Executives (N.I.C.E.) and leadership from Niagara Region, including the Niagara Regional Police Service. The Joint Roundtable will be working alongside First Nations, Métis and Inuit communities to co-develop an **Indigenous Action Plan**. The plan will work towards reconciliation between Niagara Region and First Nations, Métis and Inuit communities, which will include the following actions.

- Identifying activities to implement the Truth & Reconciliation Commission's Calls to Action and Missing and Murdered Indigenous Women Inquiry's Calls to Justice, which fall under municipal jurisdiction
- Developing responsive, inclusive policies, programs and services with, and that meet the needs of, off-reserve Indigenous communities and organizations

-
- Identifying and implementing ways to make Regional spaces and buildings welcoming and safe for Indigenous Peoples
 - Identifying and removing barriers that exist for Indigenous peoples in gaining employment with Niagara Region, and create career development opportunities for Indigenous employees

Over thousands of years, Niagara region has served as an important gateway, trade route and meeting place for many generations of Indigenous people and their nations. These lands are steeped in the rich history of the First Nations such as the Hatiwendaronk (also known as the Attawanderon or Neutral), the Haudenosaunee, and the Anishinaabe, including the Mississaugas of the Credit First Nation.

Niagara Region looks to the historical foundational values of peace, mutual respect and friendship, as demonstrated by the Two Row Wampum, to guide our path forward to ensure safety, equity and access to opportunity for all Indigenous Peoples in Niagara.

By putting these values into practice, Niagara Region and Indigenous communities can build trust, address challenging issues and new opportunities, and act collaboratively to achieve social and economic well-being for Indigenous Peoples living in Niagara.

This work aligns with the recommendations from [local Indigenous engagement reports](#) (*Creating Our Way Forward* and *Mno Bmaadziwin*), the commitments identified under [Niagara Region's Community Safety and Well-Being Plan](#), and the spirit of the Declaration of Mutual Commitment and Respect signed by Niagara Region Council and the Fort Erie Native Friendship Centre.

Respectfully submitted and signed by

Ron Tripp, P. Eng.
Chief Administrative Officer

Minute Item No. 6.1
PW 21-2022
2014 Hauled Sewage Rate Review

That Report PW 21-2022, dated June 14, 2022, respecting Councillor Information Request respecting 2014 Hauled Sewage Rate Review, **BE RECEIVED** for information.

Minute Item No. 6.2
PWC-C 17-2022
A letter from Dan Segal, Vice President, St. Davids Ratepayers Association, respecting Proposed Roundabout at Regional Road 81 (York Road), and Regional Road 100 (Four Mile Creek Road), Town of Niagara-on-the-Lake

That Correspondence Item PWC-C 17-2022, being a letter from Dan Segal, Vice President, St. Davids Ratepayers Association, respecting Proposed Roundabout at Regional Road 81 (York Road), and Regional Road 100 (Four Mile Creek Road), Town of Niagara-on-the-Lake, **BE RECEIVED** for information.

Minute Item No. 9.1
Confidential PW 16-2022
A Matter respecting information explicitly supplied in confidence to the municipality by the Province and a Crown agency, and commercial information, supplied in confidence to the municipality, which, if disclosed, could reasonably be expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of a person, group of persons, or organization under s. 239(2)(h) and (i) of the Municipal Act, 2001 - GO Station Development Strategy Update

That Confidential Report PW 16-2022, dated June 14, 2022, respecting A Matter respecting information explicitly supplied in confidence to the municipality by the Province and a Crown agency, and commercial information, supplied in confidence to the municipality, which, if disclosed, could reasonably be expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of a person, group of persons, or organization under s. 239(2)(h) and (i) of the Municipal Act, 2001 - GO Station Development Strategy Update, **BE RECEIVED** and the recommendations contained therein **BE APPROVED**.

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

**PWC 5-2022
Tuesday, June 14, 2022
Council Chamber / Video Conference
Niagara Region Headquarters, Campbell West
1815 Sir Isaac Brock Way, Thorold, ON**

Committee Members Present in the Council Chamber: Edgar, Fertich (Committee Vice-Chair), Gale, Insinna, Rigby (Committee Chair)

Committee Members Present via Video Conference: Bradley (Regional Chair), Britton, Chiocchio, Diodati, Disero, Foster, Junkin, Nicholson, Sendzik, Siscoe, Steele, Ugulini, Witteveen, Zalepa

Absent/Regrets: Heit

Staff Present in the Council Chamber: M. Elmadhoon, Manager, Transportation Planning, S. Fraser, Transportation Lead, GO Implementation Office, A.-M. Norio, Regional Clerk, J. Oatley, Manager, Wastewater Quality & Compliance, M. Robinson, Director, GO Implementation Office, J. Spratt, Administrative Assistant to the Regional Clerk, J. Tonellato, Director, Water & Wastewater Services, R. Tripp, Chief Administrative Officer, B. Zvaniga, Interim Commissioner, Public Works

Staff Present via Video Conference: D. Ane, Manager, Program Financial Support, H. Chamberlain, Director, Financial Management & Planning/Deputy Treasurer, C. Habermehl, Director, Waste Management Services, B. Menage, Director, Procurement & Strategic Acquisitions, 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**

There were no items for consideration.

6. **CONSENT ITEMS FOR INFORMATION**

6.1 **PW 21-2022**

Councillor Information Request respecting 2014 Hauled Sewage Rate Review

Moved by Councillor Insinna
Seconded by Councillor Gale

That Report PW 21-2022, dated June 14, 2022, respecting Councillor Information Request respecting 2014 Hauled Sewage Rate Review, **BE RECEIVED** for information.

Carried

6.2 **PWC-C 17-2022**

A letter from Dan Segal, Vice President, St. Davids Ratepayers Association, respecting Proposed Roundabout at Regional Road 81 (York Road), and Regional Road 100 (Four Mile Creek Road), Town of Niagara-on-the-Lake

Moved by Councillor Disero
Seconded by Councillor Fertich

That Correspondence Item PWC-C 17-2022, being a letter from Dan Segal, Vice President, St. Davids Ratepayers Association, respecting Proposed Roundabout at Regional Road 81 (York Road), and Regional Road 100 (Four Mile Creek Road), Town of Niagara-on-the-Lake, **BE RECEIVED** for information.

Carried

7. OTHER BUSINESS

7.1 Speed Limits, Town of Lincoln

Moved by Councillor Foster
Seconded by Councillor Steele

1. That the speed limit of 50 KM/h on Regional Road #81 (King Street) west of Victoria Avenue in Vineland **BE EXTENDED** to Cherry Avenue;
2. That the speed limit of 50 KM/h on Regional Road #73 (Fly Road) east of Campden **BE EXTENDED** at an appropriate point somewhere beyond the laneway to the Bethesda Home;
3. That the Region **CONTINUE** the analysis of speed limits along King Street west (Regional Road #81) in Beamsville (west of Lincoln Avenue and east of Durham Road) with the goal of any speed reductions occurring when construction is undertaken on this road in 2023/2024; and
4. That the Region **INVESTIGATE** if any speed reductions should be made on Jordan Road south (Regional Road #26) from the urban boundary of Jordan Station through to Fourth Avenue.

Carried

7.2 Traffic Safety Issue on Regional Road 101 (Mountain Road)

Councillor Gale requested information respecting construction materials obstructing a clear view of traffic while exiting the Queen Elizabeth Way (QEW) at Regional Road 101 (Mountain Road), City of Niagara Falls. Bruce Zvaniga, Interim Commissioner, Public Works, advised that the construction materials are for work being undertaken by the Ministry of Transportation Ontario (MTO) and that staff would contact the MTO to request priority completion of the work.

7.3 Niagara Irrigation Project

Councillor Witteveen requested information respecting the provision of Regional staff to work on the Niagara Irrigation Project.

8. CLOSED SESSION

Moved by Councillor Witteveen
Seconded by Councillor Siscoe

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

A Matter respecting information explicitly supplied in confidence to the municipality by the Province and a Crown agency, and commercial information, supplied in confidence to the municipality, which, if disclosed, could reasonably be expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of a person, group of persons, or organization under s. 239(2)(h) and (i) of the Municipal Act, 2001 - GO Station Development Strategy Update

Carried

Committee resolved into closed session at 10:09 a.m.

9. BUSINESS ARISING FROM CLOSED SESSION ITEMS

Committee reconvened in open session at 10:25 a.m. with the following individuals in attendance:

Committee Members Present in the Council Chamber: Edgar, Fertich (Committee Vice-Chair), Gale, Insinna, Rigby (Committee Chair)

Committee Members Present via Video Conference: Bradley (Regional Chair), Britton, Diodati, Foster, Junkin, Nicholson, Sendzik, Siscoe, Steele, Ugulini, Witteveen

Absent/Regrets: Chiocchio, Disero, Heit, Zalepa

Staff Present in the Council Chamber: S. Fraser, Transportation Lead, GO Implementation Office, A.-M. Norio, Regional Clerk, M. Robinson, Director, GO Implementation Office, J. Spratt, Administrative Assistant to the Regional Clerk, R. Tripp, Chief Administrative Officer, B. Zvaniga, Interim Commissioner, Public Works

Staff Present via Video Conference: D. Ane, Manager, Program Financial Support, B. Menage, Director, Procurement & Strategic Acquisitions, C. Ventura, Legislative Coordinator

9.1 Confidential PW 16-2022

A Matter respecting information explicitly supplied in confidence to the municipality by the Province and a Crown agency, and commercial information, supplied in confidence to the municipality, which, if disclosed, could reasonably be expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of a person, group of persons, or organization under s. 239(2)(h) and (i) of the Municipal Act, 2001 - GO Station Development Strategy Update

Moved by Councillor Fertich
Seconded by Councillor Ugolini

That Confidential Report PW 16-2022, dated June 14, 2022, respecting A Matter respecting information explicitly supplied in confidence to the municipality by the Province and a Crown agency, and commercial information, supplied in confidence to the municipality, which, if disclosed, could reasonably be expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of a person, group of persons, or organization under s. 239(2)(h) and (i) of the Municipal Act, 2001 - GO Station Development Strategy Update, **BE RECEIVED** and the recommendations contained therein **BE APPROVED**.

Carried

10. NEXT MEETING

The next meeting will be held on Tuesday, July 12, 2022 at 9:30 a.m.

11. ADJOURNMENT

There being no further business, the meeting adjourned at 10:27 a.m.

Councillor Rigby
Committee Chair

Chris Ventura
Legislative Coordinator

Ann-Marie Norio
Regional Clerk

Subject: Councillor Information Request re 2014 Hauled Sewage Rate Review

Report to: Public Works Committee

Report date: Tuesday, June 14, 2022

Recommendations

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

Key Facts

- This report has been prepared in response to the Councillor Information Request made at the Public Works Committee held on April 5, 2022: *Provide information respecting the 2014 third party review regarding hauled sewage rate calculation methodology to Committee members.*
- The 2022 hauled sewage disposal rate is \$46/1000 gallons. Over the past 15 years, this rate has cumulatively increased by 15 per cent. Niagara's rates are competitive and generally lower than other Ontario municipalities.
- The Region began implementing inflationary cost increases to the Hauled Sewage rates starting in 2018. Prior to that time, the rate was not increased for 9 years.
- The WSP Canada Inc. report of 2014, attached as Appendix 1, recommended three alternative approaches to rate setting. The Region maintained a uniform rate for all hauled sewage types as recommended by Approach #1 in the WSP report.
- The Region is conducting a review of rate setting methodology in 2022.

Financial Considerations

The Hauled Sewage Program revenue partially offsets the operational cost of providing the service to sewage generators and sewage haulers. Fees and charges for hauled sewage continue to be assessed during the annual budget review process. Any upgrades to hauled sewage locations that require capital expenditures are presented in the annual capital budgets. Revenue from the program has risen from \$440K (2011) to \$890K (2021) which represents 1.13% of the net 2021 wastewater budget or 0.72% of the net 2021 total water and wastewater budget.

Analysis

Niagara Region has retained consultants on three separate occasions to review hauled sewage rate-setting methodologies.

In general, the consultants have proposed using an approach that includes contaminant removal costs for Biochemical Oxygen Demand (BOD), Total Suspended Solids (TSS), Total Phosphorus (TP) and Total Kjeldahl Nitrogen (TKN) as these factors are readily obtainable.

Hauled sewage contains substantially more of these contaminants than regular sanitary sewage. Sewage with excessive concentrations of BOD, TSS, TKN and TP can compromise the ability of a treatment plant to achieve its regulatory discharge limits.

The presence of the higher concentrations also reduces the capacity of the WWTP to accommodate future growth since the Region must reserve a certain amount of capacity to ensure that non-serviced properties continue to have access to a wastewater treatment plant for hauled sewage disposals.

Consultant Review:

In 2014, staff were directed to examine full cost-recovery for fees and charges as had been done in 2007 when a uniform hauled sewage rate was approved. An engineering consultant, WSP Canada Inc. was hired to review past approaches and municipal best practices for hauled sewage rate calculations.

The rate setting approach used in 2014 calculated a cost for the removal of the contaminants in regular sewage and then applied these unit removal costs to the loads of hauled sewage coming into the plant. The rate would then be set using typical hauled sewage concentrations recognizing that there is a wide variety of hauled sewage types being brought into the various WWTPs.

The consultant reviewed the operating and maintenance costs related to wastewater treatment at the Region's facilities. This resulted in a total wastewater treatment operating and maintenance cost. The consultant then reviewed the quantity of wastewater treated and the mass of material removed during the treatment of normal sewage to determine a base unit removal cost based on the units of mass removed – see Table 1.

Table 1: Base Unit Removal Cost Calculation (2014)

| Year | Actual Costs for WW Operation and Maintenance | Total Kg Pollutant Removed | \$/kg |
|--------------|--|---------------------------------------|--------------|
| 2009 | \$ 47,656,713 | 26,683,819 | \$ 1.79 |
| 2010 | \$ 38,099,851 | 25,433,197 | \$ 1.50 |
| 2011 | \$ 44,683,556 | 26,987,671 | \$ 1.66 |
| 2012 | \$ 40,629,659 | 25,386,625 | \$ 1.60 |
| 2013 | \$ 42,781,364 | 30,230,877 | \$ 1.42 |
| 5-Yr Average | | | \$ 1.59 |

For each load of hauled sewage brought to a wastewater treatment plant for disposal, the hauler is required to leave a sample from the delivered load. A portion of these samples are regularly analyzed by the Region's laboratory to determine the concentrations of BOD, TSS, TP, TKN and other parameters. For the 2014 consultant report, two hundred and twenty (220) samples of various types of hauled sewage were tested including wastewater from wineries, businesses and residences. The results from this testing were used to determine average concentrations for the aforementioned parameters in hauled sewage.

The average concentration of hauled sewage was used to determine an average weight of contaminants in hauled sewage. The cost as calculated in Table 1 was applied to the average weighting of contaminants in hauled sewage to determine a cost to treat hauled sewage in Table 2. Using this methodology, the rate to treat hauled sewage is calculated as \$59.51/1000 gallons.

Table 2: Hauled Sewage Sample Analysis and Mass of Contaminants

| Calculations | A | B | C | D= A*B*C |
|--------------|--|---|---|--|
| Materials | Average Concentration of Contaminants in Hauled Sewage (kg/1000 gallons) | Average Weighting of Contaminants in Total Treated Sewage | 5 Year Average Base Unit Removal Cost (\$/kg) | Cost for Hauled Sewage per 1,000 gallons |
| BOD | 26.32 | 41.81% | \$ 1.59 | \$ 17.51 |
| TSS | 50.78 | 51.77% | \$ 1.59 | \$ 41.83 |
| TP | 0.35 | 0.97% | \$ 1.59 | \$ 0.01 |
| TKN | 1.94 | 5.45% | \$ 1.59 | \$ 0.17 |
| Total | 79.39 | 100.0% | \$ 1.59 | \$ 59.51 |

As was previously noted, this is an average approach used to determine a uniform rate; the concentrations of these materials in hauled sewage can vary greatly from source to source. For instance, some winery wastewater hauled to Niagara's plants will contain TSS concentrations double that of the average calculated.

In 2022, once again staff reviewed the rate setting methodology and updated the five-year average Operating and Maintenance Costs for 2017-2021. The updated cost is calculated to be \$1.62 / kg. This would translate into a proposed hauled sewage rate of \$61.68 / 1000 gallons. The rate recommended to Council in 2022 was \$46 / 1000 gallons.

For context, if the \$61.68 hauled sewage rate was charged in 2021 instead of the \$45 / 1000 gallons rate actually charged, this would have generated approximately an additional \$331,000 in revenue for the wastewater program.

Alternatives Reviewed

The WSP report proposed three alternative methodologies. The other alternatives proposed required rates to be determined based on sewage types or actual laboratory testing results. Staff believe that these other approaches are impractical because of the complexity and given the resources available to monitor hauled sewage disposals.

Relationship to Council Strategic Priorities

- Supporting Businesses and Economic Growth
- Responsible Growth and Infrastructure Planning

Other Pertinent Reports

PW 12-2022 Hauled Sewage Program

Prepared by:

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This report was prepared in consultation with Joe Tonellato, Director, Water and Wastewater Services, and reviewed by Pamela Hamilton, Program Financial Specialist and Dawn Macarthur, Supervisor, Water and Wastewater Compliance and Enforcement.

Appendices

Appendix 1 Hauled Sewage Rate Review Final Report, dated December 2014, prepared for Niagara Region by WSP Canada Inc.

Appendix 2 Summary of data from Appendix B of WSP report in Appendix 1

PROJECT NO 131-24117-00

HAULED SEWAGE RATE REVIEW

FINAL REPORT

DECEMBER 2014

HAULED SEWAGE RATE REVIEW

FINAL REPORT

Project No. 131-24117-00

Prepared for:
Regional Municipality of Niagara

Date: December 2014

Prepared by:

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December 18, 2014

Mr. Jason Oatley
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**Subject: Hauled Sewage Rate Review
 Final Report**

Dear Mr. Oatley:

WSP is pleased to submit our final report for the Hauled Sewage Rate Review.

Yours truly,

Gustavo Arvizu, P. Eng., M. Eng.
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1 INTRODUCTION

WSP (previously GENIVAR) recently completed a review of the Region's sewer use by-law (GENIVAR, 2013). As part of the review, WSP compared other municipalities' by-laws and conducted interviews with staff from those municipalities to gather information on their approach to enforcing their sewer use by-laws. The findings and recommendations of the review were used by the Region to develop a new by-law (By-law No.27-2014), which was adopted by Regional Council in February 2014 (Niagara Region, 2014).

Hauled sewage is accepted from approved sewage haulers at the Region's treatment facilities. The sewer use by-law defines hauled sewage as "wastewater removed from a wastewater system, septic tank, a cesspool, a privy vault or privy pit, a chemical toilet, a portable toilet or a sewage holding tank that is transported to a sewage works for disposal."

The Region's Sewage Hauler Manual specifies that hauled sewage to be deposited into the sewage works (as defined in the by-law) must be in compliance with the current Certificates of Approval for the Sewage Works (or Environmental Compliance Approvals) of the various treatment facilities and meet conditions set out in O. Reg. 347, R.R.O. 1990 (Niagara Region, 2011). Hauled sewage that contains any substance or material prohibited by the by-law is not permitted. However, the hauled sewage may exceed the limits specified for BOD, suspended solids and phosphorus and other limits that may be approved by the Region. The hauled sewage must also have originated from within the boundaries of Niagara Region.

Niagara Region operates seven hauled sewage disposal stations located at the wastewater treatment plants (WWTP) listed below:

- Baker Road WWTP (347 Baker Road, Grimsby)
- Niagara Falls WWTP (3450 Stanley Avenue, Niagara Falls)
- Welland WWTP (505 River Road, Welland)
- Fort Erie WWTP (1 Anger Avenue, Fort Erie)
- Port Dalhousie WWTP (40 Lighthouse Road, St. Catharines)
- Seaway WWTP (30 Prosperity Avenue, Port Colborne)
- Port Weller WWTP (Welland Canals Parkway, St. Catharines)

The disposal station at the Port Weller WWTP was added in 2013 in response to the request of sewage haulers and to reduce the volume discharged at the disposal station at the Port Dalhousie WWTP. The disposal stations only permit domestic sewage from haulers, unless the Region has approved a hauler to discharge a specific type of non-domestic sewage. Domestic sewage is defined as "sewage derived from human activities and includes waste from toilets and grey water from residential activities (e.g. laundry, dish washing, showers etc.)". Sewage from on-board holding tanks (e.g. recreational vehicles, tour buses, ships, boats) and most campgrounds is considered domestic sewage. It is a violation of the Sewer Use By-law to discharge non-domestic sewage, unless the Region has given express approval. The most common source of non-domestic sewage discharged to the Region's facilities is winery waste.

Approximately half of the hauled sewage disposed at the Region's disposal stations is domestic and half is non-domestic.

The last detailed review of the Region's hauled sewage rate was completed in 2005 (MacViro, 2005). The review included an examination of hauled waste disposal procedures, benchmarking against practices of other municipalities and industry standards, and the development of a hauled waste management policy plan. The report recommended that the cost to discharge hauled waste should reflect full cost recovery, including capital replacement costs for hauled wastewater discharge facilities and treatment plants. To achieve full cost recovery, MacViro recommended increasing the rate from \$24.00 to \$42.00 per thousand gallons for residential waste and from \$40.00 to \$109.00 per thousand imperial gallons for commercial and industrial waste.

The Region did not however adopt the rates for residential and commercial/industrial waste that were recommended in the last hauled sewage rate review. The current hauled sewage rate applies to both residential and commercial/industrial waste and has remained the same for approximately 20 years at \$40/1000 imperial gallons, or \$8.80/m³.

WSP was retained by the Region to review the hauled sewage calculation approach currently in place and to determine whether it adequately reflects the costs associated with the treatment of the wastewater. The review also involves a comparison of hauled sewage rates in place at other neighboring municipalities. This report presents the findings and recommendations of the review.

2

EXISTING METHODOLOGY

The Region's existing methodology for determining hauled sewage fees is based on the capacity of the haulers' truck. There is no flow measurement of discharges at the disposal stations, with the exception of the disposal station at Baker Road WWTP. Therefore, the Region calculates the hauled sewage fee based on 80% of the tank capacity of the vehicle. However, vehicle weight or other methods may be approved to determine the discharged amount on a case by case basis (Niagara Region, 2011). The formula for determining the Region's hauled sewage fees is shown below.

$$\text{Hauled Sewage Fee} = V \times R$$

Where,

V = volume of discharge, assumed to be 80% of truck volume (m³)

R = hauled sewage rate (\$8.8/m³)

Sampling and testing of the hauled sewage, at the expense of the hauler or sewage generator, may be required as the Region considers necessary. Sewage haulers are required to complete a "Hauled Sewage Record" (HSR) form as provided by the Region prior to discharging (Niagara Region, 2011). The HSR includes the name of the sewage hauler, name of the sewage generator, the estimated volume of sewage discharged, the time and date of disposal and other information required. Haulers are charged for 80% of the truck capacity regardless of the volume declared. The Region believes this approach balances out cases of under and over reporting.

Sewage haulers are required to leave a sample of the hauled sewage at the time of disposal. Approximately each month two samples per plant are tested for the parameters regulated in the Sewer Use By-law including TSS, TP, TKN, metals and other materials and substances. BOD is not regularly tested, but in such cases COD is tested instead and can be converted to BOD

Potential limitations associated with the Region's hauled sewage methodology include:

- The Region is unable to accurately determine the volume of hauled sewage discharged at the disposal stations, with the exception of the disposal station at Baker Road WWTP. Therefore, it is unknown whether haulers are being overcharged or undercharged based on discharge volume.
- The volume of domestic and non-domestic (primarily wineries) hauled sewage discharged at the Region's disposal stations is split approximately 50/50. This is relevant because different sources of hauled sewage produce different pollutants and different pollutant concentrations. The current hauled sewage rate does not consider the costs associated with treating different types of hauled sewage.
- It is unknown how the Region's current rate, \$40/1000 imperial gallons, was determined. Furthermore, the Region's current rate has not been updated for approximately 20 years.

3 EVALUATION OF HAULED SEWAGE RATE CALCULATION APPROACH

3.1 EVALUATION METHOD

To objectively assess whether the Region's current hauled sewage calculation approach is adequate, it is important to define evaluation criteria, and clearly define what the fees are meant to achieve. The approach for determining hauled sewage fees should ensure full cost recovery. It should also discourage excessive discharges of regulated parameters. However, it should not be cost prohibitive and cause haulers to transport their hauled sewage to other municipalities. Finally, it should be easy to calculate and facilitate reviews and updates. Therefore, three criteria were used to evaluate the Region's calculation approach:

1. Cost Recovery – Does it reflect the true cost of treatment for every parameter and does it capture the true discharge volume?
2. Similarity to other Municipalities Rates – Does it discourage haulers from discharging at the Region's disposal stations and is it consistent with other municipalities' hauled sewage fees?
3. Simplicity – Is it easy to calculate and does it use readily available data?

These criteria are explained in more detail below.

3.1.1 COST RECOVERY

TREATMENT COST RECOVERY

To assess whether the hauled sewage rate leads to full cost recovery, it is important to understand the impact discharges with concentrations over the by-law limits would have on the performance of the wastewater treatment facilities. Hauled sewage with excessive concentrations of BOD, TSS, TKN and/or TP would compromise the ability of the treatment plant to achieve its required effluent limits and/or reduce the facilities capacity to accommodate future growth.

The Region tests for several parameters in the haulers' samples including parameters regulated in the Sewer Use By-law such as TSS, TP, TKN, metals and other materials and substances. The

haulers' test results were analysed to determine what parameters have historically exceeded the by-law limits. The number of instances for which the by-law limit was exceeded is shown for each parameter in Table 3-1 below. It should be noted that Total BOD is not regularly tested. In some instances, COD is tested. Where COD was available it was converted to BOD using a factor of 1.6 parts COD per part of BOD.

Based on the data reviewed, the hauled sewage has exceeded the by-law limit for the following parameters:

- Total Biological Oxygen Demand (T BOD)
- Chromium
- Copper
- Lead
- Mercury
- Nickel
- Total Phosphorus (TP)
- Total Kjeldahl Nitrogen (TKN)
- Total Suspended Solids (TSS)
- Zinc

The hauled sewage parameters that most frequently exceed the by-law limit are BOD, TP, TKN, TSS, copper and zinc.

Discharges exceeding the by-law limits for copper, lead, mercury, nickel and zinc should be reviewed closely as these components might have an inhibitory effect on the wastewater treatment process and might also impact the quality of the biosolids generated at the plants. It should be noted that the Nutrient Management Act, 2002 (NMA) has limits for the concentration of various metals in biosolids including arsenic, cadmium, cobalt, chromium, copper, lead, mercury, molybdenum, nickel, selenium and zinc.

DISCHARGE VOLUME COST RECOVERY

The declared volume is that which the hauler claims at the time of disposal on the Hauled Sewage Record. However, the Region's bills for a volume equal to 80% of the haulers' truck capacity. Table 3-2 below compares the annual declared volume versus billed volume for each disposal station.

According to the billed volume and the number of loads, the average load volume discharged between 2010 and 2012 was approximately 2,561 gallons, or 11.6 m³. According to the declared volume, the average load disposed was approximately 2,243 gallons, or 10.2 m³. Overall the Region billed an average of 14% more than the declared volume for the loads disposed between 2010 and 2012. Because there is no flow measurement at the disposal stations except at Baker Road WWTP, it is difficult to confirm the accuracy of the discharged volume.

Table 3-1: Parameters Exceeding the By-law Limit by Hauler

| HAULER | YEAR | NO. SAMPLES TESTED | SOURCE | NO. OF INSTANCES BY-LAW LIMIT WAS EXCEEDED | | | | | | | | | | |
|--------|------|--------------------------|------------------------------|--|------------------------------------|----------|--------|------|---------|--------|-----|-----|-----|------|
| | | | | *T BOD | **T BOD (Converted from COD) | Chromium | Copper | Lead | Mercury | Nickel | TP | TKN | TSS | Zinc |
| 1 | 2012 | 1 | School | 1 | | | | | | | 1 | 1 | 1 | 1 |
| | 2013 | 1 | Restaurant | 1 | | | 1 | | | | 1 | 1 | 1 | 1 |
| | | 1 | Industrial | | 1 | | | | | | | | 1 | |
| 2 | 2009 | 2 | Septic | 2 | | | 1 | | 1 | | 2 | 1 | 2 | 1 |
| | 2012 | 1 | Holding Tank | | 1 | | | | | | 1 | 1 | 1 | |
| 3 | 2012 | 2 | Restaurant | 1 | | | | | | | | | 1 | |
| | 2013 | 2 | Residential | 1 | | | 1 | | | | 2 | 2 | 1 | 1 |
| 4 | 2013 | 6 | Holding Tank & Commercial | 6 | | | 3 | 2 | | | 6 | 5 | 6 | 5 |
| 5 | 2012 | 2 | Industrial | | 2 | | 1 | | | | 2 | 2 | 2 | 1 |
| 6 | 2009 | 1 | Unknown | 1 | | | 1 | | | | 1 | 1 | 1 | 1 |
| | 2010 | 9 | Wineries & Industrial | 6 | 4 | | 4 | | 1 | | 7 | 7 | 8 | 3 |
| | 2011 | 1 | Wineries | | 1 | | 1 | | | | 1 | 1 | 1 | |
| | 2012 | 12 | Wineries | 1 | 11 | | 2 | 1 | | 1 | 12 | 10 | 12 | 4 |
| | 2013 | 7 | Wineries & Commercial | 1 | 5 | | 5 | | | | 6 | 6 | 5 | 4 |
| 7 | 2012 | 2 | Unknown & Industrial | 2 | | | | | | | | | | |
| | 2013 | 4 | Wineries | | | | 1 | | | | 4 | 3 | 4 | 1 |
| 8 | 2010 | 1 | Wineries | | 1 | | | | | | | | 1 | 1 |
| | 2012 | 17 | Wineries | 1 | 14 | | 5 | | | | 13 | 9 | 15 | 7 |
| | 2013 | 21 | Wineries | | 19 | | 5 | | | | 16 | 12 | 17 | 11 |
| 9 | 2012 | 1 | Wineries | | 1 | | | | | | 1 | 1 | 1 | |
| | 2013 | 8 | Wineries | | 7 | 1 | 3 | 1 | 1 | 1 | 7 | 5 | 7 | 3 |
| 10 | 2010 | 33 | Wineries | 8 | 9 | | | | | | 25 | 4 | 31 | |
| | 2011 | 6 | Wineries | 4 | 1 | | | | | | 5 | 2 | 3 | |
| | 2012 | 5 | Wineries | 1 | 2 | | | | | | 3 | 1 | 2 | |
| | 2013 | 6 | Wineries | 1 | 3 | | | | | | 3 | | 4 | |
| 11 | 2009 | 4 | Unknown | 2 | | | | | | | 2 | 4 | 4 | 1 |
| | 2010 | 6 | Wineries | 2 | 4 | | | | | | 2 | 1 | 5 | |
| | 2012 | 16 | Wineries | | 16 | | 9 | | | | 16 | 15 | 16 | 4 |
| | 2013 | 41 | Wineries | | 39 | | 13 | | | | 36 | 27 | 34 | 17 |
| 12 | 2013 | 1 | Unknown | 1 | | | 1 | | | | 1 | 1 | 1 | 1 |
| Total | | 220 | | 43 | 115 | 1 | 57 | 4 | 3 | 2 | 176 | 123 | 188 | 68 |

*Only 52 out of 220 samples were tested for T BOD.

**COD values converted to T BOD by dividing by a factor of 1.6.

Table 3-2: Annual Hauled Sewage Volume by Plant

| DISPOSAL STATION | 2010 | | | | 2011 | | | 2012 | | |
|---------------------|--------------|-------------|-----------------------|---------------------|-------------|-----------------------|---------------------|-------------|-----------------------|---------------------|
| | Load Type | No. Loads | Declared Volume (gal) | Billed Volume (gal) | No. Loads | Declared Volume (gal) | Billed Volume (gal) | No. Loads | Declared Volume (gal) | Billed Volume (gal) |
| Baker Rd WWTP | Domestic | 2 | 5,500 | 8,400 | 8 | 13,500 | 31,760 | 188 | 368,350 | 736,160 |
| | Non-domestic | 7 | 16,400 | 13,120 | 15 | 41,800 | 46,160 | 420 | 1,287,600 | 1,239,100 |
| Fort Erie WWTP | Domestic | 392 | 1,057,350 | 930,480 | 401 | 1,128,300 | 969,120 | 303 | 714,400 | 733,920 |
| | Non-domestic | 284 | 743,800 | 651,440 | 194 | 532,300 | 451,680 | 98 | 211,750 | 213,120 |
| | Maintenance | 1 | 1,500 | 1,440 | | | | | | |
| Niagara Falls WWTP | Domestic | 482 | 552,325 | 767,120 | 568 | 780,000 | 1,008,960 | 600 | 908,190 | 1,085,760 |
| | Non-domestic | 602 | 1,287,535 | 1,190,880 | 483 | 1,022,800 | 1,002,240 | 415 | 794,650 | 863,520 |
| | Maintenance | 2 | 1,300 | 2,880 | 1 | 3,500 | 4,000 | | | |
| Port Dalhousie WWTP | Domestic | 712 | 1,506,100 | 2,584,010 | 740 | 1,593,500 | 2,784,810 | 550 | 1,055,300 | 1,902,930 |
| | Non-domestic | 1147 | 3,529,750 | 3,386,615 | 1207 | 3,755,290 | 8,000 | 978 | 3,161,383 | 3,131,790 |
| | Maintenance | 2 | 6,000 | 5,200 | 2 | 7,000 | 3,681,900 | | | |
| Seaway WWTP | Domestic | 802 | 1,652,575 | 1,720,400 | 802 | 1,745,450 | 1,772,960 | 762 | 1,399,150 | 1,608,520 |
| | Non-domestic | 343 | 760,850 | 728,800 | 276 | 659,250 | 606,480 | 376 | 888,957 | 814,640 |
| | Maintenance | | | | 1 | 2,000 | 2,400 | | | |
| Welland WWTP | Domestic | 454 | 587,681 | 1,014,720 | 440 | 749,830 | 1,270,680 | 483 | 727,772 | 1,127,640 |
| | Non-domestic | 262 | 423,967 | 542,559 | 194 | 322,380 | 444,080 | 221 | 367,920 | 442,560 |
| | Maintenance | 23 | 51,300 | 55,200 | | | | 2 | 2,900 | 4,480 |
| Total | | 5517 | 12,183,933 | 13,603,264 | 5332 | 12,356,900 | 14,085,230 | 5396 | 11,888,322 | 13,904,140 |

3.1.2 SIMILARITY TO OTHER MUNICIPALITIES' RATES

The approaches used by other municipalities to calculate hauled sewage rates were compared against the Region's existing methodology. The hauled sewage rates from York Region, Peel Region, Durham Region, Halton Region, Waterloo Region, City of Toronto, City of Hamilton and Haldimand County were reviewed.

All municipalities compared use the same formula as the Region, in which a rate is multiplied by the volume discharged. However, the other municipalities do not specify how volume is determined to calculate total hauled sewage fees (i.e. no details are provided on whether discharge volumes are measured or whether they assume a % of the truck capacity like the Region). There are four types of hauled sewage rates used by the municipalities described in the table below.

Table 3-3: Types of Hauled Sewage Rates

| HAULED SEWAGE RATE | DESCRIPTION | MUNICIPALITIES |
|---|--|--|
| Flat rate per 1000 imperial gallons | The same rate is applied regardless of the type of sewage or the volume discharged. | York, Peel, Durham, Halton, Toronto, Niagara |
| Specific rates for set discharge volume ranges | A specific rate is applied depending on the range of volume the discharge falls within. Increasing volume ranges correspond to higher rates. The rates are not dependent on the type of hauled sewage. | Hamilton |
| Specific rates for different sewage types charged per 1000 imperial gallons | A specific rate is applied depending on the type of sewage discharged (i.e. leachate, holding tank waste or septic tank waste). The rates are not dependent on the volume discharged. | Haldimand |
| Specific rates for type of sewage per truck | A specific rate is charged per truck depending on the type of sewage a truck is discharging (i.e. holding tank waste or septic). The rates are not dependent on the volume discharged. | Waterloo |

The hauled sewage rate of each municipality is displayed below in Table 3-4.

Table 3-4: Hauled Sewage Rate by Municipality

| | YORK | PEEL | DURHAM | HALTON | WATERLOO | TORONTO | HAMILTON | HALDIMAND | NIAGARA |
|---------------------------------|----------|---------|---------|---------|---|----------|------------------------------------|------------------------------------|---------|
| Rate (\$/1000 imperial gallons) | \$89.11* | \$13.00 | \$73.86 | \$24.40 | Ranges from \$86.17/truck to \$173.77/truck** | \$126.65 | Ranges from \$43.62 to \$174.48*** | Ranges from \$13.77 to \$74.05**** | \$40.00 |
| Rate (\$/m3) | \$19.60* | \$2.86 | \$16.25 | \$5.37 | | \$27.86 | Ranges from \$9.60 to \$38.38*** | Ranges from \$3.03 to \$16.29**** | \$8.80 |

*York's rate includes a 15% administration fee.

**Waterloo's rate is dependent on type of hauled sewage (i.e. holding tank waste, septic).

***Hamilton's rate is dependent on volume of hauled sewage disposed.

****Haldimand's rate is dependent on type of hauled sewage (i.e. leachate, holding tank waste or septic tank waste).

HAULED SEWAGE CALCULATION COMPARISON

To compare the Region's hauled sewage fees to those from the other municipalities, different discharge sources with different characteristics were assumed. These discharge profiles are listed below.

Table 3-5: Source Profiles used for Benchmarking

| HAULED SEWAGE SOURCE | VOLUME (m³) | VOLUME (gallons) | TYPE OF HAULED SEWAGE | BOD Concentration (mg/L) |
|----------------------|-------------|------------------|-----------------------|--------------------------|
| Source 1 | 4.54 | 998.66 | Holding Tank Waste | 1,500 |
| Source 2 | 15.9 | 3,497.51 | Mixed Waste | 2,500 |
| Source 3 | 22.7 | 4,993.3 | Septic Tank Waste | 3,500 |
| Source 4 | 36.3 | 7,984.88 | Septic Tank Waste | 3,000 |
| Source 5 | 45.4 | 9,986.6 | Holding Tank Waste | 1,000 |
| Source 6 | 10.0 | 2,199.69 | Winery Waste | 5,800 |

The hauled sewage fees calculated using the various municipalities' rates are summarized in Table 3-6 and are shown graphically in Figure 3-1.

Table 3-6: Hauled Sewage Rate Comparison

| | SOURCE 1 | SOURCE 2 | SOURCE 3 | SOURCE 4 | SOURCE 5 | SOURCE 6 | TOTAL |
|---------------------------|----------|----------|----------|------------|------------|----------|-------------------|
| York | \$88.98 | \$311.64 | \$444.92 | \$711.48 | \$890.43 | \$196.00 | \$2,643.45 |
| Peel | \$12.98 | \$45.47 | \$64.92 | \$103.82 | \$129.93 | \$28.60 | \$385.73 |
| Durham | \$73.78 | \$258.38 | \$368.88 | \$589.88 | \$738.24 | \$162.50 | \$2,191.64 |
| Halton | \$24.38 | \$85.38 | \$121.90 | \$194.93 | \$243.96 | \$53.70 | \$724.25 |
| *Waterloo | \$86.17 | N/A | \$347.54 | \$347.54 | \$258.51 | N/A | \$1,039.76 |
| Toronto | \$126.48 | \$442.97 | \$632.42 | \$1,011.32 | \$1,265.68 | \$278.60 | \$3,757.48 |
| Hamilton | \$43.58 | \$152.64 | \$435.61 | \$1,045.08 | \$1,743.60 | \$96.00 | \$3,516.52 |
| Haldimand | \$13.76 | N/A | \$369.78 | \$591.33 | \$137.65 | N/A | \$1,112.52 |
| Niagara - Existing Method | \$39.95 | \$139.92 | \$199.76 | \$319.44 | \$399.78 | \$88.00 | \$1,186.86 |

*Assumed 20 m³ trucks.

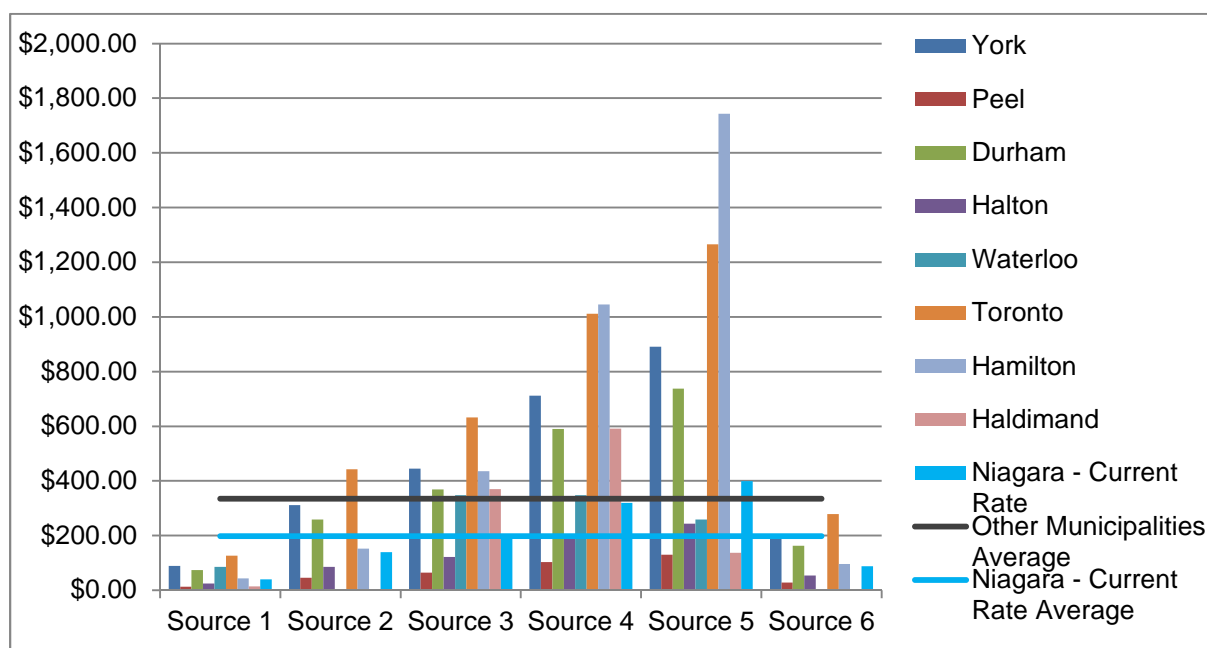


Figure 3-1: Hauled Sewage Fees by Municipality

As shown above, there is significant variation in the hauled sewage fees that would be applied to different types of waste at the different municipalities compared. There is no discernible pattern. It is clear however that generally the City of Toronto and the City of Hamilton rates are greater than those for the rest of the municipalities. The Region's rates are also generally lower than those at other municipalities.

3.1.3 RECREATIONAL VEHICLE SEWAGE DISPOSAL

A survey was undertaken to determine which other municipalities accept sewage disposal from recreational vehicles (RV). A summary of the findings including the applicable charges and policies for RV disposal is provided below in Table 3-7.

Table 3-7 Other Municipalities' Recreational Vehicle Disposal

| MUNICIPALITY | RV DISPOSAL? | RV DISPOSAL CHARGE | COMMENTS |
|--------------|--------------|---|--|
| York | No | N/A | York Region directs RV owners to campgrounds/provincial parks for sewage disposal. |
| Peel | Yes | No charge | The disposal station at Wolfedale is open to RV owners Monday to Friday between 8:30am and 4:00pm. Sometimes the gate is open, but when it is closed the RV owner must call to have staff open the gate. |
| Durham | Yes | No charge | RV owners can access the plant between 7:30am and 3:30pm. |
| Halton | Yes | No charge | Residents of Halton can dispose sewage from RVs and are asked to call ahead to advise the appropriate plant of their arrival time so staff are available. Sewage is accepted Monday to Friday between 7:30am and 4:00pm. |
| Waterloo | No | N/A | N/A |
| Toronto | No | N/A | The City of Toronto website directs RV owners to campground sites for sewage disposal. |
| Hamilton | Yes | \$5.75/1000 imperial gallons or \$1.26/m ³ * \$8.50** | RV sewage disposal is accepted only at the Mountain Community Recycling Centre (Upper Ottawa and Kilbride Road). The centre is open Monday to Saturday between 8:00am and 6:00pm. The waste must be discharged directly from the RV and the discharger must supply and connect a hose from the RV tank into the discharge manhole. |
| Haldimand | No | N/A | Haldimand County directs RV owners to trailer parks for sewage disposal. |
| Oxford | Yes | No charge | Residents of Oxford County can dispose sewage from RVs at the Woodstock WWTP Monday to Friday between 7:30am and 3:30pm. |
| Brantford | No | N/A | The City of Brantford no longer accepts sewage disposal from RVs. |
| Barrie | No | N/A | The City of Barrie directs RV owners to Heidi's RV in Hawkestone. |
| Guelph | Yes | No charge | Residents of the City of Guelph can dispose sewage from RVs Monday to Friday between 8:00am and 4:00pm. |
| Niagara | Yes | No charge | RV owners can access all sewage disposal stations between 7:00am and 7:00pm. However, gates at the facilities are closed and RV's must call to gain access. |

*RV disposal charge in the City's Sewer Use By-law.

**RV disposal charge on the City's website.

Half of the municipalities consulted accept sewage disposal from RVs. With the exception of the City of Hamilton, these municipalities do not apply a charge for RV sewage disposal.

There are policies for RV sewage disposal at some of the municipalities. Some municipalities specify that only residents may dispose sewage from RVs. Furthermore, RV owners must call to get access to the disposal facility if the gate is locked.

The approach currently in place at the Region is considered consistent with practices at other nearby municipalities.

4 ALTERNATIVE HAULED SEWAGE RATE SETTING APPROACHES

Alternative approaches to determine the hauled sewage rate were considered given the fact that the Region's rate is considerably lower than the average for the municipalities consulted. These are explained below.

4.1 ALTERNATIVE APPROACH 1

This approach is based on achieving full cost recovery for the treatment of BOD, TSS, TP and TKN. Data for all plants for the past 5 years (i.e. 2009-2013) is summarized below in Table 4-1. The fraction of each parameter relative to the total mass of pollutants is also noted in the table.

Table 4-1: Historical Pollutant Removal Data from the Region's WWTPs

| YEAR | BOD (kg) | TSS (kg) | TP (kg) | TKN (kg) | TOTAL kg REMOVED | % BOD | % TSS | % TP | % TKN |
|----------------|------------|------------|---------|-----------|------------------|--------------|--------------|-------------|-------------|
| 2009 | 11,139,256 | 13,893,973 | 268,061 | 1,382,529 | 26,683,819 | 41.7% | 52.1% | 1.0% | 5.2% |
| 2010 | 10,575,808 | 13,190,507 | 253,172 | 1,413,710 | 25,433,196 | 41.6% | 51.9% | 1.0% | 5.6% |
| 2011 | 11,219,406 | 14,071,314 | 264,563 | 1,432,388 | 26,987,671 | 41.6% | 52.1% | 1.0% | 5.3% |
| 2012 | 10,635,489 | 13,012,662 | 248,172 | 1,490,302 | 25,386,626 | 41.9% | 51.3% | 1.0% | 5.9% |
| 2013 | 12,775,442 | 15,572,714 | 272,147 | 1,610,574 | 30,230,878 | 42.3% | 51.5% | 0.9% | 5.3% |
| AVERAGE | | | | | | 41.8% | 51.8% | 1.0% | 5.4% |

$$\text{Mass Fraction}_{\text{BOD}} = \frac{\text{Total BOD Mass Removed}}{\text{Total BOD Mass Removed} + \text{Total TSS Mass Removed} + \text{Total TP Mass Removed} + \text{Total TKN Mass Removed}}$$

A cost per kg removed (denoted R_1) was calculated using the annual gross capital wastewater costs and the annual total mass removed of BOD, TSS, TP and TKN at all of the Region's wastewater treatment plants. The cost data was obtained from the Region's annual operating statements for "5000C Wastewater Systems".

$$R_1 = \frac{\text{Total Operations Cost for all Treatment Plants} + \text{Total Operations Costs for Garner Road Facility}}{\text{Total BOD Removed} + \text{Total TSS Removed} + \text{Total TP Removed} + \text{Total TKN Removed}}$$

Table 4-2: Unit Removal Cost

| YEAR | WASTEWATER OPERATIONS COST (GROSS CAPITAL) | TOTAL kg REMOVED | COST/ TOTAL kg REMOVED |
|--------------------------------|---|------------------|---------------------------|
| 2009 | \$47,656,713.23 | 26,683,819 | \$1.79 |
| 2010 | \$38,099,851.36 | 25,433,196 | \$1.50 |
| 2011 | \$44,683,556.26 | 26,987,671 | \$1.66 |
| 2012 | \$40,629,659.03 | 25,386,626 | \$1.60 |
| 2013 | \$42,781,364.19 | 30,230,878 | \$1.42 |
| Average (R₁) | | | \$1.59 |

Alternative Approach 1 assumes that the ratio of the mass of each parameter over the total mass of pollutants removed is the same as the ratio of the removal cost of the parameter over the total removal cost for all parameters.

Cost Fraction_{BOD}

Cost per Kg of BOD Removed

$$= \frac{\text{Cost per Kg of BOD Removed}}{\text{Cost per Kg of BOD Removed} + \text{Cost per Kg of TSS Removed} + \text{Cost per Kg of TP Removed} + \text{Cost per Kg of TKN Removed}}$$

All of the samples from all of the haulers were analyzed to obtain average concentrations of BOD, TSS, TP and TKN in the hauled sewage. The complete list of hauler test results used to determine the average sample concentrations for each parameter are included in Appendix B.

To determine the corresponding hauled sewage rate the following formula was used.

$$R = C_{BOD} \cdot \text{Cost Fraction}_{BOD} + C_{TSS} \cdot \text{Cost Fraction}_{TSS} + C_{TP} \cdot \text{Cost Fraction}_{TP} + C_{TKN} \cdot \text{Cost Fraction}_{TKN} \cdot R_1$$

Where,

R = Hauled sewage rate per unit volume

C_{BOD} = Average concentration of BOD from all hauler samples

C_{TSS} = Average concentration of TSS from all hauler samples

C_{TP} = Average concentration of TP from all hauler samples

C_{TKN} = Average concentration of TKN from all hauler samples

and the other terms are as defined in the formulas above.

The corresponding fee would be calculated per:

$$\text{Hauled Sewage Fee} = V \times R$$

The new hauled sewage rate based on full cost recovery for BOD, TSS, TP and TKN is shown below in Table 4-3.

Table 4-3: Hauled Sewage Rate Calculation – Approach 1

| | BOD (mg/L) | TSS (mg/L) | TP (mg/L) | TKN (mg/L) |
|---|--|-------------------|------------------|-------------------|
| Average Sample Concentration (mg/L) | 5,790 | 11,170 | 76 | 426 |
| Average Sample Concentration (kg/1000 gallons) | 26.32 | 50.78 | 0.35 | 1.94 |
| Cost Fraction (per Table 4-1) | 41.8% | 51.8% | 1.0% | 5.4% |
| R ₁ (\$/kg removed) | \$1.59 | | | |
| New Hauled Sewage Rate (\$/1000 gallons) | 26.32 X 41.8% + 50.78 X 51.8% + 0.35 X 1% + 1.94X5.4% = \$59.51 | | | |
| New Hauled Sewage Rate | \$13.09/m³ or \$59.51/1000 gallons | | | |

The hauled sewage rate obtained using Alternative Approach 1 is greater than the existing rate in use at the Region (\$13.09/m³ vs. \$8.80/m³) and thus would result in higher surcharge fees. However, the rate is still slightly below the average for the other municipalities compared.

This approach takes into account different kinds of discharges with varying concentrations of BOD, TSS, TP and TKN. However, this approach has disadvantages:

- The approach to calculating the cost fractions of each parameter (based on percentages of the total mass removed) does not take into account the relative cost of removal of the various parameters – TSS removal is cheaper than BOD, TKN, and TP removal even when there might be more TSS in the influent.
- The concentrations of the various parameters for all samples and all haulers were averaged. This means that some haulers (those with lower pollutant loading) may be overcharged, while others (winery waste haulers) may be undercharged.

4.2 ALTERNATIVE APPROACH 2

All of the fees applied at other municipalities (and Alternative Approach 1) are based on the following formula:

$$\text{Hauled Sewage Fee} = V \cdot R$$

Thus, the fee is a function of the volume discharged. Alternative Approach 1 attempts to take into consideration the differences in the cost of treatment for discharges with varying concentrations of BOD, TSS, TP and TKN. However, the above approach uses an average of all the samples from the haulers to determine the surcharge rate R. As noted above, a disadvantage of this approach is the potential overcharging or undercharging to haulers with hauled sewage of different strengths. The above approach does not take into account variations in the strength of sewage discharged by haulers at different times (some haulers may discharge septage at certain times and sometimes may discharge winery waste). Furthermore, some of the discharges greatly exceed the by-law limits for BOD, TSS, TKN and TP. The average hauled sewage sample concentrations are compared in Table 4-4 below to the Region's sewer discharge by-law limits for BOD, TSS, TP and TKN.

Table 4-4: Average Sample Concentrations vs By-law Limits

| | BOD (mg/L) | TSS (mg/L) | TP (mg/L) | TKN (mg/L) |
|------------------------------|------------|------------|-----------|------------|
| Average Sample Concentration | 5,790 | 11,170 | 76 | 426 |
| By-law Limit | 300 | 350 | 10 | 100 |

Industrial surcharge fees are only applicable for users that have entered a surcharge agreement and which have demonstrated that they cannot economically change their processes to reduce concentrations of BOD, TSS, TKN and/or TP, below the Region's discharge limits (WSP, 2014). Alternative Approach 3 under Section 4.3 considers the cost at which hauled sewage would be charged if it were discharged under an industrial surcharge agreement instead of at a hauled sewage disposal station.

This is not the case for haulers, which have no restriction on the amount of hauled sewage they can discharge. In fact, per conversations with Region staff, the Region's Water and Wastewater Master Plan takes into consideration hauled sewage when determining the capacity requirements for the different treatment facilities (AECOM, 2011). The volume of hauled sewage is small, but the impact on plant loadings will be greater than residential sewage as hauled sewage is more concentrated.

Capacity upgrades to treatment plants are triggered by population growth and the funding for these upgrades is derived from development charges. Development charges are assigned on a development unit basis, i.e. the total cost of infrastructure required to service the development is divided by the number of development units.

However, capacity at the treatment plants is also taken up by hauled sewage, and therefore the corresponding costs (those related to operations and maintenance and also those related to capacity expansions) should be covered through hauled sewage rates.

The hauled sewage fee using Alternative Approach 2 therefore includes two components: a capital cost component (derived from Development Charges) and a O&M cost component (derived from the Region's O&M budget).

The calculation for the capital component is based on the following assumptions:

- New units of development are required to cover the cost of wastewater services through development charges. The development charge per unit is \$3,226/dwelling unit (Niagara Region, 2012).
- A per capita BOD loading of 75 g/cap/day (MOE, 2008) was assumed.
- A value of 2.3 people per unit was assumed.
- Therefore, the unit equivalent BOD loading is 75 g/cap/day times 2.3 people per unit = 0.1725 kg/d/unit.
- This approach assumes that the average useful life of a treatment plant is 25 years. So the total BOD load per unit over the life time of the treatment plant is 0.1725 kg/d/unit times 365 days/year times 25 years = 1574 kgBOD/unit.
- The development charge per unit is \$3,226, which covers the capital cost of the WWTP over the 25 years.

The capital component of the hauled sewage fee is then obtained using the following formula:

$$\text{Capital Component} = \text{Volume Discharged} \cdot \text{Concentration of Discharge} \cdot \frac{\text{Development Charge per Unit}}{\text{BOD Load per Unit over 25 years}}$$

$$\text{Capital Component} = V \cdot C_{BOD} \cdot \frac{\$3,226/\text{unit}}{1,574 \text{ kgBOD}/\text{unit}}$$

The calculation for the O&M component is based on the following assumptions:

- The total cost of wastewater operations (the operating budget) is divided by the total flow to all of the treatment facilities in the Region.
- Per the 2014 Wastewater Requisition slide presentation (included as part of the 2014 Budget Process) we see that the net 2014 budget was \$64,928,122.
- From data we received from the Region, the total flows from all municipalities in 2013 were 79,893.965 ML.
- The total budget divided by the total flow corresponds to a cost per sewage volume of \$0.81/m³.
- A per capita BOD loading of 75 g/cap/day (MOE, 2008) was assumed.
- From the Region's 2011 Master Plan the per capita flow design criteria is 365 L/cap/day (AECOM, 2011).
- Therefore, a one-person load equivalent is 75 g/cap/day divided by 365 L/cap/day = 206 mg/L.

The O&M component of the hauled sewage fee is obtained using the following formula:

$$\text{O\&M Component} = \text{Volume Discharged} \cdot \text{Cost per Volume} \cdot \text{Person Equivalents}$$

$$\text{O\&M Component} = V \cdot \$0.81/\text{m}^3 \cdot \frac{\text{BOD Concentration}}{206 \text{ mg/L}}$$

The overall hauled sewage fee per Alternative Approach 2 is calculated as follows:

$$\text{Hauled Sewage Fee} = \text{Capital Component} + \text{O\&M Component}$$

$$\text{Hauled Sewage Fee} = \frac{V \cdot C_{BOD}}{1,000} \cdot \frac{\$3,226/\text{unit}}{1,574 \frac{\text{kgBOD}}{\text{unit}}} + V \cdot \frac{\$0.81}{\text{m}^3} \cdot \frac{C_{BOD}}{206 \text{ mg/L}}$$

$$\text{Hauled Sewage Fee} = V \cdot C_{BOD} \cdot \frac{1 \text{ kg} \cdot \text{L}}{1,000 \text{ m}^3 \cdot \text{mg}} \cdot \frac{\$3,226/\text{unit}}{1,574 \frac{\text{kgBOD}}{\text{unit}}} + \frac{\$0.81}{\text{m}^3} \cdot \frac{1}{206 \text{ mg/L}}$$

$$\text{Hauled Sewage Fee} = V \cdot C_{BOD} \cdot R$$

Where,

V = Volume of discharge (m³)

C_{BOD} = Average concentration of BOD for a given source/hauler (mg/L)

R = 0.00598 (\$/mgBOD)

This approach requires that samples from a given hauler be regularly tested to determine the average BOD concentration. Each hauler would thus have a different rate depending on the type of discharge so highly loaded discharges would incur greater fees. Alternatively, a rate for each type of hauled sewage source (i.e. winery waste, septic, industrial wastewater) could be developed and charged based on the type of hauled sewage the truck is disposing.

The above approach uses a different formula than that used by the Region or that used in Alternative Approach 1. As shown in Section 4.4 the resulting hauled sewage fees are generally greater than those obtained using the approach in use at the Region, and closer in magnitude to the average fees from the other municipalities compared.

This approach takes into account the impact hauled sewage has on the capacity of the facilities and accounts for the corresponding capital cost as well as operating and maintenance costs resulting from treating sewage with higher organic loadings. Unlike other approaches, this method accounts for differences in BOD concentration quantitatively. However, this approach has disadvantages:

- This approach does not take into consideration the concentrations of TSS, TP and TKN in the hauled sewage. Thus, a discharge with high concentrations of TSS, TP and/or TKN, but relative low concentrations of BOD would be undercharged.
- This approach is more complex than Alternative Approach 1. Adding the TSS, TP and TKN components would increase the complexity of the calculation.
- This method requires regular testing (the Region currently tests two samples per plant per month) and regular monitoring of the BOD concentrations. A suggested approach would be to develop a rate for each type of hauled sewage source.
- This approach does not take into consideration trucks that haul sewage from multiple different sources, and it would be impractical in such situations

4.3 ALTERNATIVE APPROACH 3

This approach is based on the Region's existing industrial surcharge rate (WSP, 2014). There are currently wineries in the Region with industrial surcharge agreements that are also hauling winery waste to the Region's disposal stations. This approach considers the cost that hauled sewage would be charged if it were discharged under an industrial surcharge agreement instead of at a hauled sewage disposal station.

The Region's formula for determining surcharge fees is shown below.

$$S = R \cdot Q \cdot 0.45 C - L_{BOD} + 0.45 C - L_{TSS} + 0.1(C - L)_{TP}$$

Where,

S = Surcharge fee payable during a given time period

R = Cost factor

Q = Volume of discharge of wastewater flow for the period being billed

C = Average concentration of the parameter during the time period

L = Concentration limit of the parameter listed in the by-law

The formula assumes that BOD removal corresponds to 45% of the total cost of treatment, while TSS and TP correspond to 45% and 10% of the costs, respectively. The cost factor (expressed in \$/kg) is obtained by dividing the three-year average of the total operational costs for all of the Region's wastewater treatment plants (WWTPs) by the sum of the total mass of five-day carbonaceous biochemical oxygen demand at 20°C (cBOD₅ henceforth referred to as BOD), total suspended solids

(TSS) and total phosphorus (TP) removed at the plants. The value of the cost factor R currently used is \$1.46/kg.

This approach requires that samples from a given hauler be regularly tested to determine the average BOD, TSS and TP concentrations. Each hauler would thus have a different rate depending on the type of discharge so highly loaded discharges would incur greater fees. Alternatively, a concentration profile including BOD, TSS and TP for each type of hauled sewage source (i.e. winery waste, septic, industrial wastewater) could be developed and charged based on the type of hauled sewage the truck is disposing.

This approach has disadvantages:

- This approach does not take into consideration the concentration of TKN in the hauled sewage.
- This approach requires regular testing (the Region currently tests two samples per plant per month) and regular monitoring of BOD, TSS and TP. A suggested approach would be to develop a concentration profile including BOD, TSS and TP for each type of hauled sewage source/hauler.

4.4 COMPARISON OF ALTERNATIVE APPROACHES

The hauled sewage fees for each source profile were calculated using the various municipalities approaches and compared to the Region's current approach and the alternative methods discussed above.

The same six hauled sewage source profiles discussed in Section 3.1.2 were applied to the different municipalities' surcharge calculations. The discharge profiles are repeated in Table 3-5 below for easy reference.

Table 4-5: Source Profiles Used for Benchmarking

| HAULED SEWAGE SOURCE | VOLUME (m ³) | VOLUME (gallons) | TYPE OF HAULED SEWAGE | BOD Concentration (mg/L) |
|----------------------|--------------------------|------------------|-----------------------|--------------------------|
| Source 1 | 4.54 | 998.66 | Holding Tank Waste | 1,500 |
| Source 2 | 15.9 | 3,497.51 | Mixed Waste | 2,500 |
| Source 3 | 22.7 | 4,993.3 | Septic Tank Waste | 3,500 |
| Source 4 | 36.3 | 7,984.88 | Septic Tank Waste | 3,000 |
| Source 5 | 45.4 | 9,986.6 | Holding Tank Waste | 1,000 |
| Source 6 | 10.0 | 2,199.69 | Winery Waste | 5,800 |

The corresponding hauled sewage fees are shown in Table 4-6 and in Figure 4-1 below.

Table 4-6: Surcharge Fee Comparison

| MUNICIPALITY | OTHER MUNICIPALITIES AVERAGE | NIAGARA – EXISTING APPROACH | ALTERNATIVE APPROACH 1 | ALTERNATIVE APPROACH 2 | ALTERNATIVE APPROACH 3 |
|--------------|------------------------------|-----------------------------|------------------------|------------------------|------------------------|
| Source 1 | \$58.76 | \$39.95 | \$59.43 | \$40.80 | \$35.90 |
| Source 2 | \$195.91 | \$139.92 | \$208.13 | \$238.16 | \$136.16 |
| Source 3 | \$348.25 | \$199.76 | \$297.14 | \$476.02 | \$209.31 |
| Source 4 | \$574.42 | \$319.44 | \$475.17 | \$652.47 | \$322.79 |
| Source 5 | \$676.00 | \$399.78 | \$594.68 | \$272.19 | \$344.28 |
| Source 6 | \$135.90 | \$88.00 | \$130.90 | \$347.51 | \$107.32 |
| TOTAL | \$1,989.24 | \$1,186.85 | \$1,765.45 | \$2,027.15 | \$1,155.76 |

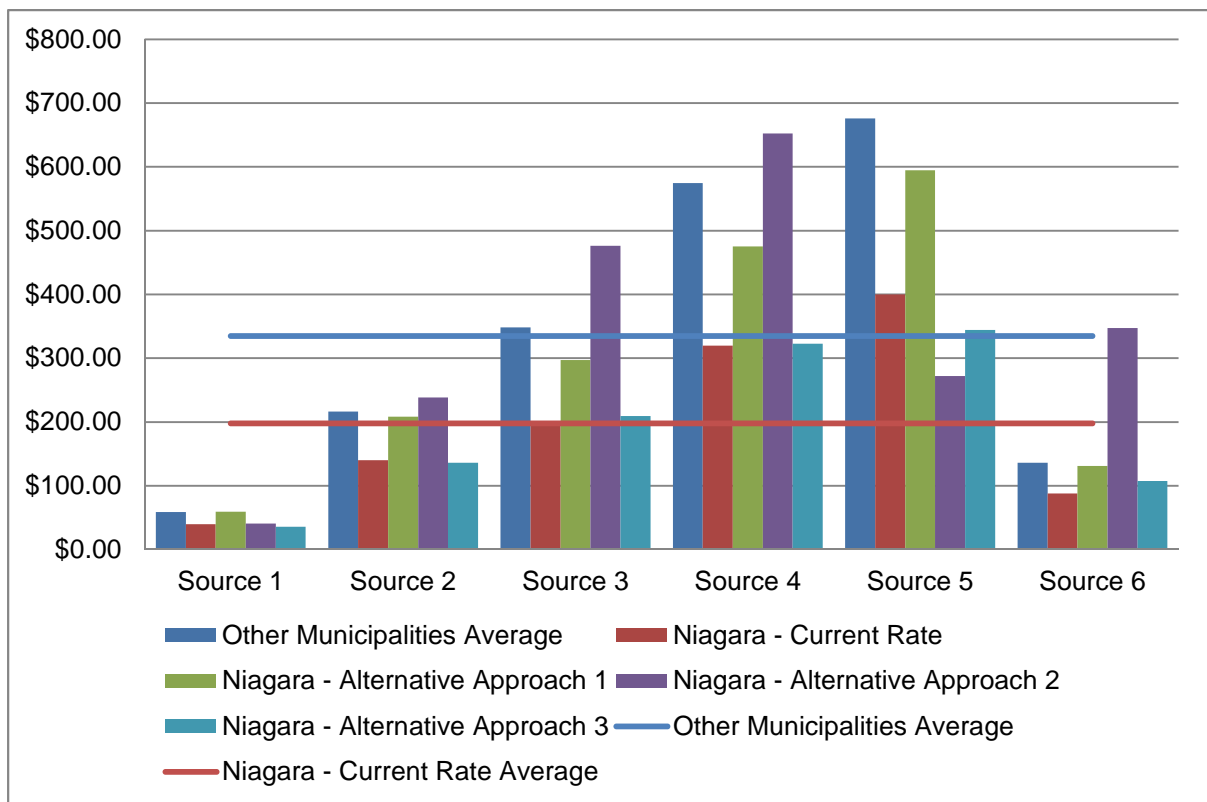


Figure 4-1 Comparison of Alternative Approaches for Surcharge Calculation

Alternative Approach 1 generally results in fees slightly lower than the average of the other municipalities reviewed. However, for smaller discharge volumes (i.e. Sources 1, 2 and 3 which are under 22.7 m³), Alternative Approach 1 produces hauled sewage fees that are very similar to the average of the other municipalities. The disadvantage of this approach is that it does not take into consideration the strength of the sewage (septic tank waste is charged the same as winery waste on a per volume basis).

Alternative Approach 2 uses a different approach to determine haulage fees as it seeks to capture the true cost of treatment of the hauled sewage. It takes into account the capacity that hauled sewage takes up at the various treatment plants and how this capacity results in a reduced ability to service new development. The formula also takes into account differences in BOD concentration so stronger sewage results in higher fees than lower strength discharges.

Figure 4-1 shows that the fees obtained using this approach are generally within the average for other municipalities. However, this approach results in higher charges for sewage sources with higher concentrations.

Alternative Approach 3 is based on the Region's existing industrial surcharge rate and seeks to capture the cost that hauled sewage would be charged if it were discharged under an industrial surcharge agreement instead of at a hauled sewage disposal station. It results in fees significantly lower than the average of the other municipalities reviewed.

Table 4-7 below shows a qualitative evaluation of the Region's current rate and the alternative approaches.

Table 4-7: Hauled Sewage Rate Summary

| ITEM | CURRENT RATE | ALTERNATIVE APPROACH 1 | ALTERNATIVE APPROACH 2 | ALTERNATIVE APPROACH 3 |
|--|---|--|---|--|
| Parameters subject to rate determination | Unknown | BOD, TSS, TP, TKN | BOD | BOD, TSS, TP |
| Cost Recovery | It is believed that the current approach does not lead to cost recovery | Captures O&M costs related to treatment. However, it does not take into account the strength of the sewage. | Captures treatment cost since it considers the total operating costs at all facilities and BOD concentrations specific to sources | Does not explicitly consider TKN. Full cost recovery – calculation of parameter surcharge rates based on the total operating costs at all facilities |
| Cost Similarity to Other Municipalities | Significantly lower than average | Slightly lower than average | Close to average of other municipalities. Results in higher charges for higher concentrations sewage. | Significantly lower than average |
| Simplicity | Unknown | Somewhat Complicated Requires plant loading data to determine mass fractions for each parameter, breakdown of operating costs and hauler loading data | Complicated Requires regular testing of samples from various haulers to determine average BOD concentration | Somewhat Complicated Requires plant loading data and total operating costs $C = \text{operations cost (\$)} / \text{total kg removed (kg)}$ |

5

CONCLUSIONS AND RECOMMENDATIONS

A review of the Region's hauled sewage rate was conducted to examine whether it reflects the costs associated with the treatment of the wastewater and leads to cost recovery. The review also involved a comparison of the rates used at other municipalities.

HAULED SEWAGE RATE

There is no information on the approach followed to establish the Region's current rate, \$40/1000 imperial gallons.

The majority of the other municipalities considered use a higher hauled sewage rate than the Region. Five discharge profiles (variations of discharge volume based on the ranges that the City of Hamilton uses to distinguish which rate is applied) were used to calculate the hauled sewage fees that would apply at each of the municipalities compared. It was found that the Region's current rate results in surcharge fees that would be significantly less than the other municipalities.

Three alternative approaches were evaluated. Alternative Approach 1 results in a volumetric rate of \$59.51/1000 gallons. Alternative Approach 2 involves the use of a formula that includes the volume and concentration of the discharge. Alternative Approach 3 involves the use of the formula currently used to calculate the Region's industrial surcharge fees.

Alternative Approach 2 results in fees slightly higher than the average for neighboring municipalities. We believe this approach has a better technical basis.

It is recommended that the Region adopt the formula corresponding to Alternative Approach 2 on a cost recovery basis. However, Alternative Approach 2 is not practical for the Region to implement at this time as it requires regular testing of the hauled sewage. Alternative Approach 3 would also require regular testing of the hauled sewage. Therefore, it is recommended that the Region implement Alternative Approach 1 corresponding to a new hauled sewage rate of \$13.09/m³ or \$59.51/1000gal.

VOLUME USED FOR FEE CALCULATION

There is insufficient information to determine whether charging for 80% truck capacity guarantees that the Region is neither overcharging nor undercharging for the volumes of hauled sewage disposed. Based on Region's staff, this approach is believed to be a fair approach.

NON-COMPLIANCE

The review revealed that many hauled discharges exceed the Region's by-law limits for heavy metals including copper and zinc. The Region should consider treating such discharges as industrial surcharges and thus make them subject to Industrial Surcharge Agreements. The following enforcement policy could be utilized to discourage non-compliance:

- First Violation – Suspension of discharge privileges for 10 consecutive days
- Second Violation – Suspension of discharge privileges for 30 consecutive days
- Third Violation – Revocation of permit

Penalties specific to haulers are outlined in the Region's Sewage Hauler Manual (Niagara Region, 2011). This includes penalties for non-payment of fees, disposal of a non-approved source, disposal without a valid permit, failure to leave a hauled sewage sample, failure to submit a Hauled Sewage Record and failure to adequately complete a Hauled Sewage Record. However, there are no penalties specific to hauled sewage generators and non-compliance with by-law limits for metals.

RECREATIONAL VEHICLE SEWAGE DISPOSAL

A survey was undertaken to determine whether other municipalities accept sewage disposal from recreational vehicles (RVs). Half of the municipalities consulted accept sewage disposal from RVs. With the exception of the City of Hamilton, these municipalities do not apply a charge for RV sewage disposal.

There are policies for RV sewage disposal at some of the municipalities. Some municipalities specify that only residents may dispose sewage from RVs. Furthermore, RV owners must call to get access to the disposal facility if the gate is locked.

This last approach was recently adopted at the Region's facilities.

OTHER RECOMMENDATIONS

The following also is recommended:

- It is recommended that the Sewage Hauler Manual (Niagara Region, 2011) be updated to reflect the new hauled sewage rate, \$13.09/m³ or \$59.51/1000gal, if the Region chooses to adopt Alternative Approach 1.

- It is recommended that the Region regularly test hauled sewage samples for BOD or COD as the concentration of BOD or COD is used to determine the hauled sewage rate for all alternative approaches.
- It is recommended that the hauled sewage rate be reviewed at least every 5 years to ensure they continue to reflect the Region's operating costs.
- It is also recommended that the hauled sewage rate be reviewed again when the new Niagara-on-the-Lake WWTP has been fully operational for two years to account for any additional operational costs and ensure full cost recovery.
- It is recommended that the hauled sewage rate review be coordinated with the Water and Wastewater Master Planning Process and Development Charges Review.

6 BIBLIOGRAPHY

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Appendix A

OPERATING STATEMENTS FOR 5000C WASTEWATER SYSTEMS

Operating Statement by Object of Expenditure
For the Calendar Period Ended
December + Adjustment 2009

Dept-Agency Department Division
4000A Public Works 5000B Self Supporting 5000C Wastewater Treatment
Department Services

% of Yr Elapsed : 100%

| Object of Expenditure | Object of Expenditure Description | Current Period Budget \$ | Current Period Actual \$ | Year to Date Budget \$ | Year to Date Actual \$ | Variance Favourable/ (Unfavourable) \$ | Annual Budget \$ | Budget Remaining \$ | Year to Date % |
|---|--|--------------------------|--------------------------|------------------------|------------------------|--|-----------------------|------------------------|----------------|
| Expenditure | | | | | | | | | |
| OE11 | Personnel Costs | 713,473.00 | 863,173.89 | 8,544,014.00 | 8,689,753.32 | (145,739.32) | 8,544,014.00 | (145,739.32) | 101.7% |
| OE12 | Administrative Expenses | 28,922.00 | 8,104,320.62 | 344,655.00 | 8,346,676.67 | (8,002,021.67) | 344,655.00 | (8,002,021.67) | 2,421.7% |
| OE13 | Materials, Supplies & Utilities | 780,323.00 | 1,010,060.23 | 9,353,045.00 | 8,849,634.48 | 503,410.52 | 9,353,045.00 | 503,410.52 | 94.6% |
| OE14 | Repairs & Maintenance | 352,320.00 | 4,562,368.27 | 4,225,398.00 | 7,615,108.85 | (3,389,710.85) | 4,225,398.00 | (3,389,710.85) | 180.2% |
| OE15 | Purch. Serv. & Other Operating Exp. | 719,091.00 | 1,883,442.85 | 8,624,967.00 | 9,137,969.75 | (513,002.75) | 8,624,967.00 | (513,002.75) | 105.9% |
| OE17 | Financial Expenditures | - | 1,250,411.75 | - | 1,250,411.75 | (1,250,411.75) | - | (1,250,411.75) | 0.0% |
| OE18 | Capital Equipment & Renovations | 4,085.00 | 9,823,585.45 | 48,239.00 | 9,946,171.20 | (9,897,932.20) | 48,239.00 | (9,897,932.20) | 20,618.5% |
| OE19 | Interfunctional Transfers | 359,644.00 | 393,912.49 | 4,315,838.00 | 4,237,157.90 | 78,680.10 | 4,315,838.00 | 78,680.10 | 98.2% |
| OE20 | Recoveries - Interfunctional Transfers | (38,011.00) | (288.00) | (456,000.00) | (469,999.49) | 13,999.49 | (456,000.00) | 13,999.49 | 103.1% |
| Total Gross Expenditure | | 2,919,847.00 | 27,890,987.55 | 35,000,156.00 | 57,602,884.43 | (22,602,728.43) | 35,000,156.00 | (22,602,728.43) | 164.6% |
| Revenue | | | | | | | | | |
| OE33 | Fees & Service Charges | (84,911.00) | (464,080.80) | (1,018,800.00) | (1,237,482.24) | 218,682.24 | (1,018,800.00) | 218,682.24 | 121.5% |
| OE34 | Other Revenue | (425.00) | (19,388,824.94) | (5,100.00) | (19,419,786.87) | 19,414,686.87 | (5,100.00) | 19,414,686.87 | 380,780.1% |
| OE35 | Transfers from Other Funds | (226,784.00) | (226,784.00) | (2,721,067.00) | (3,367,549.15) | 646,482.15 | (2,721,067.00) | 646,482.15 | 123.8% |
| Total Revenue | | (312,120.00) | (20,079,689.74) | (3,744,967.00) | (24,024,818.26) | 20,279,851.26 | (3,744,967.00) | 20,279,851.26 | 641.5% |
| Net Expenditure/(Revenue) before Indirect Allocation | | 2,607,727.00 | 7,811,297.81 | 31,255,189.00 | 33,578,066.17 | (2,322,877.17) | 31,255,189.00 | (2,322,877.17) | 107.4% |
| Net Expenditure/(Revenue) after Indirect Allocation | | 2,607,727.00 | 7,811,297.81 | 31,255,189.00 | 33,578,066.17 | (2,322,877.17) | 31,255,189.00 | (2,322,877.17) | 107.4% |

Operating Statement by Object of Expenditure
For the Calendar Period Ended
December + Adjustment 2010

Dept-Agency Department Division
4000A Public Works 5000B Water & Wastewater 5000C Wastewater Operations
Department Services

% of Yr Elapsed : 100%

| Object of Expenditure | Object of Expenditure Description | Current Period Budget \$ | Current Period Actual \$ | Year to Date Budget \$ | Year to Date Actual \$ | Variance Favourable/ (Unfavourable) \$ | Annual Budget \$ | Budget Remaining \$ | Year to Date % |
|---|---|--------------------------|--------------------------|------------------------|------------------------|--|-----------------------|------------------------|----------------|
| Expenditure | | | | | | | | | |
| OE11 | Personnel Costs | 751,522.00 | 895,887.42 | 9,008,969.00 | 9,341,709.99 | (332,740.99) | 9,008,969.00 | (332,740.99) | 103.7% |
| OE12 | Administrative Expenses | 29,749.00 | 837,993.10 | 354,524.00 | 1,024,754.57 | (670,230.57) | 354,524.00 | (670,230.57) | 289.1% |
| OE13 | Materials, Supplies & Utilities | 770,260.00 | 934,138.61 | 9,230,778.00 | 9,106,613.73 | 124,164.27 | 9,230,778.00 | 124,164.27 | 98.7% |
| OE14 | Repairs & Maintenance | 319,018.00 | 568,319.44 | 3,830,516.00 | 4,455,387.72 | (624,871.72) | 3,830,516.00 | (624,871.72) | 116.3% |
| OE15 | Purch. Serv. & Other Operating Exp. | 766,040.00 | 1,774,229.10 | 9,600,179.00 | 10,110,370.89 | (510,191.89) | 9,600,179.00 | (510,191.89) | 105.3% |
| OE18 | Capital Equipment & Renovations | 5,594.00 | 10,263,920.17 | 66,204.00 | 10,316,149.93 | (10,249,945.93) | 66,204.00 | (10,249,945.93) | 15,582.4% |
| OE19 | Interfunctional Operating Charges | 371,561.00 | 489,253.67 | 4,457,254.00 | 4,491,366.80 | (34,112.80) | 4,457,254.00 | (34,112.80) | 100.8% |
| OE20 | Interfunctional Operating Recoveries | (1,674.00) | (161,727.01) | (20,000.00) | (165,782.79) | 145,782.79 | (20,000.00) | 145,782.79 | 828.9% |
| OE23 | Transfers to Reserves & Reserve Funds | - | 287,000.00 | - | 287,000.00 | (287,000.00) | - | (287,000.00) | 0.0% |
| OE25 | Capital Recoveries | (23,837.00) | (58,443.00) | (286,000.00) | (551,569.55) | 265,569.55 | (286,000.00) | 265,569.55 | 192.9% |
| Total Gross Expenditure | | 2,988,233.00 | 15,830,571.50 | 36,242,424.00 | 48,416,001.29 | (12,173,577.29) | 36,242,424.00 | (12,173,577.29) | 133.6% |
| Revenue | | | | | | | | | |
| OE33 | Fees & Service Charges | (84,911.00) | (421,670.33) | (1,018,800.00) | (1,220,519.82) | 201,719.82 | (1,018,800.00) | 201,719.82 | 119.8% |
| OE34 | Other Revenue | (425.00) | (19,345,218.50) | (5,100.00) | (19,396,467.67) | 19,391,367.67 | (5,100.00) | 19,391,367.67 | 380,322.9% |
| OE35 | Transfers from Reserves & Reserve Funds | (225,534.00) | (1,609,021.47) | (2,706,067.00) | (4,448,526.47) | 1,742,459.47 | (2,706,067.00) | 1,742,459.47 | 164.4% |
| Total Revenue | | (310,870.00) | (21,375,910.30) | (3,729,967.00) | (25,065,513.96) | 21,335,546.96 | (3,729,967.00) | 21,335,546.96 | 672.0% |
| Net Expenditure/(Revenue) before Indirect Allocation | | 2,677,363.00 | (5,545,338.80) | 32,512,457.00 | 23,350,487.33 | 9,161,969.67 | 32,512,457.00 | 9,161,969.67 | 71.8% |
| Net Expenditure/(Revenue) after Indirect Allocation | | 2,677,363.00 | (5,545,338.80) | 32,512,457.00 | 23,350,487.33 | 9,161,969.67 | 32,512,457.00 | 9,161,969.67 | 71.8% |

Operating Statement by Object of Expenditure
For the Calendar Period Ended
December + Adjustment 2011

Dept-Agency Department Division
4000A Public Works 5000B Water & Wastewater 5000C Wastewater Operations
Department Services

% of Yr Elapsed : 100%

| Object of Expenditure | Object of Expenditure Description | Current Period Budget \$ | Current Period Actual \$ | Year to Date Budget \$ | Year to Date Actual \$ | Variance Favourable/ (Unfavourable) \$ | Annual Budget \$ | Budget Remaining \$ | Year to Date % |
|---|---|--------------------------|--------------------------|------------------------|------------------------|--|-----------------------|------------------------|-----------------|
| Expenditure | | | | | | | | | |
| OE11 | Personnel Costs | 771,131.00 | 1,000,214.45 | 9,228,944.00 | 9,873,539.86 | (644,595.86) | 9,228,944.00 | (644,595.86) | 107.0% |
| OE12 | Administrative Expenses | 28,865.00 | 3,782,967.21 | 343,399.00 | 3,967,886.90 | (3,624,487.90) | 343,399.00 | (3,624,487.90) | 1,155.5% |
| OE13 | Materials, Supplies & Utilities | 813,302.00 | 1,332,509.29 | 9,746,380.00 | 9,986,928.86 | (240,548.86) | 9,746,380.00 | (240,548.86) | 102.5% |
| OE14 | Repairs & Maintenance | 318,977.00 | 312,520.05 | 3,825,315.00 | 3,978,666.13 | (153,351.13) | 3,825,315.00 | (153,351.13) | 104.0% |
| OE15 | Purch. Serv. & Other Operating Exp. | 882,819.00 | 3,856,329.97 | 10,089,132.00 | 12,123,961.33 | (2,034,829.33) | 10,089,132.00 | (2,034,829.33) | 120.2% |
| OE18 | Capital Equipment & Renovations | 5,340.00 | 12,668,125.54 | 63,244.00 | 12,711,871.13 | (12,648,627.13) | 63,244.00 | (12,648,627.13) | 20,099.7% |
| OE19 | Interfunctional Operating Charges | 366,597.00 | 226,416.76 | 4,398,911.00 | 4,407,530.47 | (8,619.47) | 4,398,911.00 | (8,619.47) | 100.2% |
| OE20 | Interfunctional Operating Recoveries | - | (230.40) | - | (3,049.60) | 3,049.60 | - | 3,049.60 | 0.0% |
| OE23 | Transfers to Reserves & Reserve Funds | - | 812,765.00 | - | 812,765.00 | (812,765.00) | - | (812,765.00) | 0.0% |
| OE25 | Capital Recoveries | (23,837.00) | (33,353.02) | (286,000.00) | (464,672.69) | 178,672.69 | (286,000.00) | 178,672.69 | 162.5% |
| Total Gross Expenditure | | 3,163,194.00 | 23,958,264.85 | 37,409,325.00 | 57,395,427.39 | (19,986,102.39) | 37,409,325.00 | (19,986,102.39) | 153.4% |
| Revenue | | | | | | | | | |
| OE32 | Ontario/Canada Grants | - | - | - | (8,191.15) | 8,191.15 | - | 8,191.15 | 0.0% |
| OE33 | Fees & Service Charges | (85,748.00) | (359,019.60) | (1,028,800.00) | (1,362,399.56) | 333,599.56 | (1,028,800.00) | 333,599.56 | 132.4% |
| OE34 | Other Revenue | (425.00) | (17,800,821.46) | (5,100.00) | (17,969,848.96) | 17,964,748.96 | (5,100.00) | 17,964,748.96 | 352,350.0% |
| OE35 | Transfers from Reserves & Reserve Funds | - | - | - | (287,000.00) | 287,000.00 | - | 287,000.00 | 0.0% |
| Total Revenue | | (86,173.00) | (18,159,841.06) | (1,033,900.00) | (19,627,439.67) | 18,593,539.67 | (1,033,900.00) | 18,593,539.67 | 1,898.4% |
| Net Expenditure/(Revenue) before Indirect Allocation | | 3,077,021.00 | 5,798,423.79 | 36,375,425.00 | 37,767,987.72 | (1,392,562.72) | 36,375,425.00 | (1,392,562.72) | 103.8% |
| Net Expenditure/(Revenue) after Indirect Allocation | | 3,077,021.00 | 5,798,423.79 | 36,375,425.00 | 37,767,987.72 | (1,392,562.72) | 36,375,425.00 | (1,392,562.72) | 103.8% |

Operating Statement by Object of Expenditure
For the Calendar Period Ended
December + Adjustment 2012

Dept-Agency Department Division
4000A Public Works 5000B Water & Wastewater 5000C Wastewater Operations
Department Services

% of Yr Elapsed : 100%

| Object of Expenditure | Object of Expenditure Description | Current Period Budget \$ | Current Period Actual \$ | Year to Date Budget \$ | Year to Date Actual \$ | Variance Favourable/ (Unfavourable) \$ | Annual Budget \$ | Budget Remaining \$ | Year to Date % |
|---|---|--------------------------|--------------------------|------------------------|------------------------|--|-----------------------|------------------------|-----------------|
| Expenditure | | | | | | | | | |
| OE11 | Personnel Costs | 907,924.00 | 934,965.92 | 9,596,120.00 | 9,703,256.46 | (107,136.46) | 9,596,120.00 | (107,136.46) | 101.1% |
| OE12 | Administrative Expenses | 25,445.00 | 434,574.58 | 302,843.00 | 656,664.94 | (353,821.94) | 302,843.00 | (353,821.94) | 216.8% |
| OE13 | Materials, Supplies & Utilities | 820,089.00 | 1,311,080.77 | 9,828,308.00 | 9,040,028.65 | 788,279.35 | 9,828,308.00 | 788,279.35 | 92.0% |
| OE14 | Repairs & Maintenance | 370,199.00 | 400,443.04 | 4,439,858.00 | 4,126,350.27 | 313,507.73 | 4,439,858.00 | 313,507.73 | 92.9% |
| OE15 | Purch. Serv. & Other Operating Exp. | 896,824.00 | 1,429,777.58 | 10,769,453.00 | 9,419,589.69 | 1,349,863.31 | 10,769,453.00 | 1,349,863.31 | 87.5% |
| OE18 | Capital Equipment & Renovations | 6,011.00 | 14,865,984.06 | 71,252.00 | 14,948,239.41 | (14,876,987.41) | 71,252.00 | (14,876,987.41) | 20,979.4% |
| OE19 | Interfunctional Chargebacks/Recoveries | 110,799.00 | 110,191.04 | 1,329,621.00 | 1,322,580.58 | 7,040.42 | 1,329,621.00 | 7,040.42 | 99.5% |
| OE23 | Transfers to Reserves & Reserve Funds | - | 3,492,487.00 | - | 3,492,487.00 | (3,492,487.00) | - | (3,492,487.00) | 0.0% |
| OE26 | Allocations Between Departments | 69,608.00 | 104,506.55 | 835,076.00 | 897,760.52 | (62,684.52) | 835,076.00 | (62,684.52) | 107.5% |
| OE27 | Allocations Within Departments | 206,139.00 | (27,867.32) | 2,465,349.00 | 2,257,228.36 | 208,120.64 | 2,465,349.00 | 208,120.64 | 91.6% |
| OE36 | Allocations to Capital Program | (23,837.00) | (28,927.93) | (286,000.00) | (286,287.44) | 287.44 | (286,000.00) | 287.44 | 100.1% |
| Total Gross Expenditure | | 3,389,201.00 | 23,027,215.29 | 39,351,880.00 | 55,577,898.44 | (16,226,018.44) | 39,351,880.00 | (16,226,018.44) | 141.2% |
| Revenue | | | | | | | | | |
| OE33 | Fees & Service Charges | (85,748.00) | (394,833.62) | (1,028,800.00) | (1,485,923.30) | 457,123.30 | (1,028,800.00) | 457,123.30 | 144.4% |
| OE34 | Other Revenue | (425.00) | (11,921,961.00) | (5,100.00) | (12,177,644.31) | 12,172,544.31 | (5,100.00) | 12,172,544.31 | 238,777.3% |
| OE35 | Transfers from Reserves & Reserve Funds | (25,000.00) | (25,000.00) | (300,000.00) | (717,162.00) | 417,162.00 | (300,000.00) | 417,162.00 | 239.1% |
| Total Revenue | | (111,173.00) | (12,341,794.62) | (1,333,900.00) | (14,380,729.61) | 13,046,829.61 | (1,333,900.00) | 13,046,829.61 | 1,078.1% |
| Net Expenditure/(Revenue) before Indirect Allocation | | 3,278,028.00 | 10,685,420.67 | 38,017,980.00 | 41,197,168.83 | (3,179,188.83) | 38,017,980.00 | (3,179,188.83) | 108.4% |
| Net Expenditure/(Revenue) after Indirect Allocation | | 3,278,028.00 | 10,685,420.67 | 38,017,980.00 | 41,197,168.83 | (3,179,188.83) | 38,017,980.00 | (3,179,188.83) | 108.4% |

Operating Statement by Object of Expenditure
For the Calendar Period Ended
December + Adjustment 2013

Dept-Agency Department Division
4000A Public Works 5000B Water & Wastewater 5000C Wastewater Operations
Department Services

% of Yr Elapsed : 100%

| Object of Expenditure | Object of Expenditure Description | Current Period Budget \$ | Current Period Actual \$ | Year to Date Budget \$ | Year to Date Actual \$ | Variance Favourable/ (Unfavourable) \$ | Annual Budget \$ | Budget Remaining \$ | Year to Date % |
|---|---|--------------------------|--------------------------|------------------------|------------------------|--|-----------------------|------------------------|----------------|
| Expenditure | | | | | | | | | |
| OE11 | Personnel Costs | 1,010,617.00 | 1,212,082.24 | 10,024,380.00 | 10,308,614.00 | (284,234.00) | 10,024,380.00 | (284,234.00) | 102.8% |
| OE12 | Administrative Expenses | 24,794.00 | 2,814,309.78 | 295,306.00 | 3,029,503.15 | (2,734,197.15) | 295,306.00 | (2,734,197.15) | 1,025.9% |
| OE13 | Materials, Supplies & Utilities | 842,344.00 | 1,529,758.97 | 10,096,699.00 | 9,765,583.09 | 331,115.91 | 10,096,699.00 | 331,115.91 | 96.7% |
| OE14 | Repairs & Maintenance | 383,885.00 | 381,045.49 | 4,604,827.00 | 4,829,796.46 | (224,969.46) | 4,604,827.00 | (224,969.46) | 104.9% |
| OE15 | Purch. Serv. & Other Operating Exp. | 856,161.00 | 1,992,544.11 | 10,285,655.00 | 9,321,088.72 | 964,566.28 | 10,285,655.00 | 964,566.28 | 90.6% |
| OE18 | Capital Equipment & Renovations | 5,324.00 | 14,495,111.08 | 63,096.00 | 14,642,566.70 | (14,579,470.70) | 63,096.00 | (14,579,470.70) | 23,206.8% |
| OE23 | Transfers to Reserves & Reserve Funds | - | 1,678,669.00 | - | 1,678,669.00 | (1,678,669.00) | - | (1,678,669.00) | 0.0% |
| OE26 | Allocations Between Departments | 73,670.00 | 109,930.98 | 885,030.00 | 943,436.74 | (58,406.74) | 885,030.00 | (58,406.74) | 106.6% |
| OE27 | Allocations Within Departments | 199,043.00 | (33,216.08) | 2,387,845.00 | 2,157,294.81 | 230,550.19 | 2,387,845.00 | 230,550.19 | 90.3% |
| OE36 | Allocations to Capital Program | (24,756.00) | (44,438.24) | (297,006.00) | (252,621.78) | (44,384.22) | (297,006.00) | (44,384.22) | 85.1% |
| Total Gross Expenditure | | 3,371,082.00 | 24,135,797.33 | 38,345,832.00 | 56,423,930.89 | (18,078,098.89) | 38,345,832.00 | (18,078,098.89) | 147.1% |
| Revenue | | | | | | | | | |
| OE32 | Ontario/Canada Grants | - | - | - | (7,438.00) | 7,438.00 | - | 7,438.00 | 0.0% |
| OE33 | Fees & Service Charges | (85,761.00) | (94,370.86) | (1,035,500.00) | (1,032,766.43) | (2,733.57) | (1,035,500.00) | (2,733.57) | 99.7% |
| OE34 | Other Revenue | (425.00) | (6,042,318.40) | (5,100.00) | (6,056,438.27) | 6,051,338.27 | (5,100.00) | 6,051,338.27 | 118,753.7% |
| OE35 | Transfers from Reserves & Reserve Funds | - | - | - | (477,460.00) | 477,460.00 | - | 477,460.00 | 0.0% |
| Total Revenue | | (86,186.00) | (6,136,689.26) | (1,040,600.00) | (7,574,102.70) | 6,533,502.70 | (1,040,600.00) | 6,533,502.70 | 727.9% |
| Net Expenditure/(Revenue) before Indirect Allocation | | 3,284,896.00 | 17,999,108.07 | 37,305,232.00 | 48,849,828.19 | (11,544,596.19) | 37,305,232.00 | (11,544,596.19) | 130.9% |
| Indirect Allocation | | | | | | | | | |
| OE31 | Indirect Allocation | 157,991.00 | 411,159.30 | 1,896,297.00 | 1,678,350.06 | 217,946.94 | 1,896,297.00 | 217,946.94 | 88.5% |
| OE37 | Debt Allocation | 4,016.00 | 4,886.00 | 175,827.00 | 288,822.00 | (112,995.00) | 175,827.00 | (112,995.00) | 164.3% |
| Total Indirect Allocation | | 162,007.00 | 416,045.30 | 2,072,124.00 | 1,967,172.06 | 104,951.94 | 2,072,124.00 | 104,951.94 | 94.9% |

Version: 2014.01.11

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Date: 2014-04-07

Location: Actuals Report: OS001 Operating Statement By OE

Time: 10:58:16 AM

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Group by: Division ; Group By OE : Yes ; Include Indirect Allocation : Yes

Operating Statement by Object of Expenditure
For the Calendar Period Ended
December + Adjustment 2013

Dept-Agency Department Division
4000A Public Works 5000B Water & Wastewater 5000C Wastewater Operations
Department Services

% of Yr Elapsed : 100%

| Object of Expenditure | Object of Expenditure Description | Current Period Budget \$ | Current Period Actual \$ | Year to Date Budget \$ | Year to Date Actual \$ | Variance Favourable/ (Unfavourable) \$ | Annual Budget \$ | Budget Remaining \$ | Year to Date % |
|---|-----------------------------------|--------------------------|--------------------------|------------------------|------------------------|--|------------------|---------------------|----------------|
| Net Expenditure/(Revenue) after Indirect Allocation | | 3,446,903.00 | 18,415,153.37 | 39,377,356.00 | 50,817,000.25 | (11,439,644.25) | 39,377,356.00 | (11,439,644.25) | 129.1% |

Summary of Appendix B to Hauled Sewage Rate Review, Final Report, dated December 2014

Hauler Sample Data

| Item | Hauled Sewage Concentration (mg/L) | | | | Totals |
|---|------------------------------------|--------|--------|----------|---------|
| | T BOD | TP | TKN | TSS | |
| Average Concentration (mg/L) | 5789.98 | 75.99 | 426.48 | 11169.80 | - |
| Average Concentration (kg/1000 gallons) | 26.3218 | 0.3455 | 1.9388 | 50.7789 | - |
| Weighted by Fraction (kg/1000 gallons) | 11.0053 | 0.0034 | 0.1056 | 26.2875 | - |
| Sum (kg/gallons) | - | - | - | - | 37.4018 |
| Cost per kg Removed | - | - | - | - | 1.59 |
| New Hauled Sewage Rate (\$1000 gallons) | - | - | - | - | 59.51 |

Note: This summary data table excludes confidential/proprietary information on samples collected that was contained in the original report table.

To Mike Bradley, Regional Chair, (Niagara Region):

Cc: Public Works Committee

On behalf of the St. Davids Ratepayers Association I am writing to highlight concerns widely shared by the community in the light of ongoing plans to move forward with a roundabout solution at York Road and Four Mile Creek Road.

National AccessAbility week (<https://www.csps-efpc.gc.ca/events/national-accessability-week-2022/index-eng.aspx>) reminds us to be mindful of those in our community with disabilities and their unique challenges in accessing our local amenities and navigate our community.

As highlighted in the Public Information Centre #1 Summary Report roundabouts require pedestrians to find or create a gap. This can be challenging for seniors, children, and those with vision loss.

As we are well aware our St. Davids community has a large population of seniors. Furthermore St. Davids public school is a mere 350 metres from the roundabout and many children of all ages use this intersection to walk to school, specifically at times of increased motor vehicle traffic.

In the Public Information Centre # 2 Summary Report a potential pedestrian crossing treatment is outlined. While level 2 type D pedestrian crossovers are described the plan is lacking for many users. There does not appear to be a plan for signalization for pedestrians to aid those who cannot find gaps easily. Previous treatments on roundabouts have suggested signalization near schools. Furthermore there is no staggering of the crosswalk or further setbacks at the roundabout exit, which may allow for safer pedestrian crossing.

In publicly released materials there does not appear to be adequate incorporation of wayfinding and gap selection cues for those with low vision. In general roundabouts tend to “[create] barriers for people impacted by blindness to travel independently” (https://www.clearingourpath.ca/4.2.5-roundabouts_e.php).

We understand that the region has chosen to view this intersection as one involving “Regional roads, so they must remain open to truck traffic” (PIC summary #1), We view this intersection as the centre of the community and want it to be welcoming, accessible, and safe for all members of our community.

It is not our intention to interject on the progress that has been made to date. We are looking to understand and work together with the committee for a positive

outcome. We look forward to gaining the required knowledge of what is actually proposed, how it fits in with quality of life in St. Davids and participating in future meetings on this issue.

Yours truly,

Dan Segal

Vice President

St Davids Ratepayers Association

Minute Item No. 5.1

PHD 11-2022

A Renewed Call for Paid Sick Leave in Ontario

That Report PHD 11-2022, dated June 14, 2022, respecting A Renewed Call for Paid Sick Leave in Ontario, **BE RECEIVED** and the following recommendations **BE APPROVED**:

1. That Regional Council **RECOMMEND** that the Government of Ontario extend the currently temporary three paid sick days in the Employment Standards Act, 2000 (ESA) set to expire July 31, 2022;
2. That Regional Council **RECOMMEND** that the Government of Ontario engage in consultation with local municipalities, employers, and broader communities regarding making permanent the three paid sick days, and increasing the number of paid sick days to be in line with recommendations for adequate sick leave policies; this consultation should seek to understand the challenges to legislating these sick day policies, and identify the supports necessary to enable increasing the number of sick days and making them permanent;
3. That Regional Council **RECOMMEND** that the Government of Ontario review the impacts of the amendments to the Canada Labour Code that provided 10 paid sick days for all federal employees across the country; and
4. That Regional Council **DIRECT** the Regional Chair to communicate the above recommendations to the Premier, relevant Members of provincial Cabinet, Niagara's Members of Provincial Parliament, Niagara's Members of Parliament, and all Ontario Boards of Health.

Minute Item No. 5.2

PHD 10-2022

Improving Indoor Air Quality to Sustainably Prevent COVID-19, Improve Health & Keep Society Open for Good

That Report PHD 10-2022, dated June 14, 2022, respecting Improving Indoor Air Quality to Sustainably Prevent COVID-19, Improve Health & Keep Society Open for Good, **BE RECEIVED** and the following recommendations **BE APPROVED**:

1. That Regional Council, as the Board of Health, **DIRECT** the Chair to write to the Provincial Government (Minister of Health; the Minister of Municipal Affairs and Housing; the Minister of Finance; and the Chief Medical Officer of Health) and the Federal Government (Minister of Health; Minister of Intergovernmental Affairs, Infrastructure and Communities; Minister of International Trade, Export Promotion, Small Business and Economic Development; Minister of Finance; and the Chief Public Health Officer) requesting that they urgently:

- 1.1 Update building codes to incorporate higher standards of air quality such that respiratory diseases, especially COVID-19 and other emerging infections, can be sustainably prevented in all new buildings, with regular updates to these building codes, as best available evidence evolves; and
 - 1.2 Create a fund to support small business and local organizations to upgrade the ventilation and filtration in their existing buildings, as well as, invest in validated air cleaning/disinfection technologies with demonstrated safety and effectiveness, so that current public spaces and workspaces can be made safer from COVID-19 and other respiratory infections, including future pandemics of a respiratory virus; and
2. That the above correspondence **BE SHARED** with Niagara's Members of Provincial Parliament, Members of Parliament, and all Ontario Boards of Health.

Minute Item No. 5.3

PHD 12-2022

Approval of the 2021-2022 Public Health and Emergency Services Program Audits

That Report PHD 12-2022, dated June 14, 2022, respecting Approval of the 2021-2022 Public Health and Emergency Services Program Audits, **BE RECEIVED** and the following recommendations **BE APPROVED**:

1. That the draft audited schedule of revenue and expenses and the annual reconciliation return for the Public Health General Programs for the year ended December 31, 2021 (Appendix 1 and 2 to Report PHD 12-2022), **BE APPROVED**;
2. That the draft audited schedules of revenue and expenses for the following programs for the fiscal year ended March 31, 2022, **BE APPROVED**:
 - Ambulance Communication Services (Appendix 3 to Report PHD 12-2022)
 - Community Mental Health Program (Appendix 4 to Report PHD 12-2022)
 - Infant and Child Development Services (ICDS) (Appendix 5 to Report PHD 12-2022)
 - Healthy Babies, Healthy Children (HBHC) (Appendix 6 to Report PHD 12-2022);
3. That the annual reconciliation return for the Community Mental Health Program for the fiscal year ended March 31, 2022 (Appendix 7 to Report PHD 12-2022), **BE APPROVED**;
4. That staff **BE DIRECTED** to co-ordinate with the auditor to finalize the statements as presented; and
5. That Report PHD 12-2022 **BE FORWARDED** to the Region's Audit Committee for information.

Minute Item 5.4

COM 17-2022

Approval of 2021/2022 Community Services Program Audits

That Report COM 17-2022, dated June 14, 2022, respecting Approval of 2021/2022 Community Services Program Audits, **BE RECEIVED** and the following recommendations **BE APPROVED**:

1. That the draft audited annual reconciliation return for the Community Support Services Program (Appendix 1 to Report COM 17-2022) for the year ended December 31, 2021, **BE APPROVED**;
2. That the draft audited schedule of Revenue and Expenses for the Reaching Home Program (Appendix 2 to Report COM 17-2022) for the year ended March 31, 2022, **BE APPROVED**;
3. That staff **BE DIRECTED** to coordinate with the auditor to finalize the statements as presented; and
4. That Report COM 17-2022 **BE FORWARDED** to the Region's Audit Committee for information.

Minute Item No. 5.5

COM 19-2022

2022 Operating Budget Adjustment due to the Canada Wide Early Learning and Child Care: Ontario Plan

That Report COM 19-2022, dated June 14, 2022, respecting 2022 Operating Budget Adjustment due to the Canada Wide Early Learning and Child Care: Ontario Plan, **BE RECEIVED** and the following recommendation **BE APPROVED**:

1. That an adjustment to the previously adopted 2022 Regional Municipality of Niagara (Niagara Region) operating budget in the amount of \$16,020,176, to be fully funded through Ministry of Education (MEDU), under the Canada Wide Early Learning and Child Care (CWELLC): Ontario Plan, **BE APPROVED**.

Minute Item No. 6

CONSENT ITEMS FOR INFORMATION

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

PHD-C 3-2022

Ministry of Health Funding Adjustments

PHD-C 4-2022

An Observational Study of Smoking and Vaping on Beaches

COM 20-2022

Seniors Services Quality Improvement Report: January - March 2022

COM 21-2022

Medical Directors Annual Report 2021 - Long Term Care Homes

Minute Item No. 6.7

CWCD 2022-117

Windsor-Essex County Health Unit Letter of Support - Response to the Opioid Crisis in Ontario

That Correspondence Item CWCD 2022-117, being a letter from Windsor-Essex County Health Unit to The Honourable Christine Elliott Minister of Health and Deputy Premier, dated May 6, 2022, respecting Letter of Support – Response to the Opioid Crisis in Ontario, **BE RECEIVED**;

1. That Regional Council as the Board of Health **ENDORSE** the letter from Simcoe-Muskoka District Health Unit to the Hon. Christine Elliott on March 16, 2022 in response to the Opioid Crisis province-wide, advocating for the provincial government to take the following actions:
 - Create a multi-sectoral task force to guide the development of a robust provincial opioid response plan that will ensure necessary resourcing, policy change, and health and social system coordination;
 - Expand access to evidence informed harm reduction programs and practices including lifting the provincial cap of 21 Consumption and Treatment Service (CTS) Sites, funding Urgent Public Health Needs Sites (UPHNS) and scaling up safer supply options;
 - Revise the current CTS model to address the growing trends of opioid poisoning amongst those who are using inhalation methods;
 - Expand access to opioid agonist therapy for opioid use disorder through a range of settings (e.g. mobile outreach, primary care, emergency departments, Rapid Access to Addiction Medicine Clinics), and a variety of medication options;
 - Provide a long-term financial commitment to create more affordable and supportive housing for people in need, including people with substance use disorders;
 - Address the structural stigma and harms that discriminate against people who use drugs, through provincial support and advocacy to the Federal government to decriminalize personal use and possession of substances and ensure increased investments in health and social services at all levels;
 - Increase investments in evidence-informed substance use prevention and mental health promotion initiatives that provide foundational support for the health, safety and well-being of individuals, families, and neighbourhoods, beginning from early childhood;
 - Fund additional and dedicated positions for local public health to support the critical local coordination and leadership of local opioid and substance strategies;

2. That the Regional Chair as the Board of Health Chair **WRITE** to the incoming Minister of Health articulating the above support for these actions, and particularly emphasizing the urgency to take these actions immediately; and
3. That the correspondence **BE SHARED** with the Premier, the Attorney-General of Ontario, the Associate Minister of Mental Health and Addictions, the Chief Medical Officer of Health, Niagara Members of Provincial Parliament, Niagara Members of Parliament, the Association of Local Public Health Agencies, and all Boards of Health.

Minute Item No. 6.5

COM 22-2022

Niagara Prosperity Initiative Path Forward Update

That Report COM 22-2022, dated June 14, 2022, respecting Niagara Prosperity Initiative Path Forward Update, **BE RECEIVED** for information.

Minute Item No. 6.6

COM-C 9-2022

Activities related to Niagara's 10-Year Housing and Homelessness Action Plan for March, April, May 2022

That Correspondence Item COM-C 9-2022, being a memorandum from A. Jugley, Commissioner, Community Services, dated June 14, 2022, respecting Activities related to Niagara's 10-Year Housing and Homelessness Action Plan for March, April, May 2022, **BE RECEIVED** for information.

Minute Item No. 9.1

Confidential COM 18-2022

A Matter of Information explicitly supplied in confidence to the municipality by the Province of Ontario under section 239(2)(h) of the Municipal Act pertaining to the allocation of provincial funding for the 2022 fiscal year for the Social Services Relief Fund Phase 5

That Confidential Report COM 18-2022, dated June 14, 2022, respecting A Matter of Information explicitly supplied in confidence to the municipality by the Province of Ontario under section 239(2)(h) of the Municipal Act, 2001, pertaining to the allocation of provincial funding for the 2022 fiscal year for the Social Services Relief Fund, **BE RECEIVED** and the recommendations contained therein **BE APPROVED**.

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

PHSSC 6-2022

Tuesday, June 14, 2022

Council Chamber / Video Conference

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

| | |
|---|--|
| Committee Members Present in the Council Chamber: | Chiocchio (Committee Co-Chair), Gibson, Greenwood (Committee Co-Chair), Insinna, Rigby |
| Committee Members Present via Video Conference: | Bradley (Regional Chair), Britton, Butters, Foster, Ip, Nicholson, Sendzik, Siscoe, Villella, Whalen, Witteveen |
| Other Councillors Present via Video Conference: | Zalepa |
| Absent/Regrets: | Jordan |
| Staff Present in the Council Chamber: | C. Banach, Manager, Housing Operations, H. Chamberlain, Director, Financial Management & Planning/Deputy Treasurer, C. Cousins, Director, Homelessness and Community Engagement, D. D'Amboise, Manager, Program Financial Support, D. Edgar, Director, Children's Services, Dr. M. M. Hirji, Acting Medical Officer of Health, A. Jugley, Commissioner, Community Services, H. Koning, Director, Senior Services, D. Lorenzo, Associate Director, Chronic Disease & Injury Prevention, A.-M. Norio, Regional Clerk, M. Sergi, Commissioner, Planning & Development Services, J. Spratt, Administrative Assistant to the Regional Clerk, R. Tripp, Chief Administrative Officer, L. Watson, Director, Social Assistance and Employment Opportunities, D. Woiceshyn, Director, Housing Services |
| Staff Present via Video Conference: | R. Ferron, Acting Chief/Director, Emergency Medical Services, J. Galloway, Manager, Early Years Child Care Services, L. Garofalo, Manager, Chronic Disease & Injury Prevention, Dr. A. Kasmani, Associate Medical Officer of Health, S. Kearns, Director, Environmental Health, K. Lotimer, Legislative Coordinator, J. Pickles, Program Financial Specialist, D. Teng, Manager, Tobacco Program |

Others Present via S. Pulickal, Senior Manager, Colliers Project Leaders
Video Conference:

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

3.1 Consolidated Housing Master Plan Update

Donna Woiceshyn, Director, Housing Services, and Cameron Banach, Manager, Housing Operations, provided information respecting Consolidated Housing Master Plan Update. Topics of the presentation included:

- Purpose of the Master Plan
- Link to other Region Initiatives
- Analysis
- Recommendations
- Current Activities
- Next Steps

4. DELEGATIONS

4.1 Windsor-Essex County Health Unit Letter of Support - Response to the Opioid Crisis in Ontario (CWCD 2022-117 - Agenda Item 6.7)

Talia Storm and Brenda Yeandle, Co-Chairs, Overdose Prevention and Education Network of Niagara (OPENN), appeared before Committee respecting CWCD 2022-117, Windsor-Essex County Health Unit Letter of Support – Response to the Opioid Crisis in Ontario. Ms. Storm and Ms. Yeandle provided an update of the current opioid situation in Niagara and highlighted the importance of endorsing the letter from the Simcoe-Muskoka Health Unit, to the Honourable Christine Elliot, in response to the Opioid Crisis in Ontario.

5. ITEMS FOR CONSIDERATION

5.1 PHD 11-2022

A Renewed Call for Paid Sick Leave in Ontario

Moved by Councillor Gibson

Seconded by Councillor Insinna

That Report PHD 11-2022, dated June 14, 2022, respecting A Renewed Call for Paid Sick Leave in Ontario, **BE RECEIVED** and the following recommendations **BE APPROVED**:

1. That Regional Council **RECOMMEND** that the Government of Ontario extend the currently temporary three paid sick days in the Employment Standards Act, 2000 (ESA) set to expire July 31, 2022;
2. That Regional Council **RECOMMEND** that the Government of Ontario engage in consultation with local municipalities, employers, and broader communities regarding making permanent the three paid sick days, and increasing the number of paid sick days to be in line with recommendations for adequate sick leave policies; this consultation should seek to understand the challenges to legislating these sick day policies, and identify the supports necessary to enable increasing the number of sick days and making them permanent;
3. That Regional Council **RECOMMEND** that the Government of Ontario review the impacts of the amendments to the Canada Labour Code that provided 10 paid sick days for all federal employees across the country; and
4. That Regional Council **DIRECT** the Regional Chair to communicate the above recommendations to the Premier, relevant Members of provincial Cabinet, Niagara's Members of Provincial Parliament, Niagara's Members of Parliament, and all Ontario Boards of Health.

Carried

5.2 PHD 10-2022

Improving Indoor Air Quality to Sustainably Prevent COVID-19, Improve Health & Keep Society Open for Good

Moved by Councillor Witteveen

Seconded by Councillor Butters

That Report PHD 10-2022, dated June 14, 2022, respecting Improving Indoor Air Quality to Sustainably Prevent COVID-19, Improve Health & Keep Society Open for Good, **BE RECEIVED** and the following recommendations **BE APPROVED**:

1. That Regional Council, as the Board of Health, **DIRECT** the Chair to write to the Provincial Government (Minister of Health; the Minister of Municipal Affairs and Housing; the Minister of Finance; and the Chief Medical Officer of Health) and the Federal Government (Minister of Health; Minister of Intergovernmental Affairs, Infrastructure and Communities; Minister of International Trade, Export Promotion, Small Business and Economic Development; Minister of Finance; and the Chief Public Health Officer) requesting that they urgently:
 - 1.1 Update building codes to incorporate higher standards of air quality such that respiratory diseases, especially COVID-19 and other emerging infections, can be sustainably prevented in all new buildings, with regular updates to these building codes, as best available evidence evolves; and
 - 1.2 Create a fund to support small business and local organizations to upgrade the ventilation and filtration in their existing buildings, as well as, invest in validated air cleaning/disinfection technologies with demonstrated safety and effectiveness, so that current public spaces and workspaces can be made safer from COVID-19 and other respiratory infections, including future pandemics of a respiratory virus; and
2. That the above correspondence **BE SHARED** with Niagara's Members of Provincial Parliament, Members of Parliament, and all Ontario Boards of Health.

Carried

5.3 PHD 12-2022

Approval of the 2021-2022 Public Health and Emergency Services
Program Audits

Moved by Councillor Whalen
Seconded by Councillor Foster

That Report PHD 12-2022, dated June 14, 2022, respecting Approval of
the 2021-2022 Public Health and Emergency Services Program Audits,
BE RECEIVED and the following recommendations **BE APPROVED**:

1. That the draft audited schedule of revenue and expenses and the
annual reconciliation return for the Public Health General Programs
for the year ended December 31, 2021 (Appendix 1 and 2 to Report
PHD 12-2022), **BE APPROVED**;
2. That the draft audited schedules of revenue and expenses for the
following programs for the fiscal year ended March 31, 2022, **BE
APPROVED**:
 - Ambulance Communication Services (Appendix 3 to Report
PHD 12-2022)
 - Community Mental Health Program (Appendix 4 to Report PHD
12-2022)
 - Infant and Child Development Services (ICDS) (Appendix 5 to
Report PHD 12-2022)
 - Healthy Babies, Healthy Children (HBHC) (Appendix 6 to Report
PHD 12-2022);
3. That the annual reconciliation return for the Community Mental Health
Program for the fiscal year ended March 31, 2022 (Appendix 7 to
Report PHD 12-2022), **BE APPROVED**;
4. That staff **BE DIRECTED** to co-ordinate with the auditor to finalize the
statements as presented; and
5. That Report PHD 12-2022 **BE FORWARDED** to the Region's Audit
Committee for information.

Carried

5.4 COM 17-2022

Approval of 2021/2022 Community Services Program Audits

Moved by Councillor Siscoe

Seconded by Councillor Villella

That Report COM 17-2022, dated June 14, 2022, respecting Approval of 2021/2022 Community Services Program Audits, **BE RECEIVED** and the following recommendations **BE APPROVED**:

1. That the draft audited annual reconciliation return for the Community Support Services Program (Appendix 1 to Report COM 17-2022) for the year ended December 31, 2021, **BE APPROVED**;
2. That the draft audited schedule of Revenue and Expenses for the Reaching Home Program (Appendix 2 to Report COM 17-2022) for the year ended March 31, 2022, **BE APPROVED**;
3. That staff **BE DIRECTED** to coordinate with the auditor to finalize the statements as presented; and
4. That Report COM 17-2022 **BE FORWARDED** to the Region's Audit Committee for information.

Carried

5.5 COM 19-2022

2022 Operating Budget Adjustment due to the Canada Wide Early Learning and Child Care: Ontario Plan

Moved by Councillor Britton

Seconded by Councillor Sendzik

That Report COM 19-2022, dated June 14, 2022, respecting 2022 Operating Budget Adjustment due to the Canada Wide Early Learning and Child Care: Ontario Plan, **BE RECEIVED** and the following recommendation **BE APPROVED**:

1. That an adjustment to the previously adopted 2022 Regional Municipality of Niagara (Niagara Region) operating budget in the amount of \$16,020,176, to be fully funded through Ministry of Education (MEDU), under the Canada Wide Early Learning and Child Care (CWELLCC): Ontario Plan, **BE APPROVED**.

Carried

6. CONSENT ITEMS FOR INFORMATION

Moved by Councillor Butters
Seconded by Councillor Nicholson

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

PHD-C 3-2022
Ministry of Health Funding Adjustments

PHD-C 4-2022
An Observational Study of Smoking and Vaping on Beaches

COM 20-2022
Seniors Services Quality Improvement Report: January - March 2022

COM 21-2022
Medical Directors Annual Report 2021 - Long Term Care Homes

Carried

6.7 CWCD 2022-117

Windsor-Essex County Health Unit Letter of Support - Response to the Opioid Crisis in Ontario

Moved by Councillor Ip
Seconded by Councillor Siscoe

That Correspondence Item CWCD 2022-117, being a letter from Windsor-Essex County Health Unit to The Honourable Christine Elliott Minister of Health and Deputy Premier, dated May 6, 2022, respecting Letter of Support – Response to the Opioid Crisis in Ontario, **BE RECEIVED**;

1. That Regional Council as the Board of Health **ENDORSE** the letter from Simcoe-Muskoka District Health Unit to the Hon. Christine Elliott on March 16, 2022 in response to the Opioid Crisis province-wide, advocating for the provincial government to take the following actions:
 - Create a multi-sectoral task force to guide the development of a robust provincial opioid response plan that will ensure necessary resourcing, policy change, and health and social system coordination;
 - Expand access to evidence informed harm reduction programs and practices including lifting the provincial cap of 21 Consumption and Treatment Service (CTS) Sites, funding Urgent Public Health Needs Sites (UPHNS) and scaling up safer supply options;
 - Revise the current CTS model to address the growing trends of opioid poisoning amongst those who are using inhalation methods;

- Expand access to opioid agonist therapy for opioid use disorder through a range of settings (e.g. mobile outreach, primary care, emergency departments, Rapid Access to Addiction Medicine Clinics), and a variety of medication options;
 - Provide a long-term financial commitment to create more affordable and supportive housing for people in need, including people with substance use disorders;
 - Address the structural stigma and harms that discriminate against people who use drugs, through provincial support and advocacy to the Federal government to decriminalize personal use and possession of substances and ensure increased investments in health and social services at all levels;
 - Increase investments in evidence-informed substance use prevention and mental health promotion initiatives that provide foundational support for the health, safety and well-being of individuals, families, and neighbourhoods, beginning from early childhood;
 - Fund additional and dedicated positions for local public health to support the critical local coordination and leadership of local opioid and substance strategies;
2. That the Regional Chair as the Board of Health Chair **WRITE** to the incoming Minister of Health articulating the above support for these actions, and particularly emphasizing the urgency to take these actions immediately; and
3. That the correspondence **BE SHARED** with the Premier, the Attorney-General of Ontario, the Associate Minister of Mental Health and Addictions, the Chief Medical Officer of Health, Niagara Members of Provincial Parliament, Niagara Members of Parliament, the Association of Local Public Health Agencies, and all Boards of Health.

Recorded Vote:

Yes (14): Bradley, Butters, Foster, Gibson, Greenwood, Insinna, Ip, Nicholson, Rigby, Sendzik, Siscoe, Villella, Whalen, Witteveen.

No (1): Britton.

Carried

6.5 COM 22-2022

Niagara Prosperity Initiative Path Forward Update

Moved by Councillor Foster

Seconded by Councillor Witteveen

That Report COM 22-2022, dated June 14, 2022, respecting Niagara Prosperity Initiative Path Forward Update, **BE RECEIVED** for information.

Carried

6.6 COM-C 9-2022

Activities related to Niagara's 10-Year Housing and Homelessness Action Plan for March, April, May 2022

Moved by Councillor Rigby

Seconded by Councillor Whalen

That Correspondence Item COM-C 9-2022, being a memorandum from A. Jugley, Commissioner, Community Services, dated June 14, 2022, respecting Activities related to Niagara's 10-Year Housing and Homelessness Action Plan for March, April, May 2022, **BE RECEIVED** for information.

Carried

7. **OTHER BUSINESS**

There were no items of other business.

8. **CLOSED SESSION**

Committee did not resolve into closed session.

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

9.1 **Confidential COM 18-2022**

A Matter of Information explicitly supplied in confidence to the municipality by the Province of Ontario under section 239(2)(h) of the Municipal Act pertaining to the allocation of provincial funding for the 2022 fiscal year for the Social Services Relief Fund Phase 5

Moved by Councillor Nicholson
Seconded by Councillor Witteveen

That Confidential Report COM 18-2022, dated June 14, 2022, respecting A Matter of Information explicitly supplied in confidence to the municipality by the Province of Ontario under section 239(2)(h) of the Municipal Act, 2001, pertaining to the allocation of provincial funding for the 2022 fiscal year for the Social Services Relief Fund, **BE RECEIVED** and the recommendations contained therein **BE APPROVED**.

Carried

10. **NEXT MEETING**

The next meeting will be held on Tuesday, July 12, 2022 at 1:00 p.m.

11. **ADJOURNMENT**

There being no further business, the meeting adjourned at 3:04 p.m.

Councillor Greenwood
Committee Co-Chair

Councillor Chiocchio
Committee Co-Chair

Kelly Lotimer
Legislative Coordinator

Ann-Marie Norio
Regional Clerk

Consolidated Housing Master Plan Update

Public Health & Social Services Committee
June 14, 2022

Donna Woiceshyn, Director Housing Services
Cameron Banach, Manager Housing Operations

Master Plan Update

Agenda

- Purpose of the Master Plan
- Link to other Region Initiatives
- Analysis
- Recommendations
- Current Activities
- Next Steps
- Summary

Purpose of the Master Plan

Colliers International commissioned by NRH to develop Housing Master Plan for Niagara

To provide recommendations to:

- Address overwhelming demand for community housing in Niagara
- Reduce wait times on the centralized housing waitlist
- Focus on time period of 2021 to 2045

Link to Other Region Initiatives

The Housing Master Plan is part of broader work on affordable housing that also includes:

- Niagara Official Plan
- Niagara Housing Database
- Housing and Homelessness Action Plan
- Incentive Review
- DC ByLaw Review
- Built for Zero Canada

Master Plan

The Master Plan looks at:

- NRH assets
- Non-profit and Co-operative housing providers
- Regional and Local Area Municipal vacant lands

The analysis includes a comprehensive description of:

- Current Community Housing assets and development capacity
- Future demand for Community Housing
- Promising practices to leverage existing assets to meet future demand

Analysis of Future Housing Need

- Demand is expected to increase by 6,400 units (from 14,300 units to 20,700 units) by 2045
- Need to add a total of 479 new units per year over the next 25 years to meet the need
- Niagara Region cannot meet this demand for Community Housing on its own

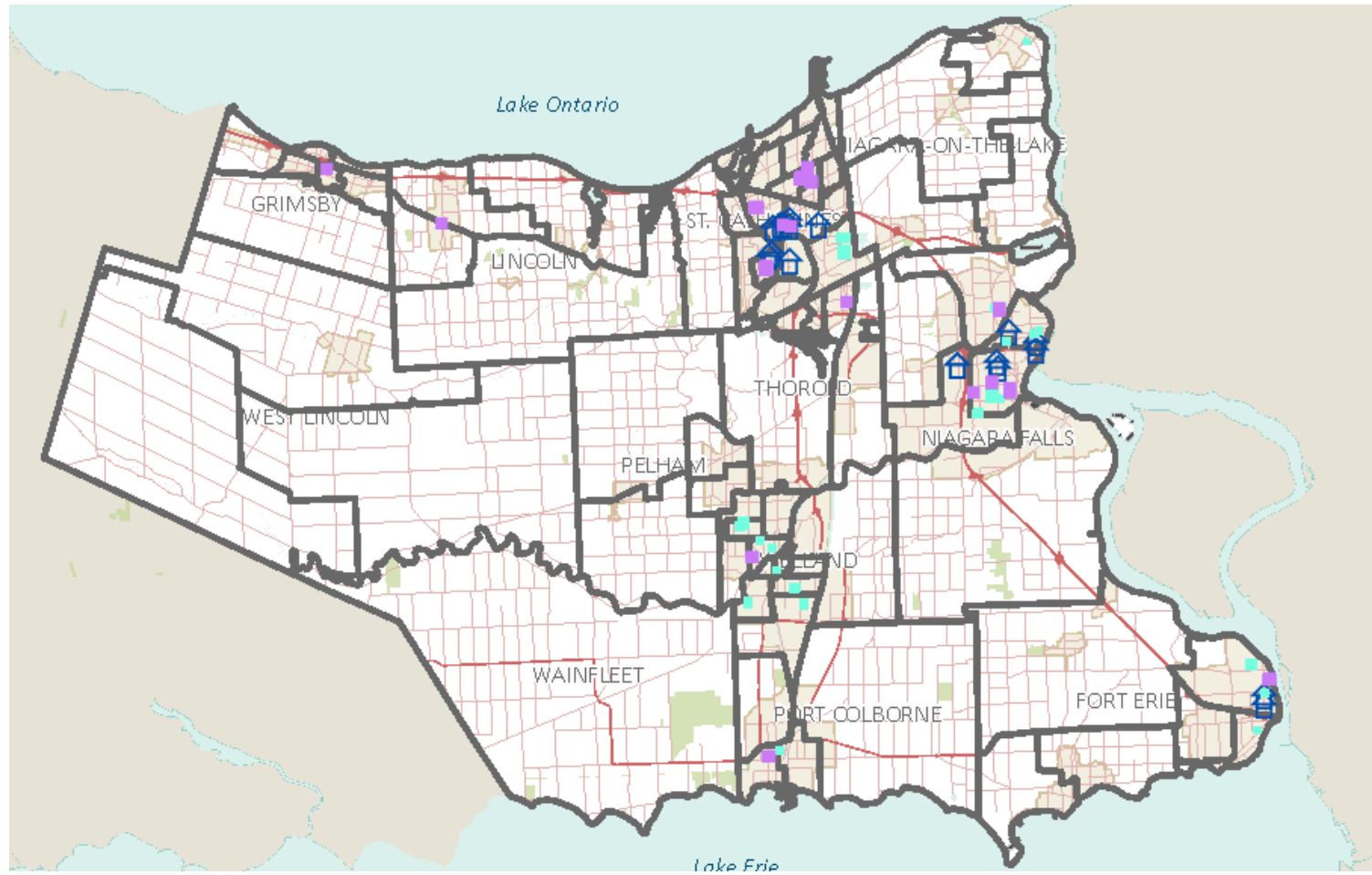
Analysis of Potential for Development

- Supply gap can be addressed through:
 - Redevelopment of existing NRH sites (20 sites with potential of 1,835 units)
 - Redevelopment of private non-profit and co-operative service provider sites (51 sites with potential of 5,935 units)
 - New development at sites identified by local Municipalities and Niagara Region (34 sites with a potential of 3,196 units)
 - Additional potential for units at sites of the new Gilmore Lodge and Linhaven developments
 - Potential for development is greater than the demand for units

Breakdown of Potential for Development

| Municipality | Potential Units on NRH Sites | Potential Units on Non-Profit & Co-op Sites | Potential on Municipal Sites | Total Development Potential |
|---------------------|------------------------------|---|------------------------------|-----------------------------|
| St. Catharines | 974 | 2,072 | 116 | 3,162 |
| Welland | 91 | 1,113 | 1,502 | 2,706 |
| Niagara Falls | 373 | 1,208 | 455 | 2,036 |
| Fort Erie | 167 | 844 | 358 | 1,369 |
| Thorold | 102 | 270 | 44 | 416 |
| Lincoln | - | 102 | 307 | 409 |
| West Lincoln | - | 272 | - | 272 |
| Wainfleet | - | - | 210 | 210 |
| Grimsby | - | - | 204 | 204 |
| Niagara-on-the-Lake | 128 | - | - | 128 |
| Port Colborne | - | 54 | - | 54 |
| Total | 1,835 | 5,935 | 3,196 | 10,966 |

Locations for Potential Development



Recommendations

- Increase the number of new units added to 479 per year
- Focus on intensification at existing NRH and service provider sites
- Shift from piecemeal development to a portfolio approach
- Explore options to finance redevelopment (partnerships, grant programs, incentive programs, Federal/Provincial funding, Levy)
- Develop a multi-year capital plan
- Ensure current tenants aren't displaced

Current Activities – New Development

- York Street (Welland) – 43 NRH units (to be completed Nov. 2022)
- Ormond/St. David's (Thorold) – 11 NRH units (6 units occupied, 5 units 75% complete)
- Crescent (Fort Erie) – 18 NRH units (completion TBD)
- Partner Units (12 projects with 8 different providers for a potential 886 units in various stages of development)
- Hosted a meeting with Niagara's 53 local providers to inform them of the Master Plan and assess interest and readiness to develop

Current Activities – Master Plan

- Hiring a dedicated Housing Planner (temporary)
 - Recommendation of NRH board and Affordable Housing Strategy Steering Committee
 - Managed by Housing Services in collaboration with Planning and Development Services
 - Resourced within the current budget
 - Engage with non-profit and municipal partners to create readiness to respond to future funding opportunities
 - Explore funding opportunities, grants and incentives
 - Create by January 2023 a roadmap to implement the Master Plan (including a financial strategy and portfolio planning)

Next Steps – Financial Planning

- Complete financial modelling based on Region financial management principles to determine what is realistic (number of projects and units) and how development will be funded, in accordance with the region's asset management plan
- Create a 10-Year investment plan that will leverage Federal and Provincial investment

Next Steps – Portfolio Planning

- Identify properties to prioritize and which providers to engage from those identified in the consultant report
- Determine sequencing of development for properties in the NRH portfolio, owned by providers or local municipalities (what to do, where, and when) based on identified need
- Plan for divestment of singles and development of more dense forms of development
- Improve livability, accessibility, and environmental efficiency
- Plan for relocation of tenants on properties prior to redevelopment in order to minimize disruptions to the tenants

Summary

- Need for Community Housing is great
- Potential for development exceeds the need
- Creating a plan to move forward with partners
 - Hiring a Housing Planner (temporary)
- Will keep Council updated on progress

Questions?

From: [Niagara Region Website](#)
To: [Clerks](#)
Subject: Online Form - Request to Speak at a Standing Committee or Regional Council
Date: Monday, June 6, 2022 9:13:21 AM

Request to Speak at a Standing Committee or Regional Council

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

Name

Talia Storm

Address

120 Queenston St

City

St Catharines

Postal

L2R 2Z3

Phone

905-984-8684

Email

tstorm@positivelivingniagara.com

Organization

Overdose Prevention and Education Network of Niagara (OPENN)/Positive Living Niagara

standing committee

Public Health and Social Services Committee

Presentation Topic

CWCD 2022-117 Windsor-Essex County Health Unit Letter of Support - Response to the Opioid Crisis in Ontario".

Presentation includes slides

Yes

Previously presented topic

No

Presentation Details

CWCD 2022-117 Windsor-Essex County Health Unit Letter of Support - Response to the Opioid Crisis in Ontario".

Video Consent

Yes



Subject: A Renewed Call for Paid Sick Leave in Ontario

Report to: Public Health and Social Services Committee

Report date: Tuesday, June 14, 2022

Recommendations

1. That Regional Council **RECOMMEND** that the Government of Ontario extend the currently temporary three paid sick days in the *Employment Standards Act, 2000* (ESA) set to expire July 31, 2022;
2. That Regional Council **RECOMMEND** that the Government of Ontario engage in consultation with local municipalities, employers, and broader communities regarding making permanent the three paid sick days, and increasing the number of paid sick days to be in line with recommendations for adequate sick leave policies; this consultation should seek to understand the challenges to legislating these sick day policies, and identify the supports necessary to enable increasing the number of sick days and making them permanent;
3. That Regional Council **RECOMMEND** that the Government of Ontario review the impacts of the amendments to the Canada Labour Code that provided 10 paid sick days for all federal employees across the country;
4. That Regional Council **DIRECT** the Regional Chair to communicate the above recommendations to the Premier, relevant Members of provincial Cabinet, Niagara's Members of Provincial Parliament, Niagara's Members of Parliament, and all Ontario Boards of Health.

Key Facts

- The purpose of this report is to seek Council's support for extending beyond July 31, 2022, the currently temporary paid sick days through the *Employment Standards Act*
- Staying home when sick is one of the most effective containment strategies for infectious disease, yet a benefit currently more accessible to some workers than others.¹

¹ Decent Work & Health Network. Before it's Too Late: How to close the Paid Sick Day Gap During COVID-19 and Beyond. Published August 2020. (Available from: <https://www.decentworkandhealth.org/beforetoolate>)

- The gap in access to paid sick days is associated with transmission of infectious illnesses at workplaces² including COVID-19, as many lower paid employees are compelled to work while sick and infectious so as to be able to earn the income they need to live.
- In December 2021, Regional Council endorsed the recommendations in Report PHD 14-2021, expressing support for legislated paid sick days through the *Employment Standards Act*. Similar motions were also passed by Municipalities and Boards of Health across Ontario.
- In December, the Ontario Government extended the temporary three days employer paid sick time to expire on July 31, 2022.

Financial Considerations

As a corporation, Niagara Region has experienced a total cost of \$943,700 (not including Payroll Related costs) for time encoded as Paid Infectious Disease Emergency Leave for the period of April 19, 2021 to April 18, 2022.

Analysis

As stated in Reports PHD 14-2021 and PHD 1-2021, access to employer paid sick leave is an important policy measure for the following reasons¹:

- It is one of the most effective containment strategies for infectious disease;
- Workers without paid sick days are more likely to go to work sick, putting others at risk;
- Parents with paid sick days have been found to be less likely to send sick children to school, preventing outbreaks in schools;
- Workplaces with precarious jobs and lack of paid sick leave have become hotspots for COVID-19 infection transmission, and suffered temporary closures during outbreaks;
- Low-wage and racialized workers, who are more likely to be denied paid sick days, have faced higher rates of COVID-19 illness.

² Drago R, Miller K. Sick at Work: infected employees in the workplace during H1N1 pandemic IWPR.org (2010). (Available from: <https://iwpr.org/iwpr-general/sick-at-work-infected-employees-in-the-workplace-during-the-H1N1-pandemic/>)

The Ontario government's temporary pandemic-specific paid sick days is set to expire July 31, 2022. Since the start of the pandemic there have been many calls on the Ontario government to legislate adequate paid sick days. Calls on the government include, but are not exclusive to

- Bill-7 and Bill-8 introduced to the Ontario legislature in 2021;
- Ontario's Big City Mayors made up of Mayors from 29 cities across Ontario with a population of 100,000 or more;
- The City of St. Catharines as well as other municipalities across Ontario, including both Hamilton and Toronto;
- The Association of Local Public Health Agencies (alPHa);
- The Decent Work and Health Network.

Canada lags behind other nations globally in guaranteeing workers access to adequate paid sick days for short-term illness. On December 17, 2021, the federal government amended the Canada Labour Code to provide up to 10 days of paid sick leave to all federal employees. It was also announced that the federal government will convene the provinces and territories in early 2022, to develop a national action plan to legislate paid sick leave for all workers across the country. Starting January 1, 2022, British Columbia became the first province to expand permanent, employer-paid sick days, with five paid sick days for all full-time and part-time workers.

Paid sick days would form part of a suite of long-term, sustainable changes to our society to create a post-pandemic "new normal" where COVID-19 is controlled, ensuring the safety of residents and protecting the economy from further disruption from the pandemic, as well as lost productivity and absenteeism due to transmission of other infections. Moreover, paid sick days would improve health equity, supporting a Healthy and Vibrant Community.

Alternatives Reviewed

If the temporary paid sick days benefit expires on July 31, 2022, the burden of responsibility will fall to an individual to decide between staying home if they are sick, or going to work in order to get paid. Evidence indicates this results in spread of infectious disease, most pressingly COVID-19, to both customers and co-workers. However, as the pandemic continues, there will be substantial economic losses and inequitable human impacts due to infectious disease such as influenza, and COVID-19 will continue to afflict workplaces further increasing these losses and impacts.

Relationship to Council Strategic Priorities

Paid sick days will help to reduce transmission of COVID-19 and other infectious illnesses. Additionally, paid sick days will help to lessen the disproportionate impact COVID-19 is having on workers that do not have access to paid sick leave. This healthy public policy is linked to Council's Healthy and Vibrant Community strategic priority, in particular, the desire to improve health equity.

Other Pertinent Reports

[PHD 14-2021](#) Collaborative Action to Support the Need for Permanent Paid Sick Days
(<https://pub-niagararegion.escribemeetings.com/filestream.ashx?DocumentId=20502>)

[PHD 01-2021](#) Collaborative Acton to Prevent COVID-19 Transmission and Improve Health Equity by Increasing Access to Paid Sick Days
(<https://pub-niagararegion.escribemeetings.com/filestream.ashx?DocumentId=14323>)

Prepared by:

Lindsay Garofalo
Manager
Chronic Disease and Injury Prevention

Recommended by:

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

Submitted by:

Ron Tripp, P.Eng.
Chief Administrative Officer

This report was prepared in consultation with Dan Schonewille, Health Promoter, Chronic Disease and Injury Prevention and Leanne Mannell, Senior HR Business Analyst, Corporate Administration and reviewed by David Lorenzo, Associate Director, Chronic Disease and Injury Prevention.

Subject: Improving Indoor Air Quality to Sustainably Prevent COVID-19, Improve Health, & Keep Society Open for Good

Report to: Public Health & Social Services Committee

Report date: Tuesday, June 14, 2022

Recommendations

1. That Regional Council, as the Board of Health, **DIRECT** the Chair to write to the Provincial Government (Minister of Health; the Minister of Municipal Affairs and Housing; the Minister of Finance; and the Chief Medical Officer of Health) and the Federal Government (Minister of Health; Minister of Intergovernmental Affairs, Infrastructure and Communities; Minister of International Trade, Export Promotion, Small Business and Economic Development; Minister of Finance; and the Chief Public Health Officer) requesting that they urgently:
 - 1.1 Update building codes to incorporate higher standards of air quality such that respiratory diseases, especially COVID-19 and other emerging infections, can be sustainably prevented in all new buildings, with regular updates to these building codes as best available evidence evolves; and
 - 1.2 Create a fund to support small business and local organizations to upgrade the ventilation and filtration in their existing buildings, as well as invest in validated air cleaning/disinfection technologies with demonstrated safety and effectiveness, so that current public spaces and workspaces can be made safer from COVID-19 and other respiratory infections, including future pandemics of a respiratory virus; and
2. That the above correspondence **BE SHARED** with Niagara's Members of Provincial Parliament, Members of Parliament, and all Ontario Boards of Health.

Key Facts

- The purpose of this report is to seek Council's endorsement and advocacy for provincial and federal actions that improve indoor air quality, thereby sustainably protecting Niagara from COVID-19, improving health, and keeping society open.
- Air has long been known to play a role in human disease whether through transmitting pollutants such as cigarette smoke which cause illnesses such as lung injury, asthma attacks, and cancers; or through transmitting infectious agents such as tuberculosis bacteria and measles virus.

- Numerous infectious agents, such as chicken pox, influenza or measles, are transmitted through the air by droplet and/or airborne mechanisms, and research is clarifying that airborne transmission is a significant factor in the COVID-19 pandemic.
- Improved indoor air handling systems (e.g. by ensuring appropriate ventilation, filtration, and/or air cleaning/disinfection) could sustainably reduce the risk of COVID-19, and likely many other respiratory infections, while also making society safer from future pandemics of respiratory infections. Such changes could also reduce respiratory injuries, asthma attacks, and cancers making society healthier overall.
- Retrofitting existing indoor air systems would also be an opportunity to simultaneously address climate change goals, which would itself have further health benefits.
- Provincial and federal leadership is needed to achieve these improvements in indoor air quality through changes to building codes and funding retrofits of ventilation systems.

Financial Considerations

There are no costs to Niagara Region associated with the recommendations of this report.

Analysis

Air represents an important medium through which pollutants or infection can spread thereby causing or worsening pre-existing illnesses in humans. The associated illness ultimately depends on the pollutant or infectious agent but can range from the infection of tuberculosis, to worsening of asthma and all the way to causing cancer.¹ Research continues to clarify the importance of indoor air quality (IAQ) in COVID-19 transmission.

A well-functioning air handling system (e.g. heating, ventilation and air conditioning (HVAC) system), is one of numerous important tools to help reduce the risk of COVID-19 as outlined by Public Health Ontario and other expert bodies.^{2,3} The Centers for Disease Control & Prevention (CDC) states improved ventilation (e.g. such as continuously running the HVAC fan) can help dilute any COVID-19 viral particle present thereby reducing the risk of disease spread.⁴ Additional recommendations by the CDC include using the highest efficiency filter appropriate as well as around the potential use of air cleaning/disinfection technologies, such as ultraviolet germicidal irradiation which have previously been used to protect against airborne spread of tuberculosis (the body

of knowledge around air cleaning/disinfection technologies is still developing and caution needs to be used when assessing the efficacy as well as safety of these devices).⁴

Prior to COVID-19, numerous infectious agents were known to be transmitted through the air whether including measles, chicken pox, and tuberculosis. COVID-19 is now known to be transmitted through the air as well, resulting in society's challenges to control this infection and allowing it to cause widespread destruction to our lives. While improved IAQ will not completely eliminate the risk of infectious disease transmission from person to person, it will reduce that risk for all members of the public including those at higher risk of serious outcomes. Additionally, air handling systems protect health by working automatically in the background requiring minimal operator input or behaviour change by individuals. This allows individuals and the economy to continue activities without interruption, while simultaneously benefiting from reduced risk of COVID-19.

Currently, the Ontario Building Code (OBC) specifies the number of air changes per hour but does not include more detailed IAQ standards. Amending the OBC to include IAQ standards prioritizes and invests in the health of Ontarians with the goal of illness prevention whether caused by pollutants or infectious agents. These standards will sustainably reduce the spread of COVID-19 and other infections without necessitating ongoing effort by individuals (e.g. keeping physical distance) prevent needing to resort to more onerous and disruptive measures such as lockdowns. In particular, improved indoor air quality can make society safer from future pandemics of respiratory infections.

As noted earlier, the benefits of improved IAQ extend beyond infections. Health Canada currently lists many indoor air pollutants that can harm health including carbon monoxide, formaldehyde, ozone, and radon.¹ For many of these, illness arises only after years of exposure at a low-level. Therefore, reduction in exposure to these pollutants over the long-term can help facilitate reduced illness. Improvement of IAQ would protect individuals from the many illnesses and chronic disease caused by these pollutants as well as preventing infections, helping to make our society healthier overall.

Any amendments to the OBC will not apply retroactively to buildings already in existence. Retrofitting existing high risk public spaces (e.g. restaurants) is not something that the private sector will be able to afford after two years of pandemic disruption. Therefore, it is crucial for a funding mechanism to be established to assist building owners to make the necessary air handling system retrofits in order to protect the health of the public. Additionally, a funding mechanism would allow the health

benefits of improved IAQ be distributed equitably throughout the community, and not only to communities with the most resources. Additionally, replacing aging and inefficient HVAC infrastructure along with other building improvements could support Niagara Region's climate change goals leading to further health benefits.

Alternatives Reviewed

Recently, the City of Toronto Board of Health initiated a review of whether updates to their Property Standard By-Laws might be useful to reduce the spread of infectious agents through the air.⁵ Our analysis in Niagara is that municipalities are not able to create stricter requirements than outlined in the OBC.

If the OBC is not amended to include IAQ standards, one alternative could be to expand the scope of Public Health or Property Standard Officers to inspect for evidence of regular HVAC maintenance. However, replacing aging systems may be too costly for businesses and no common standard exists to ensure any upgraded system is adequate to protect the public from infection. Additionally, only ensuring that regular HVAC maintenance is being performed does not guarantee that the IAQ is acceptable, only that the system is functioning.

Niagara Region Public Health has proactively begun a pilot of assessing indoor air quality of public spaces that Public Health already inspects (e.g. restaurants, pools, personal services) and providing education to owners around improving their IAQ for their voluntary follow-up. However, without an obligation through provincial or federal standards to improve the IAQ, improvement may not actually occur. In particular, even the most conscientious operators who are motivated to make improvements will be unable to afford to do so without provincial or federal support.

Relationship to Council Strategic Priorities

Amending the OBC to include IAQ standards and funding retrofits of air handling systems, primarily aligns with Niagara Region Council's strategic priorities for a Healthy and Vibrant Community, in that it will improve the health of our people and enable a post-pandemic return to vibrancy, as well as Supporting Business and Economic Growth by enabling businesses and the economy to stay open and recover with a much reduced risk of COVID-19 spread. Retrofitting ventilation also creates opportunities to put in place more energy efficient technology decreasing greenhouse gas emissions.⁶ This aligns with Council's strategic priority for Responsible Growth and Infrastructure Planning, specifically Environmental Sustainability and Stewardship.

Other Pertinent Reports

N/A

Prepared by:

Mark Cachia
Resident Physician
Public Health & Emergency Services

Recommended by:

M. Mustafa Hirji
Medical Officer of Health &
Commissioner (Acting)
Public Health & Emergency Services

Submitted by:

Ron Tripp, P.Eng.
Chief Administrative Officer

This report was prepared in consultation with Jackie Gervais (Health Promoter, Chronic Disease and Injury Prevention, Niagara Region Public Health) and John Lane (Chief Building Official, City of St. Catharines).

References

1. Health Canada. Indoor air quality resources for professionals [Internet]. Ottawa, ON: Government of Canada; 2022 Feb 02 [cited 2022 May]. Available from: <https://www.canada.ca/en/health-canada/services/air-quality/residential-indoor-air-quality-guidelines.html>
2. Public Health Ontario. Heating, ventilation and air conditioning (HVAC) systems in buildings and COVID-19 [Internet]. Toronto, ON: Queen's Printer for Ontario; 2021 [cited 2022 May]. Available from: <https://www.publichealthontario.ca/-/media/documents/ncov/ipac/2020/09/covid-19-hvac-systems-in-buildings.pdf?la=en>
3. Peterborough Public Health. Carbon Dioxide (CO₂) Monitoring for Indoor Air Quality [Internet]. Peterborough, ON: Peterborough Public Health; [cited 2022 May]. Available from: <https://www.peterboroughpublichealth.ca/your-health/home-health-and-safety/carbon-dioxide-co2/>
4. Centres for Disease Control and Prevention. COVID-19 – Ventilation in Buildings [Internet]. Atlanta, GA: U.S. Department of Health & Human Services; 2021 June

- 2 [cited 2022 May 31]. Available from: <https://www.cdc.gov/coronavirus/2019-ncov/community/ventilation.html>
5. Toronto City Clerk. Tracking Status HL35.8 [Internet]. Toronto, ON: City of Toronto; 2022 [cited 2022 May 31]. Available from: <http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2022.HL35.8>
6. Natural Resources Canada. Canada Greener Homes Grant [Internet]. Ottawa, ON: Government of Canada; 2022 May 12 [cited 2022 May]. Available from: <https://www.nrcan.gc.ca/energy-efficiency/homes/canada-greener-homes-grant/23441>

Subject: Approval of the 2021-2022 Public Health and Emergency Services Program Audits

Report to: Public Health and Social Services Committee

Report date: Tuesday, June 14, 2022

Recommendations

1. That the draft audited schedule of revenue and expenses and the annual reconciliation return for the Public Health General Programs for the year ended December 31, 2021 (Appendix 1 and 2 to Report PHD 12-2022), **BE APPROVED**;
2. That the draft audited schedules of revenue and expenses for the following programs for the fiscal year ended March 31, 2022, **BE APPROVED**:
 - Ambulance Communication Services (Appendix 3 to Report PHD 12-2022)
 - Community Mental Health Program (Appendix 4 to Report PHD 12-2022)
 - Infant and Child Development Services (ICDS) (Appendix 5 to Report PHD 12-2022)
 - Healthy Babies, Healthy Children (HBHC) (Appendix 6 to Report PHD 12-2022);
3. That the annual reconciliation return for the Community Mental Health Program for the fiscal year ended March 31, 2022 (Appendix 7 to Report PHD 12-2022), **BE APPROVED**;
4. That staff **BE DIRECTED** to co-ordinate with the auditor to finalize the statements as presented; and
5. That Report PHD 12-2022 **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, annual reconciliation return and questionnaire in accordance with the provincial requirements.
- The Ministry submission deadline for the General Program, Ambulance Communication Services and Community Mental Health is June 30, 2022.
- The Ministry submission deadline for the ICDS and HBHC programs is July 31, 2022.
- 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 the Audit Committee for information.

Financial Considerations

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

Draft copies of the financial schedule and annual reconciliation return are attached as Appendices 1 through 7 of Report PHD 12-2022.

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

The financial schedules for Public Health and Emergency Services Programs are a Ministry requirement and specific reporting provisions and agreements are noted in the audit reports for each of the respective programs. The financial schedules are all prepared to assist the Region in complying with the guidelines. As a result, the schedule may not be suitable for another purpose.

Analysis

The program audits were completed by the Region's external auditors, Deloitte. The auditors have indicated that, based on their review, nothing has come to their attention that causes them to believe that this information is not, in all material respects, in accordance with the respective Ministry requirements identified.

The recommendation for approval of audited schedules performed for Ministry funding purposes rest with the Committee to which the department responsible for the funding reports. Upon approval by the Committee, these schedules are forwarded to the 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. These financial schedules are subject to minor wording changes once schedules are finalized:

- Public Health General Programs - The grant receivable from the Province of Ontario is subject to audit verification by the Ontario Ministry of Health. Grants receivable are non-interest bearing and are normally received in the subsequent year. In the current year, there is a grant receivable of \$1,023,373. The majority of this receivable is related to 100% funding for COVID-19 which was received in April 2022.
- Ambulance Communication Services – This program is in a surplus position of \$66,822 for the reporting period ending March 31, 2022, mainly due to \$120,236 in one-time funding for uninterrupted power supply (UPS) upgrades that were not completed before the March 31 year-end due to Ministry approval coming too late in the year. The Ministry of Health has indicated that those funds are to be returned, however, it is expected that the funds for UPS upgrades will be approved again for the 2022-23 fiscal year with more adequate lead-time provided.
- Community Mental Health Program – This program has no funds returnable for the reporting period ending March 31, 2022, as the Region has expended \$150,377 in excess of the provincial grant for the period.
- Infant and Child Development Services – This program is in a grant returnable position of \$49,781 for the reporting period ending March 31, 2022. The COVID-19 pandemic caused significant interruptions to service, which led to the year-end surplus.
- Healthy Babies, Healthy Children – This program is in a grant returnable position of \$20,638 for the reporting period ending March 31, 2022. The COVID-19 pandemic caused significant interruptions to service, which led to the year-end surplus.

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:

Donovan D'Amboise, CPA, CA
Manager Program Financial Support
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 Public Health General Program – Schedule of Revenue and Expenses

Appendix 2 Public Health General Program – Annual Reconciliation Report

Appendix 3 Ambulance Communication Services – Schedule of Revenue and Expenses

Appendix 4 Community Mental Health Program – Schedule of Revenue and Expenses

Appendix 5 Community Mental Health Program – Annual Reconciliation Return

Appendix 6 Infant and Child Development Services – Schedule of Revenue and Expenses

Appendix 7 Healthy Babies, Healthy Children – Schedule of Revenue and Expenses

Schedule of revenue, expenses and grant returnable

**The Regional Municipality of
Niagara Public Health
Department**

General Programs

December 31, 2021

The Regional Municipality of Niagara Public Health Department

General Programs
December 31, 2021

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Independent Auditor's Report

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

Opinion

We have audited the accompanying schedule of revenue, expenses and grant returnable of the Regional Municipality of Niagara Public Health Department – General Programs (the “Program” or “Region”) for the year ended December 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 December 31, 2020, is prepared, in all material respects, in accordance with the financial reporting provisions in the Public Health Funding and Accountability Agreement between Her Majesty the Queen in right of Ontario as represented by the Ministry of Health (formerly the Ministry of Health and Long-Term Care) (the “Ministry”) and the Board of Health for the Niagara Region Public Health Department most recently amended effective January 1, 2021 (the “Guidelines”).

Basis for Opinion

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

Emphasis of Matter - Basis of Accounting

We draw attention to the fact that the schedule has been prepared in accordance with the Guidelines. The schedule is prepared to assist the Region 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
June 23, 2022

The Regional Municipality of Niagara

Public Health Department

General Programs

Schedule of Revenue, Expenditures and Grant Returnable

Year ended December 31, 2021

| | Revenue (Budget) | Revenue (Actual) | Expense (Budget) | Expense (Actual) | Surplus (deficit) Actual | Add back: Ineligible expenses | Add back: Eligible expenses (revenues) in excess of Ministry funding (deficit) | Grant Returnable (receivable) |
|--|---------------------|---------------------|---------------------|---------------------|-----------------------------|-------------------------------------|--|-------------------------------------|
| Province of Ontario | | | | | | | | |
| Mandatory Programs MOHLTC (70% Cost-shared) | 23,576,200 | 23,576,200 | 35,441,084 | 35,231,865 | (11,655,665) | 1,408,207 | 10,247,458 | - |
| Physician Services Agreement [Medical Officer of Health] (70%) | 351,000 | 194,970 | 351,000 | 220,094 | (25,124) | | | (25,124) |
| Ontario Seniors Dental Care Program [OSDCP] (100%) | 2,137,000 | 2,137,000 | 2,137,000 | 2,010,178 | 126,822 | | | 126,822 |
| | 26,064,200 | 25,908,170 | 37,929,084 | 37,462,137 | (11,553,967) | 1,408,207 | 10,247,458 | 101,698 |
| One-time | | | | | | | | - |
| Mitigation (100%) | 455,500 | 455,500 | 455,500 | 455,500 | - | | | - |
| Mandatory Programs: Public Health Inspector Practicum Program (100%) | 20,000 | 25,000 | 25,000 | 25,000 | - | | | - |
| Covid-19: General Program (100%) | 6,641,163 | 6,929,400 | 7,224,178 | 6,929,400 | - | | | - |
| Covid-19: Vaccine Program (100%) | 13,496,014 | 8,773,700 | 13,496,014 | 9,960,179 | (1,186,479) | | | (1,186,479) |
| Covid-19: School-Focused Nurses Initiative (100%) | 2,000,000 | 1,917,081 | 2,000,000 | 1,917,081 | - | | | - |
| Mandatory Programs: Needle Exchange Program Initiative (100%) | 150,000 | 112,500 | 150,000 | 112,500 | - | | | - |

| | Revenue (Budget) | Revenue (Actual) | Expense (Budget) | Expense (Actual) | Surplus (deficit) Actual | Add back: Ineligible expenses | Add back: Eligible expenses (revenues) in excess of Ministry funding (deficit) | Grant Returnable (receivable) |
|--|---------------------|---------------------|---------------------|---------------------|-----------------------------|-------------------------------------|--|-------------------------------------|
| Capital: Flooring Removal and Replacement (100%) | 65,000 | 65,000 | 65,000 | - | 65,000 | | | 65,000 |
| | | | - | | - | | | |
| | 22,827,677 | 18,278,181 | 23,415,692 | 19,399,660 | (1,121,479) | - | - | (1,121,479) |
| Universal Influenza (UIPP) | | 315 | | 626 | (311) | | (399) | (710) |
| Meningococcal C | 45,000 | | | 270 | (270) | | (36) | (306) |
| Human Papillomavirus | 50,000 | | | 2,270 | (2,270) | | (306) | (2,576) |
| Covid-19: General Program Other Revenue | | 251,860 | | 251,860 | - | | | - |
| | | | - | - | - | - | - | - |
| income | 48,986,877 | 44,438,525 | 61,344,776 | 57,116,822 | (12,678,297) | 1,408,207 | 10,247,458 | (1,023,373) |
| Region grant and other income | | | | | | | | |
| The Regional Municipality of Niagara grant | 12,153,183 | 11,483,013 | - | - | 11,483,013 | | | |
| Other income | 204,716 | 171,910 | | | 171,910 | | | |
| Total Region and other income | 12,357,899 | 11,654,923 | - | - | 11,654,923 | | | |
| Total | \$ 61,344,776 | \$ 56,093,449 | \$ 61,344,776 | \$ 57,116,822 | \$ (1,023,374) | | | |

The Regional Municipality of Niagara

Public Health Department

General Programs
 Schedule of Revenue, Expenditures and Grant Returnable
 Year ended December 31, 2020

| | Revenue (Budget) | Revenue (Actual) | Expense (Budget) | Expense (Actual) | Surplus (deficit) Actual | Add back: Ineligible expenses | Add back: Eligible expenses (revenues) in excess of Ministry funding (deficit) | Grant Returnable (receivable) |
|--|---------------------|---------------------|---------------------|---------------------|--------------------------------|-------------------------------------|--|-------------------------------------|
| Province of Ontario | | | | | | | | |
| Mandatory Programs MOHLTC (70% Cost-shared) | 23,576,200 | 23,576,200 | 36,044,651 | 35,627,359 | (12,051,159) | 1,771,486 | 10,279,673 | - |
| Physician Services Agreement [Medical Officer of Health] (70%) | 351,000 | 199,401 | 351,000 | 296,414 | (97,013) | | | (97,013) |
| Safe Water Program (70%) | | | | | - | | | - |
| Smoke Free Ontario Strategy Program (70%) | | | | | - | | | - |
| Youth Tobacco Use Prevention (70%) | | | | | - | | | - |
| Smoke Free Ontario Strategy (70%) | | | | | - | | | - |
| Ontario Seniors Dental Care Program [OSDCP] (100%) | 2,137,000 | 2,070,108 | 2,137,000 | 1,986,358 | 83,750 | | | 83,750 |
| | 26,064,200 | 25,845,709 | 38,532,651 | 37,910,131 | (12,064,422) | 1,771,486 | 10,279,673 | (13,263) |
| One-time | | | | | | | | |
| Mitigation (100%) | 455,500 | 455,500 | 455,500 | 455,500 | - | | | - |
| Mandatory Programs: Public Health Inspector Practicum Program (100%) | 10,000 | | 10,000 | - | - | | | - |

| | Revenue (Budget) | Revenue (Actual) | Expense (Budget) | Expense (Actual) | Surplus (deficit) Actual | Add back: Ineligible expenses | Add back: Eligible expenses (revenues) in excess of Ministry funding (deficit) | Grant Returnable (receivable) |
|---|---------------------|---------------------|---------------------|---------------------|--------------------------------|-------------------------------------|--|-------------------------------------|
| Covid-19: Extraordinary Costs (100%) | 3,631,000 | | 3,631,000 | 1,682,094 | (1,682,094) | | | (1,682,094) |
| Management Solution (100%) | 31,700 | | 31,700 | | - | | | - |
| Covid-19: School-Focused Nurses Initiative (100%) | 1,340,000 | 837,500 | 1,340,000 | 678,059 | 159,441 | | | 159,441 |
| MOH/AMOH Compensation Initiative (100%) | 57,300 | - | 57,300 | 23,359 | (23,359) | | | (23,359) |
| Ontario Seniors Dental Care Program [OSDCP] Dental Clinic Upgrades - Centre de sante | 122,000 | | 122,000 | | - | | | - |
| Ontario Seniors Dental Care Program [OSDCP] Dental Clinic Upgrades - Fort Erie (100%) | 75,300 | | 75,300 | 35,969 | (35,969) | | | (35,969) |
| Ontario Seniors Dental Care Program [OSDCP] Dental Clinic Upgrades - Niagara Falls Community Health Centre (100%) | 134,500 | | 134,500 | | - | | | - |
| Temporary Pandemic Pay Initiative (100%) | 267,700 | 267,700 | 267,700 | 31,002 | 236,698 | | | 236,698 |
| | 6,125,000 | 1,560,700 | 6,125,000 | 2,905,983 | (1,345,283) | - | - | (1,345,283) |
| Universal Influenza (UIPP) | | | | 1,894 | (1,894) | | 435 | (1,459) |
| Meningococcal C | 40,000 | 4,285 | | 5,944 | (1,659) | | 400 | (1,260) |
| Human Papillomavirus | 55,000 | 1,700 | | 8,905 | (7,205) | | 706 | (6,499) |
| | | | | | - | | | - |
| | | | | | - | | | - |
| | | | | | - | | | - |
| Total before Region grant and other income | 32,284,200 | 27,412,394 | 44,657,651 | 40,832,856 | (13,420,463) | 1,771,486 | 10,281,214 | (1,367,764) |

| | Revenue (Budget) | Revenue (Actual) | Expense (Budget) | Expense (Actual) | Surplus (deficit) Actual | Add back: Ineligible expenses | Add back: Eligible expenses (revenues) in excess of Ministry funding (deficit) | Grant Returnable (receivable) |
|--|---------------------|---------------------|---------------------|---------------------|--------------------------------|-------------------------------------|--|-------------------------------------|
| Region grant and other income | | | | | | | | |
| The Regional Municipality of Niagara grant | 12,256,951 | 11,806,589 | | - | 11,806,589 | | | |
| Other income | 125,500 | 246,110 | 9,000 | - | 246,110 | | | |
| Total Region and other income | 12,382,451 | 12,052,698 | 9,000 | - | 12,052,698 | | | |
| Total | \$ 44,666,651 | \$ 39,465,092 | \$ 44,666,651 | \$ 40,832,856 | \$ (1,367,765) | | | |

The Regional Municipality of Niagara Public Health Department

General Programs

Notes to the schedule

December 31, 2021

1. Significant accounting policies

The schedule has been prepared for the Ontario Ministry of Health in accordance with the Public Health Accountability Agreement effective January 1, 2020 between the Ontario Ministry of Health and Long Term Care and the Regional Municipality of Niagara (the “guidelines”). The agreement requires the schedule to be prepared in a manner consistent with the generally accepted accounting principles (“GAAP”). Management of the Regional Municipality of Niagara has interpreted GAAP to be recognition and measurement principles in accordance with Canadian Public Sector Accounting Standards, except that it does not provide for employee future benefits and does not capitalize and amortize tangible capital assets. Management has further interpreted that GAAP does not include the presentation principles and note disclosure required by GAAP for a complete set of financial statements. The financial results for the Community Mental Health Program is not included in the schedule of revenue, expenses and grant receivable/repayable for the year ended December 31, 2021.

Significant accounting policies are as follows:

- (i) Revenues are reported on the cash basis of accounting.
- (ii) Expenses are recorded if they are eligible for the program and incurred in the period, except for employee future benefits (iv).
- (iii) Tangible capital assets acquired are reported as an expenses and amortization is not recorded.
- (iv) Employee future benefits are provided which will require funding in future periods. These benefits included vacation pay, sick leave, benefits under the Workplace Safety and Insurance Board (“WSIB”) Act, and life insurance, extended health and dental benefits for early retirees. These benefits are recorded on a cash basis.
- (v) Since precise determination of many assets and liabilities is dependent upon future events, the preparation of a periodic schedule involves the use of estimates and approximations. These have been made using careful judgments.
- (vi) Total expenses are reported on the schedule of revenue, expenses and grant receivable/repayable in order to understand the full cost of the program. Ineligible expenses as per the funding agreement have been removed for the purpose of determining the grant repayable/receivable.

2. Grant receivable (Repayable)

The Regional Municipality of Niagara

Public Health Department

General Programs

Notes to the schedule

December 31, 2021

The grant receivable from the Province of Ontario is subject to audit verification by the Ontario Ministry of Health. The grants receivable are non-interest bearing and are normally received in the subsequent year. In the current year, there is a grant receivable of \$1.02M.

| | 2021 | 2020 |
|---|-------------|-----------|
| | \$ | \$ |
| Grant receivable, beginning of year | 1,367,764 | 344,798 |
| Amounts recovered during the year | (1,847,653) | (349,360) |
| Amounts repaid during the year | 479,889 | - |
| Adjustment to prior year balances* | - | 4,562 |
| Grant receivable (repayable) | 1,023,373 | 1,367,764 |
| Net grant receivable (repayable), end of year | 1,023,373 | 1,367,764 |

* Represents adjustments made to correct differences between amounts originally recorded and amounts settled related to repayable and receivable balances for prior years.

3. Budget data

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

Annual Reconciliation Report

**The Regional Municipality of
Niagara Public Health
Department**

General Programs

December 31, 2021

The Regional Municipality of Niagara Public Health Department

December 31, 2021

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Independent Auditor's Report

To the Members of Council of The Regional Municipality of Niagara
and the Ontario Ministry of Health

Opinion

We have audited the accompanying 2021 Annual Reconciliation Report (the "Schedule") of the Regional Municipality of Niagara (the "Region") – Public Health Department – General Programs (the "Program") for year ended December 31, 2021.

In our opinion, the accompanying Schedule of the Program as at December 31, 2021 is prepared, in all material respects, in accordance with the financial reporting provisions in the Public Health Funding and Accountability Agreement between Her Majesty the Queen in right of Ontario as represented by the Ministry of Health (formerly the Ministry of Health and Long-Term Care) (the "Ministry") and the Board of Health for the Niagara Region Public Health Department most recently amended effective January 1, 2021 and the "Instructions for Completion of the 2021 Year-End Settlement" dated April 15, 2022 (collectively referred to as the "Guidelines").

Basis for Opinion

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

Emphasis of Matter - Basis of Accounting

We draw attention to the fact that the Schedule has been prepared in accordance with the Guidelines. The Schedule is prepared to assist the Region 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 are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinion. Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with Canadian GAAS will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of these 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 23, 2022

MINISTRY OF HEALTH
OFFICE OF CHIEF MEDICAL OFFICER OF HEALTH, PUBLIC HEALTH
2021 ANNUAL RECONCILIATION REPORT (CERTIFICATE OF SETTLEMENT)

NAME OF PUBLIC HEALTH UNIT: < Input Name >

Section 1: Base Funding (January 1, 2021 to December 31, 2021)

- Programs Funded at 70%
- Programs Funded at 100%

**Section 4: 2021 One-Time Funding Approved to March 31, 2022
(To be settled in 2022)**

- One-Time Projects/Initiatives Funded at 100%
- One-Time Capital Projects Funded at 100%

Section 2: 2020 One-Time Funding Approved to March 31, 2021

- One-Time Projects/Initiatives Funded at 100%
- One-Time Capital Projects Funded at 100%

**Section 5: 2021 One-Time Funding Approved to December 31, 2022
(To be settled in 2022)**

- One-Time Projects/Initiatives Funded at 100%

Section 3: 2021 One-Time Funding Approved to December 31, 2021

- One-Time Projects/Initiatives Funded at 100%

| | | Program Name per Transfer Payment Agreement | Approved Allocation | Funding Received | Expenditure at 100% | (Deduct) Offset Revenue | Net Expenditure | Eligible Expenditure | Due to / (from) Province |
|--|--|---|---------------------|-------------------|---------------------|-------------------------|-------------------|----------------------|--------------------------|
| Section 1 Base Funding (January 1, 2021 to December 31, 2021) | Programs Funded at 70% | Public Health Program (Mandatory) | 23,576,200 | 23,576,200 | 33,823,658 | (3,592) | 23,674,046 | 23,576,200 | - |
| | | | | | | | - | - | - |
| | | | | | | | - | - | - |
| | | | | | | | - | - | - |
| | | Sub-Total Programs Funded at 70% | 23,576,200 | 23,576,200 | 33,823,658 | (3,592) | 23,674,046 | 23,576,200 | - |
| | Programs Funded at 100% | Ontario Seniors Dental Care Program | 2,137,000 | 2,137,000 | 2,010,178 | - | 2,010,178 | 2,010,178 | 126,822 |
| | | Physician Services Agreement | 351,000 | 194,970 | 220,094 | | 220,094 | 220,094 | (25,124) |
| | | | | | | | - | - | - |
| | | | | | | | - | - | - |
| | | | | | | | - | - | - |
| | | | | | | | - | - | - |
| | | | | | | | - | - | - |
| | | | | | | | - | - | - |
| | | | | | | | - | - | - |
| | | | | | | | - | - | - |
| | | | | | | | - | - | - |
| | | | | | | | - | - | - |
| | | Sub-Total Programs Funded at 100% | 2,488,000 | 2,331,970 | 2,230,272 | - | 2,230,272 | 2,230,272 | 101,698 |
| | Total Section 1 Base Funding (January 1, 2021 to December 31, 2021) | | 26,064,200 | 25,908,170 | 36,053,930 | (3,592) | 25,904,318 | 25,806,472 | 101,698 |

MINISTRY OF HEALTH
OFFICE OF CHIEF MEDICAL OFFICER OF HEALTH, PUBLIC HEALTH
2021 ANNUAL RECONCILIATION REPORT (CERTIFICATE OF SETTLEMENT)

NAME OF PUBLIC HEALTH UNIT: < Input Name >

Section 1: Base Funding (January 1, 2021 to December 31, 2021)

- Programs Funded at 70%
- Programs Funded at 100%

Section 2: 2020 One-Time Funding Approved to March 31, 2021

- One-Time Projects/Initiatives Funded at 100%
- One-Time Capital Projects Funded at 100%

Section 3: 2021 One-Time Funding Approved to December 31, 2021

- One-Time Projects/Initiatives Funded at 100%

**Section 4: 2021 One-Time Funding Approved to March 31, 2022
(To be settled in 2022)**

- One-Time Projects/Initiatives Funded at 100%
- One-Time Capital Projects Funded at 100%

**Section 5: 2021 One-Time Funding Approved to December 31, 2022
(To be settled in 2022)**

- One-Time Projects/Initiatives Funded at 100%

| | | Program Name per Transfer Payment Agreement | Approved Allocation | Funding Received | Expenditure at 100% | (Deduct) Offset Revenue | Net Expenditure | Eligible Expenditure | Due to / (from) Province |
|--|--|---|---------------------|-------------------|---------------------|-------------------------|-------------------|----------------------|--------------------------|
| Section 2 2020 One-Time Funding Approved to March 31, 2021 | One-Time Projects / Initiatives Funded at 100% | Mitigation funding | 455,500 | 455,500 | 455,500 | | 455,500 | 455,500 | - |
| | | COVID-19 General Program | 6,929,400 | 6,929,400 | 6,929,400 | | 6,929,400 | 6,929,400 | - |
| | | COVID-19 Vaccine Program | 9,960,179 | 8,773,700 | 9,960,179 | | 9,960,179 | 9,960,179 | (1,186,479) |
| | | | | | | | - | - | - |
| | | | | | | | - | - | - |
| | | | | | | | - | - | - |
| | | | | | | | - | - | - |
| | | Sub-Total One-Time Projects / Initiatives Funded at 100% | 17,345,079 | 16,158,600 | 17,345,079 | - | 17,345,079 | 17,345,079 | (1,186,479) |
| | One-Time Capital Projects Funded at 100% | Flooring Removal and Replacement | 65,000 | 65,000 | - | | - | - | 65,000 |
| | | | | | | | - | - | - |
| | | | | | | | - | - | - |
| | | Sub-Total One-Time Capital Projects Funded at 100% | 65,000 | 65,000 | - | - | - | - | 65,000 |
| | Total Section 2: 2020 One-Time Funding Approved to March 31, 2021 | | 17,410,079 | 16,223,600 | 17,345,079 | - | 17,345,079 | 17,345,079 | (1,121,479) |

MINISTRY OF HEALTH
OFFICE OF CHIEF MEDICAL OFFICER OF HEALTH, PUBLIC HEALTH
2021 ANNUAL RECONCILIATION REPORT (CERTIFICATE OF SETTLEMENT)

NAME OF PUBLIC HEALTH UNIT: < Input Name >

Section 1: Base Funding (January 1, 2021 to December 31, 2021)

- Programs Funded at 70%
- Programs Funded at 100%

Section 2: 2020 One-Time Funding Approved to March 31, 2021

- One-Time Projects/Initiatives Funded at 100%
- One-Time Capital Projects Funded at 100%

Section 3: 2021 One-Time Funding Approved to December 31, 2021

- One-Time Projects/Initiatives Funded at 100%

**Section 4: 2021 One-Time Funding Approved to March 31, 2022
(To be settled in 2022)**

- One-Time Projects/Initiatives Funded at 100%
- One-Time Capital Projects Funded at 100%

**Section 5: 2021 One-Time Funding Approved to December 31, 2022
(To be settled in 2022)**

- One-Time Projects/Initiatives Funded at 100%

| | | Program Name per Transfer Payment Agreement | Approved Allocation | Funding Received | Expenditure at 100% | (Deduct) Offset Revenue | Net Expenditure | Eligible Expenditure | Due to / (from) Province |
|---|--|--|---------------------|------------------|---------------------|-------------------------|-----------------|----------------------|--------------------------|
| <u>Section 3</u> 2021 One-Time Funding Approved to December 31, 2021 | One-Time Projects / Initiatives Funded at 100% | Temporary Pandemic Pay Initiative | | | | | - | - | - |
| | | | | | | | - | - | - |
| | | | | | | | - | - | - |
| | | | | | | | - | - | - |
| | | | | | | | - | - | - |
| | | | | | | | - | - | - |
| | | | | | | | - | - | - |
| | | Sub-Total One-Time Projects / Initiatives Funded at 100% | - | - | - | - | - | - | - |
| Total Section 3 - 2020 One-Time Funding Approved to December 31, 2021 | | | - | - | - | - | - | - | |

MINISTRY OF HEALTH
OFFICE OF CHIEF MEDICAL OFFICER OF HEALTH, PUBLIC HEALTH
2021 ANNUAL RECONCILIATION REPORT (CERTIFICATE OF SETTLEMENT)

NAME OF PUBLIC HEALTH UNIT: < Input Name >

Section 1: Base Funding (January 1, 2021 to December 31, 2021)

- Programs Funded at 70%
- Programs Funded at 100%

Section 2: 2020 One-Time Funding Approved to March 31, 2021

- One-Time Projects/Initiatives Funded at 100%
- One-Time Capital Projects Funded at 100%

Section 3: 2021 One-Time Funding Approved to December 31, 2021

- One-Time Projects/Initiatives Funded at 100%

**Section 4: 2021 One-Time Funding Approved to March 31, 2022
(To be settled in 2022)**

- One-Time Projects/Initiatives Funded at 100%
- One-Time Capital Projects Funded at 100%

**Section 5: 2021 One-Time Funding Approved to December 31, 2022
(To be settled in 2022)**

- One-Time Projects/Initiatives Funded at 100%

| | | Program Name per Transfer Payment Agreement | Approved Allocation | Funding Received | Expenditure at 100% | (Deduct) Offset Revenue | Net Expenditure | Eligible Expenditure | Due to / (from) Province |
|---|--|--|---------------------|------------------|---------------------|-------------------------|-----------------|----------------------|--------------------------|
| Section 4 2021 One-Time Funding Approved to March 31, 2022 (To be settled in 2022) | One-Time Projects / Initiatives Funded at 100% | Public Health Inspector Practicum Program | 25,000 | 25,000 | 25,000 | | 25,000 | 25,000 | - |
| | | Needle Exchange Program Initiative | 150,000 | 112,500 | 112,500 | | 112,500 | 112,500 | - |
| | | | | | | | - | - | - |
| | | | | | | | - | - | - |
| | | | | | | | - | - | - |
| | | | | | | | - | - | - |
| | | | | | | | - | - | - |
| | | | | | | | - | - | - |
| | | | | | | | - | - | - |
| | | | | | | | - | - | - |
| | Sub-Total One-Time Projects / Initiatives Funded at 100% | 175,000 | 137,500 | 137,500 | - | 137,500 | 137,500 | - | |
| | One-Time Capital Projects Funded at 100% | | | | | | - | - | - |
| | | | | | | | - | - | - |
| | | | | | | | - | - | - |
| Sub-Total One-Time Capital Projects Funded at 100% | | - | - | - | - | - | - | - | |
| Total Section 4 - 2021 One-Time Funding Approved to March 31, 2022 (To be settled in 2022) | | | 175,000 | 137,500 | 137,500 | - | 137,500 | 137,500 | - |
| Section 5 2021 One-Time Funding Approved to December 31, 2022 (To be settled in 2022) | One-Time Projects / Initiatives Funded at 100% | School Focused Nurse Funding | 2,000,000 | 1,917,081 | 1,917,081 | | 1,917,081 | 1,917,081 | - |
| | | | | | | | - | - | - |
| | | | | | | | - | - | - |
| | | | | | | | - | - | - |
| | | Sub-Total One-Time Projects / Initiatives Funded at 100% | 2,000,000 | 1,917,081 | 1,917,081 | - | 1,917,081 | 1,917,081 | - |
| Total Section 5 - 2021 One-Time Funding Approved to December 31, 2022 (To be settled in 2022) | | | 2,000,000 | 1,917,081 | 1,917,081 | - | 1,917,081 | 1,917,081 | - |

MINISTRY OF HEALTH
OFFICE OF CHIEF MEDICAL OFFICER OF HEALTH, PUBLIC HEALTH
2021 ANNUAL RECONCILIATION REPORT (CERTIFICATE OF SETTLEMENT)

NAME OF PUBLIC HEALTH UNIT: < Input Name >

Section 1: Base Funding (January 1, 2021 to December 31, 2021)

- Programs Funded at 70%
- Programs Funded at 100%

Section 2: 2020 One-Time Funding Approved to March 31, 2021

- One-Time Projects/Initiatives Funded at 100%
- One-Time Capital Projects Funded at 100%

Section 3: 2021 One-Time Funding Approved to December 31, 2021

- One-Time Projects/Initiatives Funded at 100%

**Section 4: 2021 One-Time Funding Approved to March 31, 2022
(To be settled in 2022)**

- One-Time Projects/Initiatives Funded at 100%
- One-Time Capital Projects Funded at 100%

**Section 5: 2021 One-Time Funding Approved to December 31, 2022
(To be settled in 2022)**

- One-Time Projects/Initiatives Funded at 100%

| Program Name per Transfer Payment Agreement | Approved Allocation | Funding Received | Expenditure at 100% | (Deduct) Offset Revenue | Net Expenditure | Eligible Expenditure | Due to / (from) Province |
|---|------------------------|---------------------|------------------------|----------------------------|--------------------|-------------------------|-----------------------------|
|---|------------------------|---------------------|------------------------|----------------------------|--------------------|-------------------------|-----------------------------|

| | | | | | | | |
|--|-------------------|-------------------|-------------------|----------------|-------------------|-------------------|--------------------|
| Grand Total 2021 Settlement (Section 1) + (Section 2) + (Section 3) | 43,474,279 | 42,131,770 | 53,399,009 | - 3,592 | 43,249,397 | 43,151,551 | - 1,019,781 |
|--|-------------------|-------------------|-------------------|----------------|-------------------|-------------------|--------------------|

Having the authority to bind the Board of Health for the Public Health Unit:

We certify that the Financials shown in the Annual Reconciliation Report and the supporting schedule are complete and accurate and are in accordance with Transfer Payment Agreements and Reports filed with the appropriate Municipal Council.

Date

Signature
Medical Officer of Health / Chief Executive Officer

Date

Signature
Chair of the Board of Health / Authorized Officer

MINISTRY OF HEALTH
OFFICE OF CHIEF MEDICAL OFFICER OF HEALTH, PUBLIC HEALTH
2021 ANNUAL RECONCILIATION REPORT (CERTIFICATE OF SETTLEMENT)
NAME OF PUBLIC HEALTH UNIT: < Input Name >

SCHEDULE 1: Schedule of Offset Revenues

| Mandatory Programs (70%) | Line # | Reference | Actual \$ | Ministry Use Only |
|--|---------------|--|------------------|--------------------------|
| Interest Income | L 1 | | | |
| Universal Influenza Immunization Program clinic reimbursement | L 2 | | 710 | |
| Meningococcal C Program clinic reimbursement | L 3 | | 306 | |
| Human Papilloma Virus Program reimbursement | L 4 | | 2,576 | |
| Healthy Smiles Ontario (70%) - part of Mandatory Programs | L 5 | | | |
| Revenues Generated from Other Government Dental Program: | L 6 | | | |
| Ontario Works (OW) | L 7 | | | |
| Ontario Disability Support Program (ODSP) | L 8 | | | |
| Other government dental programs (please specify): | L 9 | | | |
| Other (Specify): | L 10 | | | |
| | L 11 | | | |
| | L 12 | | | |
| | L 13 | | | |
| 2020 Total Offset Revenues | L 14 | To Summary Page Cell G18 - Offset (Revenue) | 3,592 | |

| Ontario Seniors Dental Care Program (100%) | Line # | Reference | Actual \$ | Ministry Use Only |
|---|---------------|--|------------------|--------------------------|
| Interest Income | L 15 | | | |
| Client Co-Payments | L 16 | | | |
| Revenues Generated from Other Government Dental Program: | L 17 | | | |
| Ontario Works (OW) | L 18 | | | |
| Ontario Disability Support Program (ODSP) | L 19 | | | |
| Other government dental programs (please specify): | L 20 | | | |
| | L 21 | | | |
| | L 22 | | | |
| | L 23 | | | |
| 2020 Total Offset Revenues | L 24 | To Summary Page Cell G23 - Offset (Revenue) | - | |

The Regional Municipality of Niagara Public Health Department

General Programs

Note to the Schedule

December 31, 2021

1. **Significant accounting policies**

The report has been prepared for the Ontario Ministry of Health in accordance with the Public Health Accountability Agreement effective January 1, 2021 between the Ontario Ministry of Health and the Regional Municipality of Niagara and the Instructions for completing the 2021 Annual Report and Attestation (the "Guidelines"). The Guidelines require the report to be prepared in a manner consistent with the generally accepted accounting principles ("GAAP"). Management of the Regional Municipality of Niagara has interpreted GAAP to be recognition and measurement principles in accordance with Canadian Public Sector Accounting Standards, except that it does not provide for employee future benefits and does not capitalize and amortize tangible capital assets. Management has further interpreted that GAAP does not include the presentation principles and note disclosure required by GAAP for a complete set of financial statements.

Significant accounting policies are as follows:

Revenue and expenses

Revenues are recognized in the year in which they are earned. Expenses are recorded if they are eligible for the program and incurred in the period, except for employee future benefits.

Capital assets

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

Employee future benefits

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

Use of estimates

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

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

March 31, 2022

| | |
|--|-----|
| Independent Auditor's Report | 1-2 |
| Schedule of revenues and expenditures | 3 |
| Notes to the schedule of revenues and expenditures | 4-6 |

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, 2022 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, 2022 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 23, 2022

The Regional Municipality of Niagara Public Health Department
Ambulance Communications Service
Schedule of revenues and expenditures
Year ended March 31, 2022

| | Notes | Budget \$ | 2022 Actual \$ | 2021 Actual \$ |
|---|-------|------------------|----------------------|----------------------|
| Revenues | | | | |
| Provincial grant | | 7,307,101 | 7,397,560 | 6,981,919 |
| Other income | | 10,000 | 8,925 | 8,295 |
| | | 7,317,101 | 7,406,485 | 6,990,214 |
| Expenditures | | | | |
| Salaries and benefits | | | | |
| Salaries and wages | | 4,748,840 | 4,747,684 | 4,624,013 |
| Employee benefits | | 1,677,695 | 1,665,472 | 1,622,863 |
| Transportation and communications | | 154,012 | 147,792 | 132,357 |
| Services and rentals | | 226,463 | 279,668 | 279,496 |
| Supplies and equipment | | 260,043 | 151,877 | 256,825 |
| Administrative costs | 2 | 250,048 | 374,843 | 268,105 |
| Total expenditures | | 7,317,101 | 7,367,335 | 7,183,659 |
| Ineligible administration costs | 2 | — | (27,671) | (11,053) |
| Total eligible expenditures | | 7,317,101 | 7,339,664 | 7,172,606 |
| Excess (deficiency) of revenues over eligible expenditures | | — | 66,822 | (182,392) |

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 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, 2022

2. Administration costs (continued)

Administration costs, which have been allocated, are:

| | 2022 | 2021 |
|---|----------------|-------------|
| | \$ | \$ |
| Accounting services | 6,292 | 6,049 |
| Asset management services | — | 1 |
| Capital levy | 22,605 | 5,921 |
| Debt costs | 5,067 | 5,132 |
| Financial management | 2,261 | 30,956 |
| Human resources services | 109,603 | 39,642 |
| IT program support services and project costs | 74,110 | 74,729 |
| Land ambulance shared services | 96,596 | 74,630 |
| Legal services | 4,134 | 2,348 |
| Payroll services | 51,346 | 26,583 |
| Printing costs | 199 | 36 |
| Procurement services | 2,625 | 2,120 |
| Property management | 5 | (42) |
| | 374,843 | 268,105 |

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:

| | 2022 | 2021 |
|--------------|---------------|-------------|
| | \$ | \$ |
| Capital levy | 22,605 | 5,921 |
| Debt costs | 5,066 | 5,132 |
| | 27,671 | 11,053 |

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, 2022

| | |
|---|-----|
| Independent Auditor's Report | 1–2 |
| Schedule of revenue and expenses | 3 |
| Notes to the schedule of revenue and expenses | 4–6 |

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, 2022 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, 2022 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 23, 2022

The Regional Municipality of Niagara Public Health Department
Community Mental Health Program
Schedule of revenue and expenses
Year ended March 31, 2022

| | Notes | Budget \$ | 2022 Actual \$ | 2021 Actual \$ |
|---|-------|------------------|----------------------|----------------------|
| Revenue | | | | |
| Province of Ontario Grants | | 6,571,139 | 6,571,139 | 6,560,037 |
| Miscellaneous | | 1,000 | 21,199 | 12,196 |
| | | 6,572,139 | 6,592,338 | 6,572,233 |
| Expenses | | | | |
| Compensation | | | | |
| Salaries | | 5,029,790 | 4,978,864 | 5,040,681 |
| Employee benefits | | 1,010,175 | 1,002,927 | 978,427 |
| | | 6,039,965 | 5,981,791 | 6,019,108 |
| Service costs | | | | |
| Administration costs | 3 | 39,500 | 473,185 | 380,442 |
| Audit and other professional fees | | 4,244 | 17,580 | 3,078 |
| Computer maintenance and supplies | | 5,825 | 5,139 | 5,724 |
| Printing, postage, stationery and office supplies | | 10,518 | 18,213 | 18,235 |
| Other expenses | | 39,070 | 58,875 | 94,248 |
| Rent and property taxes | | 231,727 | 413,622 | 346,108 |
| Staff education | | 19,812 | 33,003 | 76,796 |
| Telephone | | 18,125 | 19,898 | 16,612 |
| Travel | | 163,353 | 155,094 | 118,173 |
| | | 532,174 | 1,194,609 | 1,059,416 |
| Total expenses | | 6,572,139 | 7,176,400 | 6,937,513 |
| Ineligible administration costs | 3 | — | 433,685 | 340,942 |
| Total eligible expenses | | 6,572,139 | 6,742,715 | 6,737,582 |
| Deficiency of revenue over eligible expenses | | — | (150,377) | (165,349) |

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

The Regional Municipality of Niagara Public Health Department
Community Mental Health Program
Notes to the schedule of revenue and expenses
March 31, 2022

revenue over eligible expenditures excluding net book value associated with capital one-time funding.

| | 2022 | 2021 |
|--|------------------|----------------|
| | \$ | \$ |
| Grant repayable, beginning of year | 118,788 | 491,872 |
| Amounts repaid during the year | (118,788) | (373,084) |
| Excess of revenue over eligible expenditures | — | — |
| Grant repayable, end of year | — | 118,788 |

The Regional Municipality of Niagara Public Health Department
Community Mental Health Program
Notes to the schedule of revenue and expenses
March 31, 2022

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:

| | 2022 | 2021 |
|----------------------------|----------------|-----------|
| | \$ | \$ |
| Financial services | 43,323 | 54,421 |
| Human resource services | 99,506 | 67,238 |
| IT Services | 242,055 | 229,344 |
| Debt charges | 88,300 | 29,438 |
| Total administration costs | 473,185 | 380,442 |

As per direction from the funding body, administration costs are limited to \$39,500 (\$39,500 in 2021) 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.

| | 2022 | 2021 |
|---------------------------------------|----------------|-----------|
| | \$ | \$ |
| Total administration costs | 473,185 | 380,442 |
| Less: administration cost limit | 39,500 | 39,500 |
| Total ineligible administration costs | 433,685 | 340,942 |

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

March 31, 2022

| | |
|--|-----|
| Independent Auditor's Report | 1–2 |
| Annual Reconciliation Report | 3–9 |
| Note to the Annual Reconciliation Report | 10 |

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, 2022 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, 2022 have been prepared, in all material respects, in accordance with the financial reporting provisions in the guidelines in Chapters 3 of the Ontario Healthcare Reporting Standards 11.1 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 23, 2022

IDENTIFICATION

| | |
|--------------------------------|--|
| IFIS / Recipient # | 100238 |
| SRI Organization Code | 473 |
| Report Name | 2021-22 Account Reconciliation Report |
| Ontario Region (formerly LHIN) | 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 Parkway |
| 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 Ontario Health & 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 | 6,592,338 |
| Total Expenses Fund Type 2 (Above) | 119 | 6,742,717 |
| Net Surplus/Deficit Fund Type 2 (Community Programs) | 120 | - 150,378 |
| | | |
| 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 | 6,592,338 |
| Total Expenses for the Provider | 125 | 6,742,717 |
| Net Surplus/Deficit | 126 | - 150,378 |

**Form ARRfin2 - OH Managed Programs
Community Mental Health Program**

| Table B | | OH - CMHP1 | |
|---|----|---|----------------------------------|
| Line # | | 2021-22 Final | Comments (Max 255 Characters) |
| Funding Initiative | | Select Funding Initiative (where applicable) | |
| Ontario Health Cash Flow: | | | |
| Funding - Ontario Health (OH) | 1 | 6,540,441 | |
| Funding - Provincial MOH | 2 | - | |
| Funding - Ontario Health One-Time | 3 | 30,698 | |
| Funding - Provincial MOH One-Time | 4 | - | |
| Sessional fee funding - OH | 5 | - | |
| Sessional fee funding - MOH | 6 | - | |
| Total OH funding as per cash flow | 7 | 6,571,139 | |
| Service Recipient Revenue | 8 | - | |
| Recoveries from External/Internal Sources | 9 | - | |
| Donations | 10 | - | |
| Other Funding Sources and Other Revenue | 11 | 21,199 | |
| Other revenue adjustments (detailed comments required) | 12 | - | |
| Total revenue adjustments | 13 | 21,199 | |
| Total FUND TYPE 2 funding for settlement purposes | 14 | 6,592,338 | |
| Deferred OH funding used to purchase capitalized items in the current year (Enter as Negative Amount) | 15 | - | |
| Amortization of donation revenue and OH funding in the current fiscal year | 16 | - | |
| Other Adjustments including OH recovery (detailed comments required) | 18 | - | |
| Total Revenue FUND TYPE 2 | 19 | 6,592,338 | |
| EXPENSES- Fund Type 2 | | | |
| Compensation | | | |
| Salaries and Wages (Worked + Benefit + Purchased) | 20 | 4,386,065 | |
| Benefit Contributions | 21 | 989,940 | |
| Employee Future Benefit Compensation | 22 | - | |
| Nurse Practitioner Remuneration | 23 | 104,511 | |
| Medical Staff Remuneration | 24 | 536,347 | |
| Sessional Fees | 25 | - | |
| Service Costs | | | |
| Med/Surgical Supplies and Drugs | 26 | - | |
| Supplies and Sundry Expenses (excl. Med/Surg Supplies & Drugs) | 27 | 308,970 | |
| Community One Time Expense | 28 | - | |
| Equipment Expenses | 29 | 2,137 | |
| Amortization on Major Equip and Software License and Fees | 30 | - | |
| Contracted Out Expense | 31 | 30,307 | |
| Buildings and Grounds Expenses | 32 | 384,440 | |
| Building Amortization | 33 | - | |
| TOTAL EXPENSES Fund Type 2 | 34 | 6,742,717 | |
| 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 | 6,742,717 | |
| Less sessional fee expenses (Enter as Negative Amount) | 40 | - | |
| Less one time expenses as per listing below (Negative sum of li | 42 | - 30,698 | |
| Total operating expenses for settlement purposes | 43 | 6,712,018 | |
| Operating Recovery | 44 | - | |
| Sessional Fee Recovery | 45 | - | |
| One Time Recovery | 46 | - | |
| Total Settlement Recovery | 47 | - | |

Form ARRfin2 - OH Managed Programs
Community Mental Health Program

| | | OH - CMHP1 | |
|--|--------|---------------|----------------------------------|
| TABLE C: One-Time Expenses | Line # | 2021-22 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 | - | |
| | 60 | - | |
| | 61 | - | |
| | 62 | - | |
| Total One-time capitalized purchases from One-time funding | 63 | - | |
| Operating expenses from One Time Funding Section C-2 | | | |
| | 64 | 30,698 | |
| | 65 | - | |
| | 66 | - | |
| | 67 | - | |
| | 68 | - | |
| | 69 | - | |
| | 70 | - | |
| | 71 | - | |
| | 72 | - | |
| | 73 | - | |
| | 74 | - | |
| | 75 | - | |
| | 76 | - | |
| | 77 | - | |
| | 78 | - | |
| Total One-time operating expenses from One-time funding | 79 | 30,698 | |

Form ARRFin2 - OH Managed Programs
Community Mental Health Program

OH - CMHP1

| TABLE D: Operating Expenses | | Line # | 2021-22 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 | | 95 | - | |
| 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 | | 111 | - | |
| Total One Time Expenses | | 112 | 30,698 | |
| 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 | | |

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 2: EXPENDITURE REPORT | | |
|---|-------------|-----|
| <u>Sources of Proxy Pay Equity Funds</u> | | |
| Ministry of Health and Long-Term Care | \$ | A |
| Other (Specify) | | |
| TOTAL | 0.00 | |
| <u>Expenditures</u> | | |
| Actual Proxy Pay Equity Expenses | | B |
| Surplus(Deficit) | 0.00 | A-B |
| Current Outstanding Liabilities | | |
| Total Number of Individuals Receiving Proxy Pay Equity | | |

| 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 2021-22

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 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.

June 14, 2022

Schedule of revenue and expenses

**The Regional Municipality of
Niagara Public Health
Department**

Infant and Child Development Services

March 31, 2022

The Regional Municipality of Niagara Public Health Department

Infant and Child Development Services

March 31, 2022

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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, 2022 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, 2022 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
June 23, 2022

The Regional Municipality of Niagara Public Health Department

Infant and Child Development Services
Schedule of revenue and expenses
Year ended March 31, 2022

| | 2021-22 Budget (12 months) | 2021-22 Actual (12 months) | 2020-21 Actual (12 months) |
|--|----------------------------------|----------------------------------|----------------------------------|
| | \$ | \$ | \$ |
| Revenue | | | |
| Province of Ontario - Service Contract | 568,428 | 518,647 | 568,428 |
| | 568,428 | 518,647 | 568,428 |
| Expenses | | | |
| Salaries | 423,512 | 413,528 | 441,983 |
| Benefits | 107,230 | 92,598 | 114,030 |
| | 530,742 | 506,126 | 556,013 |
| Other service costs | | | |
| Administration costs (Note 4) | 28,886 | 19,973 | 19,589 |
| Staff travel | 20,000 | 3,653 | 2,151 |
| Audit Services | 2,800 | 2,802 | 2,761 |
| Utilities and taxes | 2,000 | 1,747 | 1,572 |
| Supplies | 3,800 | 1,161 | 162 |
| IT licences and support | 2,300 | - | - |
| Staff training | 2,500 | 1,419 | 5,634 |
| Purchased services | 1,687 | 1,383 | 135 |
| Fees and dues | 300 | 356 | - |
| | 64,273 | 32,494 | 32,004 |
| Total expenses | 595,015 | 538,620 | 588,017 |
| Deficiency of revenue over expenses | (26,587) | (19,973) | (19,589) |

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, 2022

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. Deferred Revenue

Deferred revenue in the amount of \$51,826 has not been recognized as revenue and represents the cumulative unspent donations received from the community to purchase playroom equipment.

The Regional Municipality of Niagara

Public Health Department

Infant and Child Development Services

Notes to the schedule of revenues and expenses

March 31, 2022

3. Grant repayable

| | 2021-22 | 2020-21 |
|---|----------|----------|
| | \$ | \$ |
| Grant repayable beginning of period | - | - |
| Excess of grant over allowable expenses | (49,781) | - |
| Excess of expenditures over revenue | 19,973 | 19,589 |
| Expenditures in excess of the budget | (19,973) | (19,589) |
| Grant repayable, end of period | (49,781) | - |

4. 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:

| | 2021-22 Budget | 2021-22 Actual | 2020-21 Actual |
|-----------------------------|-------------------|-------------------|-------------------|
| | \$ | \$ | \$ |
| Accounting services | 974 | 764 | 835 |
| Payroll services | 8,117 | 4,638 | 3,372 |
| Human resources services | 5,810 | 3,714 | 4,704 |
| IT program support services | 9,949 | 6,963 | 8,642 |
| Insurance costs | 578 | 533 | 363 |
| Printing costs | 708 | 801 | 200 |
| Capital financing | 2,751 | 2,560 | 1,472 |
| | 28,886 | 19,973 | 19,589 |

5. Budget data

The budget data presented in the schedule is based on the budget data submitted to the Ontario Ministry of Children and Youth Services, Community and Social Services.

Schedule of revenue and expenses

**The Regional Municipality of Niagara
Public Health Department**
Healthy Babies, Healthy Children Program

March 31, 2022

The Regional Municipality of Niagara Public Health Department

Healthy Babies, Healthy Children Program

March 31, 2022

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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, 2022, 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, 2022 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
June 23, 2022

The Regional Municipality of Niagara

Public Health Department

Healthy Babies, Healthy Children Program

Schedule of revenue and expenses

Year ended March 31, 2022

| | 2021-22 Budget (12 months) \$ | 2021-22 Actual (12 months) \$ | 2020-21 Actual (12 months) \$ |
|--|--|--|--|
| Revenue | | | |
| Ministry of Children, Community and Social Services Funding | 2,351,205 | 2,330,567 | 2,362,755 |
| Province of Ontario one-time grants | - | - | 1,159 |
| Other revenue | 129,515 | 5,498 | 157 |
| Investment Income | - | - | - |
| | 2,480,720 | 2,336,065 | 2,364,071 |
| Expenses | | | |
| Salaries and wages: unionized | | | |
| Public health nurses | 1,074,755 | 1,195,291 | 1,125,821 |
| Employee benefits | 345,410 | 334,989 | 336,179 |
| Lay home visitors | 366,469 | 209,108 | 361,695 |
| Clerical | 106,671 | 103,354 | 101,011 |
| WSIB | - | - | - |
| Health promoter | | | |
| Salaries and wages: non-unionized | | | |
| Management | 239,027 | 239,715 | 239,286 |
| Administration ISCIS | 73,409 | 75,891 | 63,965 |
| Employee benefits | 69,704 | 66,275 | 77,634 |
| | 2,275,446 | 2,224,623 | 2,305,591 |
| Operating costs | | | |
| Administration costs (Note 3) | 129,514 | 92,346 | 88,604 |
| Travel - mileage | 55,000 | 33,747 | 26,688 |
| Professional development | 3,985 | 32,462 | 6,392 |
| Program supplies/resources | 900 | 27,746 | 8,213 |
| Telephone and communications | 7,000 | 7,818 | 8,015 |
| Office supplies | 2,400 | 3,553 | 2,995 |
| Audit fees | 5,975 | 5,916 | 5,829 |
| Cleaning allowance | 500 | 200 | 350 |
| Miscellaneous | | | |
| | 205,274 | 203,788 | 147,086 |
| Total expenses | 2,480,720 | 2,428,411 | 2,452,677 |
| Deficiency of revenue over expenses | 0 | (92,346) | (88,606) |

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, 2022

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

The Regional Municipality of Niagara Public Health Department

Healthy Babies, Healthy Children Program

Notes to the schedule of revenue and expenses

March 31, 2022

subsequent year. The surplus repayable to the Province of Ontario for the year ended March 31, 2022 is \$20,638 (2020-21 - \$nil).

| | 2021-22 | 2020-21 |
|---|----------|----------|
| | \$ | \$ |
| Grant receivable (repayable), beginning of period | - | - |
| Excess of grant over allowable expenses | (20,638) | - |
| Excess of expenditures over revenue | 92,346 | (88,606) |
| Expenditures in excess of the budget | (92,346) | 88,606 |
| Grant receivable (repayable), end of period | (20,638) | - |

3. Administration costs

| | 2021-22 Budget \$ | 2021-22 Actual \$ | 2020-21 Actual \$ |
|------------------------------|-------------------------|-------------------------|-------------------------|
| Accounting services | 2,483 | 1,776 | 2,140 |
| Payroll services | 36,497 | 23,265 | 14,740 |
| Human resources services | 22,674 | 18,968 | 21,169 |
| IT program support services | 43,768 | 31,630 | 37,704 |
| Insurance costs | 2,612 | 2,393 | 1,400 |
| Printing costs | 9,183 | 2,713 | 3,118 |
| Capital financing allocation | 12,297 | 11,601 | 6,487 |
| | 129,514 | 92,346 | 86,758 |

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: Approval of 2021/2022 Community Services Program Audits

Report to: Public Health and Social Services Committee

Report date: Tuesday, June 14, 2022

Recommendations

1. That the draft audited annual reconciliation return for the Community Support Services Program (Appendix 1 to Report COM 17-2022) for the year ended December 31, 2021, **BE APPROVED**;
2. That the draft audited schedule of Revenue and Expenses for the Reaching Home Program (Appendix 2 to Report COM 17-2022) for the year ended March 31, 2022, **BE APPROVED**;
3. That staff **BE DIRECTED** to coordinate with the auditor to finalize the statements as presented; and
4. That Report COM 17-2022 **BE FORWARDED** to the Region's Audit Committee for information.

Key Facts

- The purpose of this report is to obtain approval for the audited annual reconciliation return ("ARR") and the schedule of revenue and expenses ("financial schedule") for the respective programs in accordance with the federal and provincial funding requirements.
- The ministry submission deadline for the Community Support Service Program is June 30, 2022.
- The ministry submission deadline for the Reaching Home Program is July 29, 2022.
- As per the 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 the Audit Committee for information.

Financial Considerations

The ARR of the Community Support Services Program and the financial schedule for the Reaching Home Program have been prepared in compliance with the guidelines and policies stipulated by the corresponding ministry. A draft copy of the ARR for the Community Support Services Program is attached as Appendix 1 to Report COM 17-2022 and a draft copy of the financial schedule for the Reaching Home Program is attached as Appendix 2 to Report COM 17-2022.

The ARR and the financial schedule are prepared specifically for the purposes of meeting the requirements outlined in the service agreements with the funding ministries. These reports are a provincial/federal requirement as noted in the audit report for the programs. The financial schedules are prepared to assist The Regional Municipality of Niagara (Niagara Region) in complying with the guidelines. As a result, the schedule may not be suitable for another purpose.

Analysis

The ARR and the financial schedule were audited by Niagara 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 aspects, in accordance with the 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 Committee and Council, the department's Commissioner and Treasurer will be authorized to sign the auditor's representation letter to obtain the auditor's signed report. These schedules are then forwarded to the Audit Committee for information.

Below is a summary of the results of the audited schedules. These financial schedules are subject to minor wording changes once the schedules are finalized:

- Community Support Service Program – this program has an overall surplus of \$453,551 (7.1% of total program funding) as of December 31, 2021, which will be returned to Ontario Health by way of a reduction in its future payments to Niagara Region. The COVID-19 pandemic caused significant interruptions to service, which led to the year-end surplus. Seniors Community Programs provides a range of services to seniors who want to keep active and stay in their home as long as

possible. Most of these services involve in-person group settings, which were not permitted for the majority of the year due to the pandemic. Most significantly, the Region's Respite Companion Services, a program aimed at providing meaningful activities tailored to client's needs in the client's home, was unable to operate during waves of outbreak throughout the year. Full respite services resumed in February 2022. Adult day programs, many of which are co-located within the Region's long-term care homes, were suspended under ministry orders, and in-person health and wellness classes transitioned to virtual options (offered at a reduced cost) when restrictions prevented continuation of in-person classes. Community Programs staff were redeployed to the long-term care homes for resident social support, assistance with food and medication security programs, providing isolation prevention programs for seniors in the community, and assisting Public Health with immunization clinics. Many services did resume virtually, on a smaller scale, during the year; however, the interruption to service resulted in the year-end surplus. In addition, Ontario Health provided one-time funding for a new program called High Intensity Community Paramedicine (HISH). The program was developed to support seniors in the community with an in-home healthcare option during the pandemic. Although an EMS program, the funding flows through Seniors Services due to the roll-up of funding categories of the Multi-Sector Accountability Agreements of the Ontario Health. The program ended with a returnable balance due to staffing shortages in EMS.

- Reaching Home Program - commenced April 1, 2019, and ends March 31, 2024, and has no funds returnable for the current reporting period.

Alternatives Reviewed

The audited financial schedules 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
- Sustainable and Engaging Government

Other Pertinent Reports

None.

Prepared by:

Melanie Steele, CPA, CA
Associate Director, Reporting & Analysis
Corporate Services

Recommended by:

Adrienne Jugley, MSW, RSW, CHE
Commissioner
Community Services

Submitted by:

Ron Tripp, P.Eng.
Chief Administrative Officer

This report was prepared in consultation with Stephanie Muhic, CPA, CA, Program Financial Specialist and Jordan Gamble, CPA, CA, Program Financial Specialist.

Appendices

Appendix 1 Community Support Services Program – 2021 Annual Reconciliation
Return

Appendix 2 Reaching Home Program – 2022 Schedule of Revenue and Expenses

Annual Reconciliation Report
The Regional Municipality of Niagara
Community Services Department
Community Support Service Program

December 31, 2021

| | |
|--|------|
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Independent Auditor's Report

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

Opinion

We have audited the accompanying schedules (ARRFin1 and ARRFin2) of the Annual Reconciliation Report of the Regional Municipality of Niagara (the "Region") Community Services Department - Community Support Service Program (the "Program") for the year ended December 31, 2021 and notes to the schedules (collectively referred to as the "schedules").

In our opinion, the accompanying schedules of the Program for the year ended December 31, 2021 have been prepared, in all material respects, in accordance with the financial reporting provisions in the guidelines in Chapters 3 of the Ontario Healthcare Reporting Standards 11.2 and the Community Financial Policy (2016) issued by the Ontario Ministry of Health and Ministry of Long-Term Care (collectively referred to as 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 financial reporting provisions in 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 23, 2022

| | |
|--------------------------------|--|
| IFIS / Recipient # | 13115 |
| SRI Organization Code | 4165 |
| Report Name | 2021-22 Account Reconciliation Report |
| Ontario Region (formerly LHIN) | Hamilton Niagara Haldimand Brant (Hnhb) |
| Service Provider Name | Regional Municipality of Niagara |
| Service Provider Legal Name | Regional Municipality of Niagara |

Service Provider Address

| | |
|-------------|--------------------------|
| Address 1 | 1815 Sir Isaac Brock Way |
| Address 2 | P.O. Box 1042 |
| City | Thorold |
| Postal Code | L2V4T7 |

| | |
|----------------------------|--------------------------------|
| HSP Contact Name | Jordan Gamble |
| HSP Contact Position | Program Financial Specialist |
| HSP Contact Phone Number | 905-685-4225, ext. 3815 |
| HSP Contact E-mail Address | jordan.gamble@niagararegion.ca |

TOTAL AGENCY

Form ARRfin 1- Total Ontario Health & Ministry Managed- Financial
Regional Municipality of Niagara

| | | 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 | 6,406,499 |
| Total Expenses Fund Type 2 (Above) | 119 | 5,952,948 |
| Net Surplus/Deficit Fund Type 2 (Community Programs) | 120 | 453,551 |
| | | |
| 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 | 6,406,499 |
| Total Expenses for the Provider | 125 | 5,952,948 |
| Net Surplus/Deficit | 126 | 453,551 |

**Form ARRfin2 - OH Managed Programs
Regional Municipality of Niagara**

| | | OH - CSS | |
|---|--------|--|---|
| Table B | Line # | 2021-22 Final | Comments (Max 255 Characters) |
| Funding Initiative | | Select Funding Initiative (where applicable) | |
| Ontario Health Cash Flow: | | | |
| Funding - Ontario Health (OH) | 1 | 5,155,729 | Base Funding (Calendar Reporting Period - January - December) |
| Funding - Provincial MOH | 2 | - | |
| Funding - Ontario Health One-Time | 3 | 235,609 | Recognition of EMS Community Paramedicine Programs revenue deferred on 2020 ARR - \$216,351 High-Intensity Community Paramedicine and \$19,258 of Flu funding |
| Funding - Provincial MOH One-Time | 4 | - | |
| Sessional fee funding - OH | 5 | - | |
| Sessional fee funding - MOH | 6 | - | |
| Total OH funding as per cash flow | 7 | 5,391,338 | |
| Service Recipient Revenue | 8 | 37,989 | |
| Recoveries from External/Internal Sources | 9 | 8,470 | |
| Donations | 10 | 1,250 | |
| Other Funding Sources and Other Revenue | 11 | 98,048 | |

| Table B | | OH - SH | |
|---|----|--|---|
| | | 2021-22 Final | Comments (Max 255 Characters) |
| Funding Initiative | | Select Funding Initiative (where applicable) | |
| Ontario Health Cash Flow: | | | |
| Funding - Ontario Health (OH) | 1 | 800,039 | Base Funding (Calendar Reporting Period - January - December) |
| Funding - Provincial MOH | 2 | - | |
| | 3 | | |
| Funding - Ontario Health One-Time | | - | |
| Funding - Provincial MOH One-Time | 4 | - | |
| Sessional fee funding - OH | 5 | - | |
| Sessional fee funding - MOH | 6 | - | |
| Total OH funding as per cash flow | 7 | 800,039 | |
| Service Recipient Revenue | 8 | - | |
| Recoveries from External/Internal Sources | 9 | 1,026 | |
| Donations | 10 | - | |
| Other Funding Sources and Other Revenue | 11 | 1,747 | PIDEL funding |

Form ARRfin2 - OH Managed Programs
Regional Municipality of Niagara

| Table B | | OH - SH | |
|---|----------|----------------------------------|-------------|
| Line # | | Comments (Max 255 Characters) | |
| Funding Initiative | | PSS Temp Wage Enhancement | |
| Ontario Health Cash Flow: | | | |
| Funding - Ontario Health (OH) | 1 | - | |
| Funding - Provincial MOH | 2 | - | |
| | 3 | | |
| Funding - Ontario Health One-Time | | 47,548 | TWE Funding |
| Funding - Provincial MOH One-Time | 4 | - | |
| Sessional fee funding - OH | 5 | - | |
| Sessional fee funding - MOH | 6 | - | |
| Total OH funding as per cash flow | 7 | 47,548 | |
| Service Recipient Revenue | 8 | - | |
| Recoveries from External/Internal Sources | 9 | - | |
| Donations | 10 | - | |
| Other Funding Sources and Other Revenue | 11 | - | |

Form ARRfin2 - OH Managed Programs
Regional Municipality of Niagara

| | | OH - CSS | |
|---|----|------------------|--|
| Other revenue adjustments (detailed comments required) | 12 | 19,044 | Recognition of EMS Community Paramedicine Programs revenue deferred on 2020 ARR - \$56,325 COVID-19 Response Support and \$22,537 base funding Less: Deferral of Community Paramedicine base funding (reported on fiscal 2022) \$59,818 |
| Total revenue adjustments | 13 | 164,801 | |
| Total FUND TYPE 2 funding for settlement purposes | 14 | 5,556,139 | |
| Deferred OH funding used to purchase capitalized items in the current year (Enter as Negative Amount) | 15 | - | |
| Amortization of donation revenue and OH funding in the current fiscal year | 16 | - | |
| Other Adjustments including OH recovery (detailed comments required) | 18 | - | |
| Total Revenue FUND TYPE 2 | 19 | 5,556,139 | Consistent with Previous Years - Revenue reported on a Calendar basis (January - December) |
| EXPENSES- Fund Type 2 | | | |
| Compensation | | | |
| Salaries and Wages (Worked + Benefit + Purchased) | 20 | 3,306,907 | |
| Benefit Contributions | 21 | 770,911 | |
| Employee Future Benefit Compensation | 22 | - | |

Form ARRfin2 - OH Managed Programs
Regional Municipality of Niagara

| | | OH - SH | |
|---|----|----------------|--|
| Other revenue adjustments (detailed comments required) | 12 | - | |
| Total revenue adjustments | 13 | 2,773 | |
| Total FUND TYPE 2 funding for settlement purposes | 14 | 802,812 | |
| Deferred OH funding used to purchase capitalized items in the current year (Enter as Negative Amount) | 15 | - | |
| Amortization of donation revenue and OH funding in the current fiscal year | 16 | - | |
| Other Adjustments including OH recovery (detailed comments required) | 18 | - | |
| Total Revenue FUND TYPE 2 | 19 | 802,812 | |
| EXPENSES- Fund Type 2 | | | |
| Compensation | | | |
| Salaries and Wages (Worked + Benefit + Purchased) | 20 | 603,896 | |
| Benefit Contributions | 21 | 138,172 | |
| Employee Future Benefit Compensation | 22 | - | |

Form ARRfin2 - OH Managed Programs
Regional Municipality of Niagara

| | | OH - SH | |
|---|----|---------------|--|
| Other revenue adjustments (detailed comments required) | 12 | - | |
| Total revenue adjustments | 13 | - | |
| Total FUND TYPE 2 funding for settlement purposes | 14 | 47,548 | |
| Deferred OH funding used to purchase capitalized items in the current year (Enter as Negative Amount) | 15 | - | |
| Amortization of donation revenue and OH funding in the current fiscal year | 16 | - | |
| Other Adjustments including OH recovery (detailed comments required) | 18 | - | |
| Total Revenue FUND TYPE 2 | 19 | 47,548 | |
| EXPENSES- Fund Type 2 | | | |
| Compensation | | | |
| Salaries and Wages (Worked + Benefit + Purchased) | 20 | 43,799 | |
| Benefit Contributions | 21 | 3,749 | |
| Employee Future Benefit Compensation | 22 | - | |

**Form ARRfin2 - OH Managed Programs
Regional Municipality of Niagara**

| | | OH - CSS | |
|---|----|-----------|---|
| Nurse Practitioner Remuneration | 23 | 190,880 | |
| Medical Staff Remuneration | 24 | - | |
| Sessional Fees | 25 | - | |
| Service Costs | | | |
| Med/Surgical Supplies and Drugs | 26 | 23,906 | |
| Supplies and Sundry Expenses (excl. Med/Surg Supplies & Drugs) | 27 | 154,590 | |
| Community One Time Expense | 28 | - | |
| Equipment Expenses | 29 | 78,012 | |
| Amortization on Major Equip and Software License and Fees | 30 | - | |
| Contracted Out Expense | 31 | 331,596 | |
| Buildings and Grounds Expenses | 32 | 282,640 | |
| Building Amortization | 33 | - | |
| TOTAL EXPENSES Fund Type 2 | 34 | 5,139,442 | |
| 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 | - | |
| | 39 | | Consistent with Previous Years - Expenses reported on a Calendar basis (January - December) |
| Total Expenses for Settlement Purposes | | 5,139,442 | |
| Less sessional fee expenses (Enter as Negative Amount) | 40 | - | |
| Less one time expenses as per listing below (Negative sum of li | 42 | - 97,486 | |
| Total operating expenses for settlement purposes | 43 | 5,041,956 | |

**Form ARRfin2 - OH Managed Programs
Regional Municipality of Niagara**

| | | | |
|---|----|---------|--|
| | | | |
| Nurse Practitioner Remuneration | 23 | - | |
| Medical Staff Remuneration | 24 | - | |
| Sessional Fees | 25 | - | |
| Service Costs | | | |
| Med/Surgical Supplies and Drugs | 26 | 3,338 | |
| Supplies and Sundry Expenses (excl. Med/Surg Supplies & Drugs) | 27 | 10,121 | |
| Community One Time Expense | 28 | - | |
| Equipment Expenses | 29 | 10,330 | |
| Amortization on Major Equip and Software License and Fees | 30 | - | |
| Contracted Out Expense | 31 | - | |
| Buildings and Grounds Expenses | 32 | 101 | |
| Building Amortization | 33 | - | |
| TOTAL EXPENSES Fund Type 2 | 34 | 765,958 | |
| 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 | - | |
| | 39 | | |
| Total Expenses for Settlement Purposes | | 765,958 | |
| Less sessional fee expenses (Enter as Negative Amount) | 40 | - | |
| Less one time expenses as per listing below (Negative sum of li | 42 | - | |
| Total operating expenses for settlement purposes | 43 | 765,958 | |

**Form ARRfin2 - OH Managed Programs
Regional Municipality of Niagara**

| | | OH - SH | |
|---|----|-----------------|--|
| Nurse Practitioner Remuneration | 23 | - | |
| Medical Staff Remuneration | 24 | - | |
| Sessional Fees | 25 | - | |
| Service Costs | | | |
| Med/Surgical Supplies and Drugs | 26 | - | |
| Supplies and Sundry Expenses (excl. Med/Surg Supplies & Drugs) | 27 | - | |
| Community One Time Expense | 28 | - | |
| Equipment Expenses | 29 | - | |
| Amortization on Major Equip and Software License and Fees | 30 | - | |
| Contracted Out Expense | 31 | - | |
| Buildings and Grounds Expenses | 32 | - | |
| Building Amortization | 33 | - | |
| TOTAL EXPENSES Fund Type 2 | 34 | 47,548 | |
| 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 | - | |
| | 39 | | |
| Total Expenses for Settlement Purposes | | 47,548 | |
| Less sessional fee expenses (Enter as Negative Amount) | 40 | - | |
| Less one time expenses as per listing below (Negative sum of li | 42 | - 47,548 | |
| Total operating expenses for settlement purposes | 43 | - | |

Form ARRfin2 - OH Managed Programs

Regional Municipality of Niagara

| | | OH - CSS | |
|--|--------|---------------|----------------------------------|
| Operating Recovery | 44 | 278,574 | |
| Sessional Fee Recovery | 45 | - | |
| One Time Recovery | 46 | 138,123 | |
| Total Settlement Recovery | 47 | 416,697 | |
| TABLE C: One-Time Expenses | Line # | 2021-22 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 | - | |
| | 60 | - | |
| | 61 | - | |
| | 62 | - | |
| Total One-time capitalized purchases from One-time funding | 63 | - | |
| Operating expenses from One Time Funding Section C-2 | | | |

**Form ARRfin2 - OH Managed Programs
Regional Municipality of Niagara**

| | | OH - SH | |
|--|---------------|----------------------|--|
| Operating Recovery | 44 | 36,854 | |
| Sessional Fee Recovery | 45 | - | |
| One Time Recovery | 46 | - | |
| Total Settlement Recovery | 47 | 36,854 | |
| TABLE C: One-Time Expenses | Line # | 2021-22 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 | - | |
| | 60 | - | |
| | 61 | - | |
| | 62 | - | |
| Total One-time capitalized purchases from One-time funding | 63 | - | |
| Operating expenses from One Time Funding Section C-2 | | | |

**Form ARRfin2 - OH Managed Programs
Regional Municipality of Niagara**

| | | OH - SH | |
|--|---------------|----------------------|--|
| Operating Recovery | 44 | - | |
| Sessional Fee Recovery | 45 | - | |
| One Time Recovery | 46 | - | |
| Total Settlement Recovery | 47 | - | |
| TABLE C: One-Time Expenses | Line # | 2021-22 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 | - | |
| | 60 | - | |
| | 61 | - | |
| | 62 | - | |
| Total One-time capitalized purchases from One-time funding | 63 | - | |
| Operating expenses from One Time Funding Section C-2 | | | |

Form ARRfin2 - OH Managed Programs

Regional Municipality of Niagara

| | | OH - CSS | |
|---|----|---------------|----------------------------|
| | 64 | 63,704 | Salaries |
| | 65 | 14,098 | Benefits |
| | 66 | 1,616 | Medical supplies and drugs |
| | 67 | 7,637 | Supplies and sundry |
| | 68 | 10,431 | Equipment expenses |
| | 69 | - | |
| | 70 | - | |
| | 71 | - | |
| | 72 | - | |
| | 73 | - | |
| | 74 | - | |
| | 75 | - | |
| | 76 | - | |
| | 77 | - | |
| | 78 | - | |
| Total One-time operating expenses from One-time funding | | 79 | 97,486 |
| TABLE D: Operating Expenses | | Line # | Comments |
| Capitalized expenses Sourced from Operating Funding (Section D-1) | | 2021-22 Final | (Max 255 Characters) |
| (All capitalized items regardless of amount) | | | |
| | 80 | - | |
| | 81 | - | |
| | 82 | - | |
| | 83 | - | |
| | 84 | - | |

Form ARRfin2 - OH Managed Programs

Regional Municipality of Niagara

| | | OH - SH | |
|---|----|---------------|----------------------|
| | 64 | - | |
| | 65 | - | |
| | 66 | - | |
| | 67 | - | |
| | 68 | - | |
| | 69 | - | |
| | 70 | - | |
| | 71 | - | |
| | 72 | - | |
| | 73 | - | |
| | 74 | - | |
| | 75 | - | |
| | 76 | - | |
| | 77 | - | |
| | 78 | - | |
| Total One-time operating expenses from One-time funding | | 79 | - |
| TABLE D: Operating Expenses | | Line # | Comments |
| Capitalized expenses Sourced from Operating Funding (Section D-1) | | 2021-22 Final | (Max 255 Characters) |
| (All capitalized items regardless of amount) | | | |
| | 80 | - | |
| | 81 | - | |
| | 82 | - | |
| | 83 | - | |
| | 84 | - | |

Form ARRfin2 - OH Managed Programs

Regional Municipality of Niagara

| | | OH - SH | |
|---|----|---------------|----------------------|
| | 64 | 43,799 | Salaries |
| | 65 | 3,749 | Benefits |
| | 66 | - | |
| | 67 | - | |
| | 68 | - | |
| | 69 | - | |
| | 70 | - | |
| | 71 | - | |
| | 72 | - | |
| | 73 | - | |
| | 74 | - | |
| | 75 | - | |
| | 76 | - | |
| | 77 | - | |
| | 78 | - | |
| Total One-time operating expenses from One-time funding | | 79 | 47,548 |
| TABLE D: Operating Expenses | | Line # | Comments |
| Capitalized expenses Sourced from Operating Funding (Section D-1) | | 2021-22 Final | (Max 255 Characters) |
| (All capitalized items regardless of amount) | | | |
| | 80 | - | |
| | 81 | - | |
| | 82 | - | |
| | 83 | - | |
| | 84 | - | |

Form ARRfin2 - OH Managed Programs

Regional Municipality of Niagara

| | | OH - CSS | |
|---|-----|----------|---|
| | 85 | - | |
| | 86 | - | |
| | 87 | - | |
| | 88 | - | |
| | 89 | - | |
| | 90 | - | |
| | 91 | - | |
| | 92 | - | |
| | 93 | - | |
| | 94 | - | |
| Total Capitalized expenses from Operating Funding | | 95 | - |
| 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 | - | |

Form ARRfin2 - OH Managed Programs

Regional Municipality of Niagara

| | | OH - SH | |
|---|-----|---------|---|
| | 85 | - | |
| | 86 | - | |
| | 87 | - | |
| | 88 | - | |
| | 89 | - | |
| | 90 | - | |
| | 91 | - | |
| | 92 | - | |
| | 93 | - | |
| | 94 | - | |
| Total Capitalized expenses from Operating Funding | | 95 | - |
| 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 | - | |

Form ARRfin2 - OH Managed Programs

Regional Municipality of Niagara

| | | OH - SH | |
|---|-----|---------|---|
| | 85 | - | |
| | 86 | - | |
| | 87 | - | |
| | 88 | - | |
| | 89 | - | |
| | 90 | - | |
| | 91 | - | |
| | 92 | - | |
| | 93 | - | |
| | 94 | - | |
| Total Capitalized expenses from Operating Funding | | 95 | - |
| 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 | - | |

**Form ARRfin2 - OH Managed Programs
Regional Municipality of Niagara**

| | | OH - CSS | |
|--|-----|----------|--|
| | 110 | - | |
| Total Non-Capitalized One-time expenses >\$5,000 from Operating Funding | 111 | - | |
| Total One Time Expenses | 112 | 97,486 | |
| | | | |
| 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 | |

**Form ARRfin2 - OH Managed Programs
Regional Municipality of Niagara**

| | | OH - SH | |
|--|-----|---------|--|
| | 110 | - | |
| Total Non-Capitalized One-time expenses >\$5,000 from Operating Funding | 111 | - | |
| Total One Time Expenses | 112 | - | |
| | | | |
| 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 | |

**Form ARRfin2 - OH Managed Programs
Regional Municipality of Niagara**

| | | OH - SH | |
|--|-----|---------|--|
| | 110 | - | |
| Total Non-Capitalized One-time expenses >\$5,000 from Operating Funding | 111 | - | |
| Total One Time Expenses | 112 | 47,548 | |
| | | | |
| 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 | |

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: **Regional Municipality of Niagara**

| | | | | | |
|-----------|---|------------------------|---|----|---|
| Vendor #: | <div style="background-color: yellow; width: 150px; height: 25px;"></div> | Reporting Period: from | <div style="background-color: yellow; width: 100px; height: 25px;"></div> | to | <div style="background-color: yellow; width: 100px; height: 25px;"></div> |
|-----------|---|------------------------|---|----|---|

| | | | |
|-----------------|---|--------|---|
| Contact Person: | <div style="background-color: yellow; width: 280px; height: 25px;"></div> | Phone: | <div style="background-color: yellow; width: 280px; height: 25px;"></div> |
|-----------------|---|--------|---|

| SECTION 2: EXPENDITURE REPORT | | |
|---|-------------|-----|
| <u>Sources of Proxy Pay Equity Funds</u> | | |
| Ministry of Health and Long-Term Care | \$ | A |
| Other (Specify) | | |
| TOTAL | 0.00 | |
| <u>Expenditures</u> | | |
| Actual Proxy Pay Equity Expenses | | B |
| Surplus(Deficit) | 0.00 | A-B |
| Current Outstanding Liabilities | | |
| Total Number of Individuals Receiving Proxy Pay Equity | | |

| 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 2021-22

Having the authority to bind the Health Service Provider, we certify that the information provided in ARRFIn1, ARRFIn2 and ARRFIn3 are complete and accurate

| | |
|----------------------------------|------|
| Regional Municipality of Niagara | |
| 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, Ministry of Long-Term Care and Ontario Health. They are prepared in accordance with the financial reporting provisions in the guidelines in Chapters 3 of the Ontario Healthcare Reporting Standards 11.2 and the Community Financial Policy (2016) issued by the Ontario Ministry of Health, which approximates Canadian public sector accounting standards, except that they do not provide for employee future benefits and tangible capital assets are expensed as incurred. Since precise determination of many assets and liabilities is dependent upon future events, the preparation of periodic financial information necessarily involves the use of estimates and approximations. These have been made using careful judgments.

Revenue and expenses

Revenue is recognized as amounts become available and are measurable.

Expenses are recognized as they are incurred and measurable.

Capital assets

The historical cost and accumulated depreciation of capital assets are not recorded. Capital assets acquired are reported as expenditures and amortization is not reported on ARRFIn1 and ARRFIn2.

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
Reaching Home – Canada's
Homelessness Strategy Program

March 31, 2022

| | |
|---|-----|
| Independent Auditor's Report | 1–2 |
| 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 the
Ministry of Employment and Social Development Canada

Opinion

We have audited the accompanying schedule of revenue and expenses of the Regional Municipality of Niagara (the "Region") Reaching Home – Canada's Homelessness Strategy Program (the "Program") for the year ended March 31, 2022 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, 2022 have been prepared, in all material respects, in accordance with the financial reporting provisions of the agreement between the Her Majesty the Queen in Right of Canada, as represented by the Minister of Employment and Social Development Canada and the Regional Municipality of Niagara signed June 12, 2019 (the "guidelines").

Basis for Opinion

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

Emphasis of Matter - Basis of Accounting

We draw attention to Note 1 to the schedule, which describes the basis of accounting. The schedule is prepared to assist the Program in complying with the financial reporting provisions of the agreement between the Ministry of Employment and Social Development Canada and the Regional Municipality of Niagara. As a result, the schedule may not be suitable for another purpose. Our opinion is not modified in respect of this matter.

Responsibilities of Management and Those Charged with Governance for the Schedule

Management is responsible for the preparation of the schedule in accordance with the guidelines, and for such internal control as management determines is necessary to

enable the preparation of the schedule that is free from material misstatement, whether due to fraud or error.

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

Auditor's Responsibilities for the Audit of the Schedule

Our objectives are to obtain reasonable assurance about whether the schedule 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 23, 2022

Reaching Home - Canada's Homelessness Strategy

Schedule of revenue and expenses

Year ended March 31, 2022

| | 2022 | 2021 |
|--|-----------|---------|
| Revenue: | | |
| Ministry funding (Note 2) | 4,169,047 | 941,096 |
| Expenditures: | | |
| Sub-project costs | 4,068,189 | 842,012 |
| Program management & administrative | 100,858 | 99,084 |
| Total expenditures | 4,169,047 | 941,096 |
| Excess of eligible expenditures over revenue | - | - |

See accompanying notes to the schedule of revenues and expenditures.

1. Significant accounting policies

Basis of accounting

The Schedule has been prepared for the Ministry of Employment and Social Development Canada. The agreement between the Ministry of Employment and Social Development Canada and the Regional Municipality of Niagara 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

Revenues are 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.

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. Ministry funding

This project commenced April 1, 2019 and will end March 31, 2024. Total maximum amount of Canada’s contribution is \$13,853,313.

The funding allocation under Reaching Home will be used to support priorities and recommendations of the joint Housing and Homelessness Action Plan Task Force / Community Advisory Board (\$13,136,893). There is incremental funding to support initial investments towards the design and implementation of Coordinated Access (\$716,420).

The maximum amount payable by the Ministry in each fiscal year of the project is:

| | Designated Community | Coordinated Access | Total Funding |
|------|----------------------|--------------------|---------------|
| 2020 | \$ 837,176 | \$ 121,420 | \$ 958,596 |
| 2021 | 837,176 | 103,920 | 941,096 |
| 2022 | 4,065,127 | 103,920 | 4,169,047 |
| 2023 | 3,718,784 | 193,580 | 3,912,364 |
| 2024 | 3,678,630 | 193,580 | 3,872,210 |
| | \$ 13,136,893 | \$ 716,420 | \$ 13,853,313 |

Subject: 2022 Operating Budget Adjustment due to the Canada Wide Early Learning and Child Care: Ontario Plan

Report to: Public Health and Social Services Committee

Report date: Tuesday, June 14, 2022

Recommendations

1. That an adjustment to the previously adopted 2022 Regional Municipality of Niagara (Niagara Region) operating budget in the amount of \$16,020,176, to be fully funded through Ministry of Education (MEDU), under the Canada Wide Early Learning and Child Care (CWELCC): Ontario Plan, **BE APPROVED**.

Key Facts

- The purpose of this report is to inform Council of the in-year funding announcement received from the federal and provincial governments through the CWELCC Agreement; and to obtain approval of the related budget adjustment. An in-year receipt of funding must comply with by-law 2017-63, Budget Control, items 6.6(a) and 6.6(b), requiring Council's approval for any amounts received in excess of \$1 million for operating programs.
- Niagara Region received an allocation of just over \$16 million for 2022, to support the first phase of the CWELCC: Ontario plans to provide child care fee reduction payments to families accessing licensed child care, and to support workforce compensation of Registered Early Childhood Educators (RECEs) employed in the sector.

Financial Considerations

Through its 2021 budget, the federal government committed to investing in a national child care system with all provinces and territories, as well as Indigenous organizations. As part of this agreement, Ontario will receive \$13.2 billion over six years beginning in 2022. The goal of the CWELCC, is that by September 2025, Ontario families with children under six years will have access to licensed child care for fees of \$10/day on average.

Locally, Niagara Region received an allocation of just over \$16 million for 2022 from the MEDU. More specifically, \$14.5 million in funding has been earmarked for child care fee reduction payments to parents, \$1 million to support workforce compensation, and

approximately \$0.45 million in administration funding to support the additional work required to implement the new CWELCC system. These are 100% MEDU funding dollars with no expectation for municipal cost share contributions. Niagara currently contributes more than its minimum required cost share through the levy in an effort to keep parent fees for child care affordable. At this point it is not clear whether Niagara will be required to maintain its current contribution to the system, given that the primary objective of the CWELCC program is also to reduce parent fees, or if levy savings could be realized as a result of this program. Staff will continue to monitor how the program rolls out and will report back to Council on longer term financial impacts when they are known. The revised 2022 Children's Services budget is summarized in the table below:

| 2022 Child Care Service Agreement | 2022 Regional Budget | 2022 MEDU CWELCC Budget Adjustment | Revised 2022 Regional Budget |
|-----------------------------------|----------------------|------------------------------------|------------------------------|
| 2022 MEDU Funding | \$50,122,951 | \$16,020,176 | \$66,143,127 |
| 2022 Operating Expenses | \$57,014,660 | \$16,020,176 | \$73,034,836 |
| 2022 Niagara Region Levy | \$6,891,709 | - | \$6,891,709 |

Children's Services has flexibility to use the funding provided from the fee reduction allocation to support workforce compensation, and vice versa, where needed, as long as specific program directives and objectives are met. Staff will work diligently throughout the year to ensure that all funding available is re-invested into Niagara's childcare system. With that said, any unspent funding must be recovered and returned to the ministry.

Analysis

On March 28, 2022, the federal and Ontario governments announced the CWELCC Agreement. Following the announcement, on April 12, 2022, Children's Services received an addendum to the annual MEDU funding guideline, with more detailed information on the CWELCC system, more specifically funding requirements and parameters, and obligations for Niagara Region Children's Services as the municipal service system manager.

The MEDU is taking a phased approach to implementing the CWELCC, with 2022 being a year of transition and adjustment, focused on the immediate objectives of affordability

for families and system stability through workforce compensation. The next phase will address the objectives of increasing child care accessibility and inclusion over the longer term.

Affordability for families (fee reductions)

Making child care more affordable for families is a key part of the implementation of the CWELCC System. All licensed child care service providers (centre based and home child care) serving children under the age of 6 have until September 1, 2022, to apply to participate in the CWELCC System.

Once licensed child care service providers applications have been approved, they will be enrolled into the new CWELCC system. Fee reductions will be implemented using a phased approach. As per ministry guidelines, all Ontario families with eligible children will see a fee reduction of up to 25% (to a minimum of \$12 per day), retroactive to April 1, 2022, building to a 50% child care fee reduction (on average) effective January 1, 2023.

Children's Services is developing a local plan to implement all the processes, policies, reporting mechanisms, etc., to ensure due diligence and fulfill the mandate and responsibilities outlined in the addendum by the MEDU as to the new CWELCC system. Based on the plan, Children's Services anticipates flowing funding to enrolled licensed child care service providers, who will then begin issuing retroactive refunds to parents, later this summer.

Licensed child care service providers who decide not to participate in the CWELCC system may continue to run their operations under the existing provincial licensing and regulatory framework and existing purchase of service agreements with Niagara Region Children's Services (if applicable). By not participating, licensed child care service providers will not receive CWELCC system funding and are permitted to continue to set out their own parent fees.

Supporting workforce compensation

Workforce compensation funding is focused on supporting RECE staff and supervisors working in licensed child care, who are low wage earners. The MEDU introduced an "hourly wage floor" and annual wage increases for eligible RECE staff and supervisors, as noted in Table 1. Workforce compensation funding will be used to fund the incremental amount required to bring the RECE staff and supervisor wages to the wage established floor, and includes up to 17.5% of statutory benefits. To be eligible for an

annual wage increase, staff must be employed by a licensed child care service provider that is participating in the CWELCC System.

Table 1. Provincially Directed Hourly wage floor from 2022 to 2026.

| Staff category | 2022 | 2023 | 2024 | 2025 | 2026 |
|-----------------------------|------|------|------|------|------|
| RECE program staff | \$18 | \$19 | \$20 | \$21 | \$22 |
| RECE child care supervisors | \$20 | \$21 | \$22 | \$23 | \$24 |

In 2021, across Niagara, the average hourly rate for RECEs program staff was \$22.40/hour, and \$28.47/hour for RECE child care supervisors. After 2022, all RECE program staff will be entitled to an annual dollar per hour increase up until the hourly wage cap of \$25/hour. As per ministry funding guidelines, unused workforce compensation funding can be allocated to child care fee reduction (and as few staff are currently below this year's wage floor, it is anticipated that much of this funding will be redirected to fee reduction efforts).

Administration

The provincial government recognizes that there is additional administrative burden incurred by the municipalities to implement the new CWELCC system. As such, the MEDU has allocated \$0.45 million to be used to address staffing pressures and implement technology enhancements needed to execute the local plan to meet provincial requirements. Niagara Region Children's Services is currently determining how to best utilize the administration funding, with temporary staffing supports in place until there is a better understanding of long-term work and funding.

Alternatives Reviewed

Should the proposed budget adjustment not be approved, the \$16M in funding under the CWELCC would be returned to the provincial government, resulting in no child care fee reimbursement and subsequent reduction in fees for Niagara residents.

Relationship to Council Strategic Priorities

The provision of accessible and quality early learning programs and services supports Council's focus on Supporting Businesses and Economic Growth.

Other Pertinent Reports

[CWCD 2022-80 Canada-Wide Early Learning and Child Care Agreement: A Plan for Ontario Families](http://www.niagararegion.ca/council/Council%20Documents/2022/council-correspondence-april-01-2022.pdf) (www.niagararegion.ca/council/Council%20Documents/2022/council-correspondence-april-01-2022.pdf)

Prepared by:

Sandra Noël
Manager
Community Services

Recommended by:

Adrienne Jugley, MSW, RSW, CHE
Commissioner
Community Services

Submitted by:

Ron Tripp, P.Eng.
Chief Administrative Officer

This report was prepared in consultation with John Pickles, Program Financial Specialist, Jackie Galloway, (Acting) Manager, Early Years and Child Care Services, and reviewed by Darlene Edgar, Director.

MEMORANDUM

PHD-C 3-2022

Subject: Ministry of Health Funding Adjustments

Date: June 14, 2022

To: Public Health and Social Services Committee

From: M. Mustafa Hirji, Medical Officer of Health & Commissioner (Acting)

The purpose of this memorandum is to provide Committee with an update on recently announced Ministry of Health Funding and the associated impacts on the 2022 budget for Public Health.

In May 2022, the Ministry of Health communicated their approval of funding that was included as part of a budget request and outlined to Committee in Report PHD 6-2022 – Public Health 2022 Annual Service Plan (ASP) and Budget Submission. A summary of approvals are as follows:

1. Base funding increase of \$235,800 for Mandatory Programs which represents a 1% increase over 2021 based on all eligible expenditures approved by the Board of Health. As noted in PHD 6-2022, this approval is for expenditures already included in Public Health's base budget, therefore the funding increase will result in levy savings for 2022.
2. Base funding increase of \$378,900 for the 100% ministry funded Senior's dental program. An adjustment to reflect the Ministry approval of this funding in the 2022 Public Health operating budget will be completed in accordance with the Niagara Region's budget control by-law for in-year receipt of funding totalling less than \$1 million.
3. One-time funding requests totalling \$300,800 were approved as follows:
 - a. Needles to Support Community Based Safe Injection Activities (\$207,000)
 - b. Replacement of Vaccine Refrigerator (\$20,200)
 - c. Smoke-Free Ontario Inspector Computer Tablets (\$13,600)
 - d. Public Health Inspector Practicum Program (\$60,000).

An adjustment to reflect the Ministry approval of these one-time requests in the 2022 Public Health operating budget will be completed in accordance with the Niagara Region's budget control by-law for in-year receipt of funding totalling less than \$1 million.

4. One-time funding of \$9,913,600 for COVID-19 costs was approved out of a total request of \$19,434,898. The full amount of the request is already included in the Public Health 2022 approved operating budget funded through the Taxpayer Relief Reserve, therefore an adjustment to reflect the Ministry approval of this funding will be completed in order to return \$9,913,600 to the reserve. In previous years, through in-year reporting, actual expenditures have been 100% funded through reimbursements after expenditures were reported to the Ministry. In communication with the Ministry, such funding may be also available for 2022, which would allow most if not all of the remaining funding from the Taxpayer Relief Reserve to be returned to the Reserve.

The Ministry also announced incremental funding at 100% of costs for items not requested as part of the 2022 ASP and Budget submission as follows:

5. One-time funding of \$333,400 for the 100% Ministry funded School Focused Nurses Initiative, which is to reflect the extension of the program for five months from July 31, 2022 until December 31, 2022. An adjustment to reflect the Ministry approval of this funding in the 2022 Public Health operating budget will be completed in accordance with the Niagara Region's budget control by-law for in-year receipt of funding totalling less than \$1 million.
6. One-time funding of \$581,300 for Temporary Retention Incentive for Nurses was approved to provide Public Health Nurse's up to \$5,000 in incentive pay in 2022 based on certain eligibility criteria. An adjustment to reflect the Ministry approval of this funding in the 2022 Public Health operating budget will be completed in accordance with the Niagara Region's budget control by-law for in-year receipt of funding totalling less than \$1 million.

Finally, the Ministry funded one additional project previously requested through the previous year's (2021) Annual Service Plan and Budget Submission:

7. One-time capital funding of \$475,000 for a new Mobile Dental Clinic vehicle was approved. The full amount of the request is already included in the Public Health 2022 approved capital projects. Since the initial request in 2021, the cost to purchase a mobile dental clinic vehicle has increased to \$675,000, therefore an adjustment to reflect the Ministry approval of this funding will be completed in order to return \$275,000 to the capital reserve.

Unfortunately, one major funding request was not approved by the Ministry of Health at this time.

8. The Ministry had invited a submission for funding for “Recovery of Base Programming”, for which we submitted a request of \$2,035,762. This funding would begin catch-up of work that was not possible to execute during intense phases of the pandemic, as well as support residents with health issues that have been aggravated over the course of the pandemic. Specifically, our plan submitted to the Ministry included school immunization catch-up clinics, supporting mental health promotion for marginalized populations, reconnecting and reengaging residents in priority neighbourhoods, addressing opioid overdoses, and implementing strategies to reduce sexually transmitted infections. The Ministry did not approve this funding, nor did they approve the submission for any of the 34 local public health agencies despite asking for the submissions. In communication with the Ministry, we understand there may be opportunities to seek funds for recovery of base programming in future months. There was no transfer from the Taxpayer Relief Reserve in the Levy Operating Budget to fund this work, so this work is entirely contingent on Ministry approval of funding. Absent such approval, at this time, this work is on hold and will not commence.

Respectfully submitted and signed by

M. Mustafa Hirji, MD, MPH, FRCPH
Medical Office of Health & Commissioner (Acting)
Public Health & Emergency Services

MEMORANDUM

PHD-C 4-2022

Subject: An Observational Study of Smoking and Vaping on Beaches
Date: June 14, 2022
To: Public Health and Social Services Committee
From: Gillian Chappell, Health Promoter, Chronic Disease and Injury Prevention

Regional By-law

Regional By-law 112-2013, is a regional by-law to protect children and vulnerable persons from exposure to second-hand smoke and vapour. The by-law prohibits the use of tobacco, cannabis and vaping products from being smoked or vaped in public spaces in the Niagara region. Some of the locations include (but are not limited to) parks, playgrounds, recreation centres, nine metres from publically accessible entrances, and public beaches.

Observational Study

In an effort to understand smoking and vaping behaviours related to Regional By-law 112-2013, the Tobacco Control Program will be conducting an observational study on public beaches. Between July-August 2022, Public Health staff will be conducting one hour observations of smoking and vaping at specific public beaches owned or operated by a municipality. Additional information will be gathered, including presence of “no smoking” signage and butt litter.

It is important to note that observations will be conducted in a discrete and respectful manner and individuals who may be smoking or vaping will not be approached by the observation team. Observations will be taking place between 11:00 a.m. and 5:00 p.m. to account for peak times that children and families would most likely be present. Municipal staff will be engaged in this process and notified when observations will be taking place.

Similar studies have been conducted at Public Health to gather local data such as a road safety distracted driving audit. The results of this study will help inform future

program planning such as tailored educational efforts and enforcement practices. As a result, there may be increase adherence to the by-law, and reduced exposure to second-hand smoke and vapour and their health harms.

Respectfully submitted and signed by

Gillian Chappell, BPH
Health Promoter, Chronic Disease and Injury Prevention

Subject: Seniors Services Quality Improvement Report: January – March 2022

Report to: Public Health and Social Services Committee

Report date: Tuesday, June 14, 2022

Recommendations

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

Key Facts

- The purpose of this report is to provide Committee and Council with highlights of quality initiatives for Seniors Services.
- Areas of focus in this report are:
 - Infection Prevention and Control Innovations: Leveraging Technology
 - Institute of Safe Medication Practices Canada Quality Initiative
 - Accreditation Canada: New accreditation standards issued including the addition of governance standards

Financial Considerations

The Ministry of Long-Term Care (MLTC) and Ontario Health West are the primary sources of funding for the Seniors Services division. Other funding sources include user fees and levy. Additional funding from the province has supported increased costs due to the implementation of pandemic related orders, directives and guidance.

Analysis

Infection Prevention and Control Innovations

Infection Prevention and Control (IPAC) is a key priority in long-term care (LTC). Under the IPAC umbrella, one of the goals of LTC homes is antimicrobial stewardship (AMS). Antimicrobial stewardship is the careful and responsible management of medications used to treat or prevent infection. With a commitment to AMS, Niagara Region LTC homes are taking steps to promote and support best practice antibiotic prescribing and use.

With the introduction of the IPAC module in the Region's client record system, the long-term care homes are leveraging technology that supports staff to identify, manage and

report infections. A new IPAC module was integrated into the electronic health record (Point Click Care) across all eight Niagara Region long-term care homes. This new module integrates all IPAC practices into the resident's health record, eliminating the need for tracking information in separate databases and working between sites to monitor resident status. Like the skin and wound application introduced a number of years ago, the IPAC module builds on the implementation of business intelligence technology to enhance clinical practices and outcomes for residents.

Within the new module, the team has developed individualized assessments specific to various infections. These enhanced assessments help ensure consistent assessment and documentation on a resident's condition relative to their infective status and how the resident is responding to antibiotics and/or other treatments prescribed. All information is easily monitored through an AMS dashboard. To supplement the effectiveness of the IPAC module, registered staff have completed refresher and advanced education on AMS, to further support their success in helping to avoid the over-prescription of antibiotics.

Institute of Safe Medication Practices Canada (ISMP) Quality Initiative

The Institute for Safe Medication Practices Canada (ISMP) is partnering with 10 Champion long-term care homes in Ontario to improve medication safety and help address recommendations from the Justice Gillese public inquiry report¹. The initiative is fully funded by the MLTC and is designed to improve medication safety by providing support (tools, education and coaching) to homes.

Upper Canada Lodge, in Niagara-on-the-Lake, was selected as one of the 10 Champion homes to work with the ISMP to enhance medication safety. As a Champion home, Upper Canada Lodge will work collaboratively with ISMP to test and finalize evidence-based strategies in medication management.

¹ 'The Public Inquiry into the Safety and Security of Residents in the Long-Term Care Homes System' followed Elizabeth Wettlaufer's conviction of murder and attempted murder, while working as a registered nurse in long-term care. The final report was issued in 2019. The Region's eight LTC homes have implemented the recommendations arising out of the Gillese Inquiry.

The ISMP program is built on a foundation of resident and family engagement, and includes four key components:

- quality improvement
- incident analysis
- tools and support
- measuring and evaluating

As the first step in this project, Upper Canada Lodge completed a baseline assessment to identify any areas of improvement in the overall medication management system. The home was pleased to note that the initial assessment resulted in very favourable scores on the indicators set by ISMP.

Based on the assessment results, the home is moving forward with two quality improvement projects, to further strengthen safe medication practices. Insights and learnings are being shared across the eight homes to support overall capacity building.

Accreditation: New Accreditation Standards Issued

Seniors Services completed their Accreditation Survey in December 2021, resulting in a finding of Exemplary Standing. As part of the membership/standing participation in an annual process of review is required. In February 2022, Accreditation Canada released a new set of standards that build on the prior standards and further captured emerging best practice.

Areas of focus under the new standards are captured in six chapters:

1. Governance and Leadership
2. Delivery of Care Models
3. Emergency and Disaster Management
4. Infection Prevention and Control
5. Medication Management
6. Residents' Care Experience

The governance chapter is a new, mandatory component for Accreditation Canada. This chapter assesses governance and covers themes including strategy and operational plans, roles and responsibilities of governance (which, in the case of Regional Homes, includes Council and senior staff), decision support systems, integrated quality management and risk management. As with the other chapters, the

principles of people-centered care are integrated throughout the themes in the governance chapter.

A requirement of accreditation is the self-assessment under each of the six chapters. Seniors Services will complete the self-assessment requirement in the LTC homes in the fall of 2022 and will initiate the governance self-assessment process in early 2023.

Alternatives Reviewed

Quarterly quality improvement reports provide Committee and Council with important information, supporting accountability, transparency and a culture of best practice and continuous quality improvement. As the governing body for Niagara Region's LTC homes, it is important that Council receives these reports to ensure high quality of care, understand the successes, challenges and opportunities experienced in these facilities, and to meet legislative accountability requirements of LTC.

Relationship to Council Strategic Priorities

Healthy and Vibrant Community – supporting the delivery of quality care to Niagara's senior population.

Other Pertinent Reports

- COM 09-2022 Seniors Services Quality Improvement Report, October- December 2021
- COM 07-2019 Seniors Services Quality Improvement Report, September - December 2018

Prepared by:
Henri Koning, MHSc
Director, Seniors Services
Community Services

Recommended by:
Adrienne Jugley, MSW, RSW, CHE
Commissioner
Community Services

Submitted by:

Ron Tripp, P.Eng.
Chief Administrative Officer

This report was prepared in consultation with Jordan Gamble, Program Financial Analyst, Corporate Services; Kim Eros, Associate Director Clinical Support Services; Alex Lamson, Manager, Clinical Practice; Laura Matthews, Manager, Clinical Practice; Viviana Menendez, Continuous Quality Improvement Advisor

Appendices

Appendix 1 Seniors Services Report Card 2022

Appendix 1 Seniors Services Report Card Q1 2022

Seniors Long Term Care Home Metrics

| Measures | Definition | 2021 Q2 | 2021 Q3 | 2021 Q4 | 2022 Q1 |
|--|--|------------|------------|-----------------|------------|
| Resident Satisfaction Survey | This metric provides a measure of resident perception of services and overall rating of a great place to live. The survey is issued annually. In 2020 the average for the eight Niagara Region LTC homes was 94%. The 2020 MBN average for upper-tier municipalities was 94%. The 2021 report has not yet been issued. | | | | 90% |
| Pressure Ulcers | This is a measure of the number of residents with worsened stage 2-4 pressure ulcers. (provincial average: 2.6%, provincial target is 1%). | 2.3 | 2.4 | 2.3 | 2.4 |
| Outbreaks | The resident home area may be declared in outbreak by Public Health if two or more residents residing in the same resident home area have two or more consistent infectious symptoms (in 2021 the total number of outbreaks was 26). | 1 | 2 | 14 ¹ | 6 |
| % of Residents who have fallen in the last 30 days | This is a measure of the percent of residents who sustained a fall in the last 30 days. (provincial avg: 16.40% / provincial target: 9%) | 14.0 | 14.2 | 15.3 | 15.9 |
| % of Residents with New Fractures | This is a measure of the percent of residents who sustained a fracture during this quarter. (provincial avg: 1.4%) | 1.4 | 0.6 | 0.3 | 1.3 |

¹ The fourteen outbreaks were primarily COVID-19 related outbreaks. Outbreak Definition: two or more PCR or rapid molecular confirmed COVID-19 cases in residents and / or staff (or other visitors in a home); two or more positive rapid antigen test results in residents and / or staff in a home.

Seniors Community Programs

| Measures | Definition | 2021 Q2 | 2021 Q3 | 2021 Q4 | 2022 Q1 |
|---|---|------------|------------|------------|------------|
| Number of unique individuals served in 2021 | Each individual is counted once in a calendar year regardless of the number of services one individual may be accessing. | 1387 | 1426 | 2146 | 1425 |
| % satisfied with overall services | Average across all Seniors Community Programs. | | | | 88% |
| # of complex case consultations | Multi-agency collaboration is required to support the diverse needs of the individual in developing a community plan of support/care. | 10 | 8 | 24 | 6 |

Subject: Medical Directors Annual Report 2021 – Long Term Care Homes

Report to: Public Health and Social Services Committee

Report date: Tuesday, June 14, 2022

Recommendations

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

Key Facts

- The purpose of this report is to provide a summary of the 2021 Annual Reports submitted by the Medical Directors (MD) of Niagara Region's eight long-term care (LTC) homes.
- Under the *Long-Term Care Homes Act, 2007* each home is required to have a Medical Director. The MD fulfills a number of functions including advising the Director of Resident Care on matters related to medical care in the home and serving as a member of the Medical Advisory Committee. Medical Directors review and provide input into medical and clinical policies based on best practices. They also ensure 24/7 medical coverage for the home and residents and oversee the Attending Physicians in their home.

Financial Considerations

As per the *Long-Term Care Homes Act, 2007* and the Ministry of Long-Term Care Level-of-Care Per Diem funding policy, MD's are issued a payment through the Nursing and Personal Care envelope.

Analysis

Annually, the MD of each LTC home provides an analysis of the medical program in the home and identifies key emerging themes. This year the MD's feedback related to three categories: long-term care staffing increases, opportunities and changes to the MD's role, and opportunities and challenges posed by virtual tools.

LTC Staffing Increases: Priorities and Opportunities

The Ministry of Long-Term Care (MLTC) made a commitment to increase staffing in long-term care through the province's LTC Staffing Plan. In November 2021, long-term

care homes were issued the first wave of funding to support a gradual year-over-year increase in staffing to support homes in achieving a staffing level of four hours of care per resident per day by April 2025. The MD's identified their priorities for this funding based on their trend analysis and observations.

The MD's note that LTC homes continue to see increased acuity and increased complexity of medical, behavioural and mental health needs among LTC residents. Front line care is complex and residents require enhanced support with feeding, dressing, grooming and mobility. Additional resources at the front line including Personal Support Workers (PSW), Nurses, Nurse Practitioners (NP), Rehabilitation, Recreation and Social Work, will serve to enhance the quality of life and clinical outcomes of residents. Increased access to a dedicated infection control role in LTC homes is required related to the current status of the COVID-19 pandemic and also for future planning for infection control.

There is a need for advanced clinical nursing skills. There are more discharges from hospital that involve a patient with advanced care needs (e.g. complex wound care, PEG tubes, IVs, chest tubes, central lines, CADD pumps¹). As residents present with higher-level needs, the expectation will be that LTC homes are well-equipped to respond to these needs. Continuing to introduce advanced skill roles, such as Nurse Practitioners will help to address clinical challenges as well as assist with decreasing the need for hospital transfers.

In November 2021, Report [COM 26-2021 Long Term Care Home Funding Policy Update](https://pub-niagararegion.escribemeetings.com/filestream.ashx?DocumentId=19585) (https://pub-niagararegion.escribemeetings.com/filestream.ashx?DocumentId=19585), detailed the provincial funding policy update and the subsequent staffing this enhanced funding would support. The staffing enhancements that were implemented in November 2021 and in April 2022, align with the priorities identified by the MD's. Across the homes, the majority of staffing increases have been among the PSW group. There have also been increases to Registered Practical Nurses, Recreation, and Social Work staffing. Furthermore, after a successful Nurse Practitioner pilot program at Linhaven, Seniors Services is expanding this program across the other Niagara Region LTC homes. There is a shortage of Nurse Practitioner's in the market and as such it will likely be a gradual

¹ PEG tubes (percutaneous endoscopic gastronomy tubes are long term artificial enteral feeding tubes), IVs (intravenous, providing fluid or medicine through a vein), CADD pumps (continuous ambulatory delivery device, a pain pump to control and relieve pain)

implementation based on market conditions. The LTC homes are also moving forward with a dedicated Infection Prevention and Control (IPAC) lead across all eight homes to support the implementation of the enhanced IPAC requirements and standards in the new LTC legislation.

Opportunities for Changes in the Medical Director Role Reflecting on the Past Year

The MD's role has changed dramatically over the last two years related to the complexity of patient load, increased expectations from residents/power of attorney and longer wait times for referrals/clinical tests due to pandemic restrictions and limited hospital access.

Throughout the pandemic, medical services were sustained in LTC through a combination of in-person care, virtual care, virtual communication and phone appointments. As LTC homes continue on a trajectory of COVID-19 recovery, Medical Directors and Attending Physicians will continue to adapt and work to determine how to best combine in-person and virtual care to deliver effective care in a timely and efficient manner.

Opportunities / Challenges of Virtual Tools and Opportunities

The MD's support sustaining access to virtual care and tools post pandemic. They share that with the presence of good nursing support, virtual care can be delivered safely in conjunction with in-person care. They noted that particularly through the pandemic, virtual tools were helpful for specialist appointments. They also identified that the Point Click Care (electronic health record) skin and wound application made it possible for the physicians to have access to current data related to resident wound care.

Some MD's shared that they would like to see an increase in the use of virtual tools for consultation with physicians, nurse practitioners and specialists. The ability to complete a preliminary consult and then expedite a hospital transfer for specific testing could decrease risk and wait times for residents in the emergency rooms (e.g. a resident can be fast-tracked straight to a diagnostic test [radiology] if the initial consult was completed virtually with a dedicated emergency LTC physician.) An eConsult may also serve to avoid referrals and emergency visits thereby, supporting not only more efficient use of the health care system but also a better care experience for residents.

Although most MD's support optimizing the use of virtual care, some MD's expressed that it has been difficult to administer effectively and that they will require further support if there is an expectation of use of virtual care.

The LTC homes will continue their commitment to leveraging the benefits of technology and virtual supports to optimize resident care and services.

Overall Feedback

The MD's all spoke to the contributions of the teams at the homes, expressing their sincere appreciation to the staff for their unwavering dedication and commitment to the residents during the pandemic.

They also expressed that healthcare system planning provincially and federally will need to address the health system pressures across the continuum including the increase in acuity, complexity and levels of cognitive impairment of residents in LTC.

Alternatives Reviewed

There are no alternatives to this report, which has been provided for information, as this is a requirement of the *Fixing Long Term Care Act, 2021*.

Relationship to Council Strategic Priorities

Healthy and Vibrant Community

Other Pertinent Reports

COM 26-2021 Long-Term Care Funding Policy Update

Prepared by:

Kim Eros
Associate Director Clinical & Support
Services
Community Services

Recommended by:

Adrienne Jugley, MSW, RSW, CHE
Commissioner
Community Services

Submitted by:

Ron Tripp, P.Eng.
Chief Administrative Officer

This report was prepared in consultation with Dr. D. Al-baldawi, Dr. M. Ali, Dr. T. Bastedo, Dr. D. Henry, Dr. C. Hu, Dr. S. Khandelwal, Dr. E. Wilson and Henri Koning, Director, Seniors Services.

May 6, 2022

The Honourable Christine Elliott
Minister of Health and Deputy Premier
Ministry of Health
College Park 5th Floor, 777 Bay St
Toronto, ON M7A 2J3

Dear Minister Elliott:

Letter of Support – Response to the Opioid Crisis in Ontario-Wide

On April 21, 2022 at a regular meeting of the Windsor-Essex County Board of Health, the Board considered a letter from Simcoe-Muskoka District Health Unit endorsing a set of recommendations for the province of Ontario and provincial Ministry of Health to help address the escalating opioid crisis province-wide.

Over the last five years, the region of Windsor-Essex County (WEC) has also experienced a worsening opioid and drug overdose crisis. In 2021, there were a total of 416 opioid-related emergency department visits reported in WEC, which is 58 more than those reported for in 2020 (358) and nearly quadruple those which were reported for in 2016 (108).^{1,2} The WEC community also observed a total of 68 opioid-related deaths in 2020, which represents the highest number of annual opioid deaths recorded in WEC since reporting began in 2005.² These upward trends are expected to continue as local data becomes available for 2021, with 33 opioid-related mortalities recorded in the first seven months of the annual period alone (January to July of 2021).¹

The following motion was passed:

Motion: That the WECHU Board of Health support the letter from Simcoe-Muskoka Public Health to the Hon. Christine Elliott in response to the Opioid Crisis province-wide and urges the following:

1. Create a multisector task force to guide the development of a robust provincial opioid response plan that will ensure necessary resourcing, policy change, and health and social system coordination.
2. Expand access to evidence informed harm reduction programs and practices including lifting the provincial cap of 21 Consumption and Treatment Service (CTS) Sites, funding Urgent Public Health Needs Sites (UPHNS) and scaling up safer opioid supply options.
3. Explore revisions to the current CTS model to address the growing trends of opioid poisoning amongst those who are using inhalation methods.
4. Expand access to opioid agonist therapy for opioid use disorder through a range of settings (e.g. mobile outreach, primary care, emergency departments), and a variety of medication options.

5. Provide a long-term financial commitment to create more affordable and supportive housing for people in need, including people with substance use disorders.
6. Address the structural stigma and harms that discriminate against people who use drugs, through provincial support and advocacy to the Federal government to decriminalize personal use and possession of substances and ensure increased investments in health and social services at all levels.
7. Increase investments in evidence-informed substance use prevention and mental health promotion initiatives that provide foundational support for the health, safety and well-being of individuals, families, and neighbourhoods, beginning for early childhood.
8. Fund additional and dedicated positions for health units to support the coordination and leadership of local opioid and substance strategies.

The Windsor-Essex County Health Unit fully supports the above recommendation, and thanks you for your consideration for expanding these provisions to all public health unit regions.

Sincerely,



Gary McNamara, Chair
Windsor-Essex County Board of Health

c: Nicole Dupuis, CEO, WECHU
Loretta Ryan, Executive Director, alPha
Michael A. Tibollo, Associate Minister of Mental Health and Addictions
Ontario Boards of Health
Doug Ford, Premier of Ontario
Dr. Kieran Moore, CMOH
MPs and MPPs in Windsor-Essex
Mayors and Municipal Council Members in Windsor-Essex

¹ Windsor-Essex County Health Unit. Personal communication with the Epidemiology and Evaluation Department. January 21st, 2022.

² Public Health Ontario (PHO). Interactive Opioid Tool – Opioid Related Morbidity and Mortality in the Geographic Area of the Windsor-Essex County Health Unit. Retrieved from <https://www.publichealthontario.ca/en/data-and-analysis/substance-use/interactive-opioid-tool>. Accessed April 14th, 2022.

March 16, 2022

The Honourable Christine Elliott
Minister of Health
House of Commons
Ottawa, ON K1A 0A6

Dear Minister Elliott:

Re: Response to the Opioid Crisis in Simcoe Muskoka and Ontario-wide

On March 16, 2022, the Simcoe Muskoka District Health Unit (SMDHU) Board of Health endorsed a set of provincial recommendations to help address the ongoing and escalating opioid crisis experienced within Simcoe Muskoka and province-wide. Despite regional activities in response to the opioid crisis, there remains an urgent need for heightened provincial attention and action to promptly and adequately address the extensive burden of opioid-related deaths being experienced by those who use substances.

In the 19 months of available data since the start of the pandemic (March 2020 to September 2021) there have been 245 opioid-related deaths in Simcoe Muskoka. This is nearly 70% higher than the 145 opioid-related deaths in the 19 months prior to the start of the pandemic (August 2018 to February 2020), when our communities were already struggling in the face of this crisis. The first nine months of 2021 saw an opioid-related death rate more than 33% higher than the first nine months of 2020, suggesting the situation has not yet stabilized.

As such, the SMDHU Board of Health urges your government to take the following actions:

1. Create a multisectoral task force to guide the development of a robust provincial opioid response plan that will ensure necessary resourcing, policy change, and health and social system coordination.
2. Expand access to evidence informed harm reduction programs and practices including lifting the provincial cap of 21 Consumption and Treatment Service (CTS) Sites, funding Urgent Public Health Needs Sites (UPHNS) and scaling up safer opioid supply options.
3. Explore revisions to the current CTS model to address the growing trends of opioid poisoning amongst those who are using inhalation methods.
4. Expand access to opioid agonist therapy for opioid use disorder through a range of settings (e.g. mobile outreach, primary care, emergency departments), and a variety of medication options.
5. Provide a long-term financial commitment to create more affordable and supportive housing for people in need, including people with substance use disorders.
6. Address the structural stigma and harms that discriminate against people who use drugs, through provincial support and advocacy to the Federal government to decriminalize personal use and possession of substances and ensure increased investments in health and social services at all levels.

Barrie:
15 Sperling Drive
Barrie, ON
L4M 6K9
705-721-7520
FAX: 705-721-1495

Collingwood:
280 Pretty River Pkwy.
Collingwood, ON
L9Y 4J5
705-445-0804
FAX: 705-445-6498

Cookstown:
2-25 King Street S.
Cookstown, ON
L0L 1L0
705-458-1103
FAX: 705-458-0105

Gravenhurst:
2-5 Pineridge Gate
Gravenhurst, ON
P1P 1Z3
705-684-9090
FAX: 705-684-9887

Huntsville:
34 Chaffey St.
Huntsville, ON
P1H 1K1
705-789-8813
FAX: 705-789-7245

Midland:
A-925 Hugel Ave.
Midland, ON
L4R 1X8
705-526-9324
FAX: 705-526-1513

Orillia:
120-169 Front St. S.
Orillia, ON
L3V 4S8
705-325-9565
FAX: 705-325-2091

7. Increase investments in evidence-informed substance use prevention and mental health promotion initiatives, that provide foundational support for the health, safety and well-being of individuals, families, and neighbourhoods, beginning from early childhood.
8. Fund a fulltime position of a Drug Strategy Coordinator/Lead for the Simcoe Muskoka Opioid Strategy.

The SMDHU Board of Health has endorsed these recommendations based on the well-demonstrated need for a coordinated, multi-sectoral approach that addresses the social determinants of health and recognizes the value of harm reduction strategies alongside substance use disorder treatment strategies, as part of the larger opioid crisis response. Evidence has shown that harm reduction strategies can prevent overdoses, save lives, and connect people with treatment and social services. Further, there is an urgent need to change the current Canadian drug policy to allow a public health response to substance use, through decriminalization of personal use and possession paired with avenues towards health and social services, as our Board called for in 2018. These recommendations collectively promote effective public health and safety measures to address the social and health harms associated with substance use.

Sincerely,

ORIGINAL Signed By:

Anita Dubeau
Board of Health Chair
Simcoe Muskoka District Health Unit

cc: Associate Minister of Mental Health and Addictions
Attorney General of Ontario
Chief Medical Officer of Health
Association of Local Public Health Agencies
Ontario Health
Ontario Boards of Health
Members of Parliament in Simcoe Muskoka
Members of Provincial Parliament in Simcoe Muskoka
Mayors and Municipal Councils in Simcoe Muskoka

Subject: Niagara Prosperity Initiative Path Forward Update

Report to: Public Health and Social Services Committee

Report date: Tuesday, June 14, 2022

Recommendations

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

Key Facts

- The purpose of this report is to update Council on progress made in 2022 related to the Niagara Prosperity Initiative (NPI).
- [COM 22-2021 A Path Forward to Building a Five Year Poverty Reduction Strategy](https://pub-niagararegion.escribemeetings.com/filestream.ashx?DocumentId=19005) (<https://pub-niagararegion.escribemeetings.com/filestream.ashx?DocumentId=19005>) outlined recommendations that support a new approach for NPI investments in the context of a broader Niagara Poverty Reduction Strategy (NPRS).
- In preparation for an upcoming request for proposals, staff engaged internal and external stakeholders to understand the greatest impact on addressing poverty, specific to the impacts of the pandemic.
- The community identified six areas of focus: Adverse Childhood Experience, Food Access, Housing, Domestic Violence, Indigenous Wellbeing, and Living Wage.
- A Request for Proposal (RFP) will be issued in June 2022 for two-year funding that will focus on these six areas.

Financial Considerations

An investment of \$1,500,000, is included in the 2022 Community Services operating budget for NPI. 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, ProKids, and discretionary benefits for social assistance recipients.

Each year, \$150,000 of the NPI budget is allocated to support administration and stakeholder engagement associated with this initiative. The new approach for NPI investments included transitioning NPI in-house to Community Services to lead the development of the NPRS, ensuring more coordinated poverty related investments and

reducing administrative costs. The transition included hiring a temporary, dedicated internal full-time resource to lead the development of the NPRS.

Prior to the new approach, these functions were contracted with United Way Niagara and the Niagara Community Foundation. To support a successful transition of NPI administration to Community Services, staff worked with United Way Niagara to extend their current contract that was set to expire December 31, 2021, until October 31, 2022. Unspent funds that were returned from prior year completed projects were used to support the contract extension. This will support the uninterrupted continuation and administrative support of the existing sixteen previously funded NPI projects that are set to end in August 2022.

All costs to support the overall poverty reduction strategy including related administration costs will continue to be within the approved budget envelope.

Analysis

Background

In October 2021, staff received Council approval to begin the development of a Niagara Poverty Reduction Strategy (NPRS) and a new approach for NPI investments ([COM 22-2021 A Path Forward to Building a Five Year Poverty Reduction Strategy](https://pub-niagararegion.escribemeetings.com/filestream.ashx?DocumentId=19005) {https://pub-niagararegion.escribemeetings.com/filestream.ashx?DocumentId=19005}). The development of the strategy and new approach includes consistent engagement with stakeholders who have common agendas in eliminating poverty in Niagara.

Stakeholder Engagement

As part of the early stages of strategy development and to inform the upcoming call for proposals, staff met with each of the twelve local municipality CAO's, Niagara Regional Native Centre, Niagara's Lived Experience Advisory Committee, Niagara Poverty Reduction Network, Women's Advisory Committee, United Way Niagara, Niagara Community Foundation, and a wide range of poverty serving agencies. In these meetings, stakeholders were able to describe what challenges they, their community or organization faced related to poverty. Lack of affordable housing and food security were consistent themes.

Staff also met with divisions internal to Niagara Region to understand alignment with existing initiatives related to poverty reduction. Information was collected related to the Housing and Homelessness Action Plan, Mno Bmaadziwin: Living the Good and

Healthy Life, Creating Our Way Forward: Recommendations for Improving Niagara Region Public Health and Emergency Services' Indigenous Engagement, Community Safety and Well Being Plan, Diversity, Equity and Inclusion, and the Health Equity Strategy.

The information was analyzed in terms of where existing initiatives intersect with poverty reduction, and this supported decisions as to funding priorities for the upcoming request for proposals, and will also be embedded into the Poverty Reduction Strategy.

A consistent message from internal and external stakeholders, and people with lived experience was that the pandemic exacerbated and amplified issues for people living in poverty. There are more complex mental health and addictions issues, an increase in domestic violence, a stifling of early child development, and an even greater negative impact on certain populations (e.g. racialized minorities, Indigenous peoples, women and seniors).

2022 Request for Proposal

Stakeholder engagement informed the process of identifying the areas of greatest need, activities that can have the greatest impact and gaps in service. Further to previous recommendations, deliberate investments and fewer funding priorities, with the goal of deeper impact, have been established. The following areas of focus will be included in the 2022 NPI RFP:

1. Indigenous Wellbeing: Home Care Workers for the Urban Indigenous Homeward Bound Program
2. Adverse Childhood Experience: Early Childhood Development Program
3. Food Access: Pop-Up and Mobile Food Markets
4. Housing: Community Integration Workers
5. Domestic Violence: After-Care for Domestic Violence Survivors
6. Living Wage: Marketing and Promotion

An information session for local community service agencies will be held in June 2022, after the release of the RFP, which will be open for five weeks. The process to review applications will adhere to Regional Procurement Policies. As part of the application, agencies will need to articulate their strategy of ensuring inclusive environment(s), where services are designed and delivered in a way that is responsive to diverse populations and in alignment with local needs (i.e. Indigenous families, Francophone families, diverse cultures, immigrants and refugees, individuals with various disabilities, etc.). Funding for projects is expected to begin in the fall of 2022. A report will be

presented at the September 2022 PHSSC meeting on the projects approved for October 2022 to October 2024.

Next Steps

Moving forward, staff will continue to review best practices and evidence-based approaches to reducing poverty. Planning will ensure an inclusive view of all Regional investments that seek to reduce poverty to ensure alignment, effectiveness and strategic investments into services that meet critical needs and are outcome driven. An Accountability Table, including a Steering Committee, will be created in order to guide this work, and future NPI investments will be considered in the context of a broader Niagara Poverty Reduction Strategy in 2024. Research and statistics collected to date will be made available on the Niagara Region website.

Alternatives Reviewed

This report is initiated by staff to provide Council with an update on progress to date related to a new approach for NPI investments in the context of a broader Poverty Reduction Strategy.

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, relate to employment and improved community symptoms.

Other Pertinent Reports

- [COM 4-2021 Niagara Prosperity Initiative Review](https://pub-niagararegion.escibemeetings.com/filestream.ashx?DocumentId=14911) (https://pub-niagararegion.escibemeetings.com/filestream.ashx?DocumentId=14911)
- [COM 22-2021 A Path Forward to Building a Five Year Poverty Reduction Strategy](https://pub-niagararegion.escibemeetings.com/filestream.ashx?DocumentId=19005) (https://pub-niagararegion.escibemeetings.com/filestream.ashx?DocumentId=19005)

Prepared by:

Marc Todd, Manager
Social Assistance and Employment
Opportunities, Community Services

Recommended by:

Adrienne Jugley, MSW, RSW, CHE
Commissioner
Community Services

Submitted by:

Ron Tripp, P.Eng.
Chief Administrative Officer

This report was prepared in consultation with Rachel Krause, Poverty Reduction Strategy Advisor and reviewed by Lori Watson, Director of Social Assistance and Employment Opportunities.

MEMORANDUM

COM-C 9-2022

Subject: Activities related to Niagara's 10-Year Housing and Homelessness Action Plan for March, April, May 2022

Date: June 14, 2022

To: Public Health & Social Services Committee

From: Adrienne Jugley, Commissioner, Community Services

Further to Council's direction in October 2019 (Report [COM 40-2019 Five-Year Review of Niagara's 10-Year Housing and Homelessness Action Plan](https://pub-niagararegion.escribemeetings.com/filestream.ashx?DocumentId=6025) <https://pub-niagararegion.escribemeetings.com/filestream.ashx?DocumentId=6025>), staff continue to provide updates about activities, local targets, outcomes and challenges related to Niagara's 10-Year Housing and Homelessness Action Plan (HHAP).

- By mid-May, 13 clients had moved into the new Permanent Supportive Housing property (PSH) on Buchanan Street in Niagara Falls. This PSH site will provide up to 25 people who have experienced chronic homelessness (homeless for 365+ days) with housing and daytime community programming, with on-site staffing available 24/7. Coordinated access into the program prioritized youth, seniors, and Indigenous persons on Niagara's By-Name List (BNL).
- The coordinated access process for Bridge Housing intake started in May. Bridge Housing will provide people experiencing chronic homelessness who are unsheltered (street or encampment) with short-term housing and support to assist them to return to permanent housing. The program is also accessed through the BNL and will be prioritizing youth, seniors and Indigenous persons.
- Niagara Regional staff have been working closely with Gateway Community Services, Niagara Assertive Street Outreach (NASO) team to explore supporting individuals experiencing homeless to move to longer term housing through a NASO Hub pilot. The pilot is intended to offer dedicated space during the day to provide NASO staff and other partners to meet with clients who are engaged in housing activities (e.g. housing searches, preparing for meeting with landlords, identification and documentation). With the seasonal shelter program (formerly known as Out of the Cold) and associated day programming coming to an end for the season, this pilot is an opportunity to test best practices in new housing-focused approaches that

support individuals experiencing chronic homelessness who are unsheltered (street or encampment).

- Niagara had 8,637 community housing units at the end of December 2021, including existing NRH-owned, non-profit / co-op, rent supplement units, Canada Ontario Housing Benefit (COHB) and new development. A breakdown by municipality and program is provided in the following table.

| Municipality | NRH Owned | Non-Profit / Co-op | Rent Supplement | COHB | New Development | Total |
|---------------------|-----------|--------------------|-----------------|------|-----------------|-------|
| Fort Erie | 116 | 354 | 27 | 14 | - | 511 |
| Grimsby | 55 | - | 18 | 2 | - | 75 |
| Lincoln | 61 | 41 | 11 | 4 | - | 117 |
| Niagara Falls | 872 | 788 | 223 | 81 | 213 | 2,177 |
| Niagara-on-the-Lake | 40 | - | 12 | - | - | 52 |
| Pelham | - | - | 16 | 4 | - | 20 |
| Port Colborne | 88 | 109 | 58 | 11 | 43 | 309 |
| St. Catharines | 1,087 | 1,494 | 714 | 114 | 370 | 3,779 |
| Thorold | 29 | 85 | 66 | 12 | 46 | 238 |
| Welland | 394 | 427 | 238 | 60 | 167 | 1,286 |
| West Lincoln | - | 56 | 17 | - | - | 73 |
| Wainfleet | - | - | - | - | - | - |
| Total Niagara | 2,742 | 3,354 | 1,400 | 302 | 839 | 8,637 |

- The COHB is a portable rent benefit that helps applicants on the centralized waiting list pay their rent to their current landlord in the private market. From March to May of 2022, 138 COHB applications were submitted to the province. Housing Services

continues to support applications for COHB, and there are a total of 350 COHB spaces to fill for the 2022 year.

- In response to public review and comment on a consolidated draft of the new Niagara Official Plan in January 2021, Planning and Development Services staff released a revised draft of the Official Plan. The revised draft includes additional policy language clarifying the use of “inclusionary zoning” within protected major transit station areas. Following a virtual open house session in early April, a Statutory Public Meeting for the Niagara Official Plan was held at a special meeting of Regional Council on April 28, 2022, wherein a number of delegations expressed their support, concerns, and criticisms with the draft document. The final Niagara Official Plan, which will respond to the additional comments received at the Statutory Public Meeting, will be brought forward to the Planning and Economic Development Committee for adoption on June 15, 2022.
- New housing development highlights:
 - Hawkins Street, Niagara Falls – 73 units. Obtained 100% occupancy as of March.
 - Buchanan Street, Niagara Falls – 25 Units. 100% Complete.
 - Victoria Avenue, Niagara Falls – 21 Units. 75% Complete – on track for substantial completion May 2022. Contribution of provincial SSRF Phase 2 funding, Social Housing Development, and land and building donation from the City of Niagara Falls.
 - Ormond/St. David's, Thorold – 11 NRH units. 6 units occupied, 5 units 75% complete.
 - York Street, Welland – 43 units. 10% complete. On track for completion December 2022. Contribution of Region levy/DC and federal Rapid Housing Initiative.
 - Crescent Road, Fort Erie – 18 Units. 1% Complete. \$6.4M is being sought in an application to Canada Mortgage and Housing Corporation Women and Children's Transitional Housing Initiative.

Respectfully submitted and signed by

Adrienne Jugley, MSW, RSW, CHE
Commissioner

Minute Item No. 5.1

CSD 7-2022

2021 Corporate Asset Management Plan

That Report CSD 7-2022, dated June 15, 2022, respecting 2022 Asset Management Plan, **BE RECEIVED** and the following recommendation **BE APPROVED**:

1. That the 2021 Corporate Asset Management Plan attached to Report CSD 7-2022 as Appendix 1 **BE APPROVED**.

Minute Item No. 5.2

CSD 17-2022

Financial Enterprise Resource Planning System Shared Services Agreement

That Report CSD 17-2022, dated June 15, 2022, respecting Financial Enterprise Resource Planning System Shared Services Agreement, **BE RECEIVED** and the following recommendations **BE APPROVED**:

1. That staff **BE AUTHORIZED** to enter into negotiations with the City of St. Catharines regarding a financial enterprise resource planning (ERP) system implementation work plan, project agreement, and shared services agreement;
2. That Regional Council **DELEGATE AUTHORITY** to the Commissioner of Corporate Services and Director of Legal Services to enter into the agreements; and
3. That upon execution of the agreement, staff **BE AUTHORIZED** to hire up to four (4) new permanent FTE, to be fully funded by the City of St. Catharines under the terms of the agreements, to provide the implementation and ongoing system support.

Minute Item No. 5.4

CSD 21-2022

Regional Development Charges Deferral Request – 683 York Road, Niagara-on-the-Lake

That Report CSD 21-2022, dated June 15, 2022, respecting Regional Development Charges Deferral Request – 683 York Road, Niagara-on-the-Lake, **BE RECEIVED** and the following recommendations **BE APPROVED**:

1. That the request for payment deferral of Regional Development Charges associated with 683 York Road, Niagara-on-the-Lake, **BE DENIED**; and
2. That this report **BE CIRCULATED** to the Town of Niagara-on-the-Lake.

Minute Item No. 5.5

CSD 24-2022

Approval of the Statement of Revenues and Expenditures for Canada Summer Games at Substantial Completion

That Report CSD 24-2022, dated June 15, 2022, respecting Approval of the Statement of Revenues and Expenditures for Canada Summer Games at Substantial Completion, **BE RECEIVED** and the following recommendations **BE APPROVED**:

1. That the draft audited statement of revenues and expenditures for the Canada Summer Games Park Project for the period ended February 11, 2022 (Appendix 1 to Report CSD 24-2022), **BE APPROVED**;
2. That staff **BE DIRECTED** to co-ordinate with the auditor to finalize the statement as presented; and
3. That this report **BE FORWARDED** to the Region's Audit Committee and to the Minister of Heritage, Sport, Tourism and Culture Industries for information as required.

Minute Item No. 5.6

CSD 29-2022

Lodging Houses - Business Licensing By-law

That Report CSD 29-2022, dated June 15, 2022, respecting Lodging Houses – Business Licensing By-law, **BE RECEIVED** and the following recommendations **BE APPROVED**:

1. That staff **BE DIRECTED** to issue a response to The Corporation of the City of Port Colborne ("Port Colborne") advising that The Regional Municipality of Niagara does not currently have legislative authority to implement a business licensing regime in respect of lodging houses;
2. That the Chief Administrative Officer **BE DIRECTED** to work with Chief Administrative Officers at the local area municipalities to develop one universal business licensing by-law at the local level; and
3. That the Regional Chair, in cooperation with the mayors of all of the local area municipalities, **BE DIRECTED** to send a resolution to the Minister of Municipal Affairs to develop a provincial solution to this issue.

Minute Item No. 5.7

CSC-C 10-2022

Recommendations for Consideration from the Regional Development Charges Task Force meeting held on May 19, 2022

That Correspondence Item CSC-C 10-2022, being a memorandum from A.-M. Norio, Regional Clerk, dated June 15, 2022, respecting Recommendations for Consideration from the Regional Development Charges Task Force meeting held on May 19, 2022, **BE RECEIVED** and the following recommendations **BE APPROVED**:

Minute Item 5.1

RDCPTF-C 7-2022

Regional Development Charge By-law Update

1. That the draft Regional Municipality of Niagara Development Charges Background Study **BE APPROVED**; and
2. That the draft Regional Municipality of Niagara Development Charges By-law in Appendix 2 of Report RDCPTF-C 7-2022, as amended, **BE PREPARED** for Regional Council consideration on July 21, 2022.

Minute Item 5.2

RDCPTF-C 8-2022

Brownfield Prepayment Agreement Criteria

1. That the criteria for the basis of prepayment agreements for the Regional Development Charge Brownfield Reduction Program, listed in Table 1 of Report RDCPTF-C 8-2022, **BE APPROVED** as amended.

Minute Item No. 5.8

CLK 3-2022

Restricted Acts After Nomination Day of the Municipal Election

That Report CLK 3-2022, dated June 15, 2022, respecting Restricted Acts After Nomination Day of the Municipal Election, **BE RECEIVED** and the following recommendations **BE APPROVED**:

1. That in the event, and for such period, that Regional Council is prohibited from taking certain actions pursuant to section 275 of the Municipal Act, 2001 (Act), Regional Council **DELEGATES** to the Chief Administrative Officer, only to the extent permitted by the Act and not already delegated, the following:
 - a) authority for expenditures or the incurring of any liabilities, outside current approved budgets, exceeding \$50,000;
 - b) authority, including authority to execute the agreement of purchase and sale, pertaining to the disposition of any real or personal property of the municipality which has a value exceeding \$50,000 at the time of disposal, outside current approved budgets;

- c) authority to hire or dismiss any employee of the municipality, including a Commissioner; and
- 2. That the Chief Administrative Officer **BE DIRECTED** to report to Council regarding any exercise of the delegated authority provided by Recommendation 1 in the first quarter of 2023.

Minute Item No. 6

CONSENT ITEMS FOR INFORMATION

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

CWCD 2022-122

Information and Background with Respect to the Correspondence from the City of Welland dated April 20, 2022

CSC-C 13-2022

A letter from T. Collins, President, LANDx Developments Ltd., on behalf of Downing Street Inc. (owners and developers of the Artisan Ridge Community, Thorold), respecting proposed Changes to the Regional Development Charge Brownfield Reduction Program (CSC-C 10-2022, Agenda Item 5.7)

CSC-C 14-2022

A letter from T. Collins, President, LANDx Developments Ltd., on behalf of 1939522 Ontario Inc. (owners and developers of the former Cytec Lands, Niagara Falls), respecting proposed Changes to the Regional Development Charge Brownfield Reduction Program (CSC-C 10-2022, Agenda Item 5.7)

CSC-C 12-2022

Information and Background with Respect to Regional Development Charge Brownfield Requests

**THE REGIONAL MUNICIPALITY OF NIAGARA
CORPORATE SERVICES COMMITTEE
MINUTES**

CSC 6-2022

Wednesday, June 15, 2022

Council Chamber / Video Conference

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

Committee Members Present in the Council Chamber: Easton, Foster (Committee Chair), Redekop, Rigby

Committee Members Present via Video Conference: Bradley (Regional Chair), Britton, Butters, Edgar, Fertich, Gale, Ip, Whalen (Committee Vice-Chair)

Other Councillors Present via Video Conference: Disero

Absent/Regrets: Campion, Diodati, Heit

Staff Members Present in the Council Chamber: A. Apfelbaum, Manager, Business Licensing, H. Chamberlain, Director, Financial Management & Planning/Deputy Treasurer, F. Fucile, Manager, Real Estate, T. Harrison, Commissioner/Treasurer, Corporate Services, A.-M. Norio, Regional Clerk, D. Rurak, Director, Corporate Asset Management, K. Scholtens, Manager, Business Development, Expedited Services, M. Sergi, Commissioner, Planning & Development Services, J. Spratt, Administrative Assistant to the Regional Clerk, R. Tripp, Chief Administrative Officer

Staff Members Present via Video Conference: R. Bradshaw, Associate Director, Water & Wastewater Asset Management, S. Crocco, Legal Counsel, M. Cruickshank, Legal Counsel, R. Gabel, Manager, Capital Projects, Water & Wastewater Engineering, K. Lotimer, Legislative Coordinator, B. Menage, Director, Procurement & Strategic Acquisitions, D. Pasto, Risk Management Program Manager, J. Sinclair, Homelessness Action Plan Advisor, B. Wilson, Legal Counsel, S. Wood, Legal Counsel, B. Zvaniga, Interim Commissioner, Public Works

1. **CALL TO ORDER**

Committee Chair Foster 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**

4.1 **Regional Development Charges Deferral Request – 683 York Road, Niagara-on-the-Lake (Report CSD 21-2022 - Agenda Item 5.4)**

4.1.1 Michael Colaneri Jr. and David Morse, Pinewood Homes (Niagara) Ltd.

Michael Colaneri Jr. and David Morse, Pinewood Homes, appeared before Committee to request a deferral of the Regional Development Charges for the property located at 683 York Road, in the Town of Niagara-on-the-Lake, until occupation of the building.

4.2 **Recommendations for Consideration from the Regional Development Charges Task Force meeting held on May 19, 2022 (Memorandum CSC-C 10-2022 - Agenda Item 5.7)**

Moved by Councillor Easton
Seconded by Councillor Whalen

That Christopher Lamb, Newcastle Communities, Tim Collins, LANDx Developments Ltd., and Debbie Zimmerman, Grape Growers of Ontario, **BE PERMITTED** to appear before Committee as individual delegates respecting Recommendations for Consideration from the Regional Development Charges Task Force meeting held on May 19, 2022 (Memorandum CSC-C 10-2022 (Agenda Item 5.7)).

Carried

4.2.1 Christopher Lamb, Newcastle Communities

Mr. Lamb did not provide his delegation.

4.2.2 Tim Collins, President, LANDx Developments Ltd.

Tim Collins, President, LANDx Developments Ltd., appeared before Committee on behalf of his clients, Downing Street (Artisan Ridge) Inc., and 1939522 Ontario Inc., to express concerns with the removal of the Brownfield Development Charges Reduction Program from the Draft Development Charges By-law. Mr. Collins requested that either the Draft 2022 Development Charge By-law be revised to accommodate a grandfathering provision to maintain the Brownfield Development Charges Reduction Program for select projects or that pre-payment agreement terms and conditions be revised and tailored, on a case-by-case basis, for eligible brownfield developments.

4.2.3 Debbie Zimmerman, Grape Growers of Ontario, Sarah Marshall, Ontario Tender Fruit, and Dr. Jeanine West, Landscape Ontario and Flowers Canada

Sarah Marshall, Manager, Ontario Tender Fruit Growers, Debbie Zimmerman, Chief Executive Officer, Grape Growers of Ontario, and Dr. Jeanine West, Landscape Ontario and Flowers Canada, appeared before Committee to request the re-instatement of the exemption from development charges for on-farm accommodations for agricultural purposes (farm help houses) in the Development Charges By-law.

5. ITEMS FOR CONSIDERATION

5.1 CSD 7-2022

2021 Corporate Asset Management Plan

Dean Rurak, Director, Corporate Asset Management, provided information respecting 2021 Corporate Asset Management Plan. Topics of the presentation included:

- Legislative Compliance
- Required changes to current funding level strategies
- Alternatives for Service Delivery
- Highlights of improvements since 2016
- Outline of required improvements

Moved by Councillor Rigby
Seconded by Councillor Edgar

That Report CSD 7-2022, dated June 15, 2022, respecting 2022 Asset Management Plan, **BE RECEIVED** and the following recommendation **BE APPROVED**:

1. That the 2021 Corporate Asset Management Plan attached to Report CSD 7-2022 as Appendix 1 **BE APPROVED**.

Carried

5.2 CSD 17-2022

Financial Enterprise Resource Planning System Shared Services Agreement

Moved by Councillor Redekop
Seconded by Councillor Britton

That Report CSD 17-2022, dated June 15, 2022, respecting Financial Enterprise Resource Planning System Shared Services Agreement, **BE RECEIVED** and the following recommendations **BE APPROVED**:

1. That staff **BE AUTHORIZED** to enter into negotiations with the City of St. Catharines regarding a financial enterprise resource planning (ERP) system implementation work plan, project agreement, and shared services agreement;
2. That Regional Council **DELEGATE AUTHORITY** to the Commissioner of Corporate Services and Director of Legal Services to enter into the agreements; and
3. That upon execution of the agreement, staff **BE AUTHORIZED** to hire up to four (4) new permanent FTE, to be fully funded by the City of St. Catharines under the terms of the agreements, to provide the implementation and ongoing system support.

Carried

5.4 CSD 21-2022

Regional Development Charges Deferral Request – 683 York Road, Niagara-on-the-Lake

Moved by Councillor Gale

Seconded by Councillor Butters

That Report CSD 21-2022, dated June 15, 2022, respecting Regional Development Charges Deferral Request – 683 York Road, Niagara-on-the-Lake, **BE RECEIVED** and the following recommendations **BE APPROVED**:

1. That the request for payment deferral of Regional Development Charges associated with 683 York Road, Niagara-on-the-Lake, **BE DENIED**; and
2. That this report **BE CIRCULATED** to the Town of Niagara-on-the-Lake.

Recorded Vote:

Yes (7): Bradley, Butters, Easton, Edgar, Foster, Ip, Redekop.

No (5): Britton, Fertich, Gale, Rigby, Whalen.

Carried

5.5 CSD 24-2022

Approval of the Statement of Revenues and Expenditures for Canada Summer Games at Substantial Completion

Moved by Councillor Easton

Seconded by Councillor Butters

That Report CSD 24-2022, dated June 15, 2022, respecting Approval of the Statement of Revenues and Expenditures for Canada Summer Games at Substantial Completion, **BE RECEIVED** and the following recommendations **BE APPROVED**:

1. That the draft audited statement of revenues and expenditures for the Canada Summer Games Park Project for the period ended February 11, 2022 (Appendix 1 to Report CSD 24-2022), **BE APPROVED**;
2. That staff **BE DIRECTED** to co-ordinate with the auditor to finalize the statement as presented; and

3. That this report **BE FORWARDED** to the Region's Audit Committee and to the Minister of Heritage, Sport, Tourism and Culture Industries for information as required.

Carried

Councillor Information Request(s):

Provide information regarding the current state of expenditures and fundraising for the Regional Council meeting being held on June 23, 2022. Councillor Redekop.

5.6 CSD 29-2022

Lodging Houses - Business Licensing By-law

Moved by Councillor Ip

Seconded by Councillor Fertich

That Report CSD 29-2022, dated June 15, 2022, respecting Lodging Houses – Business Licensing By-law, **BE RECEIVED** and the following recommendations **BE APPROVED**:

1. That staff **BE DIRECTED** to issue a response to The Corporation of the City of Port Colborne ("Port Colborne") advising that The Regional Municipality of Niagara does not currently have legislative authority to implement a business licensing regime in respect of lodging houses;
2. That the Chief Administrative Officer **BE DIRECTED** to work with Chief Administrative Officers at the local area municipalities to develop one universal business licensing by-law at the local level; and
3. That the Regional Chair, in cooperation with the mayors of all of the local area municipalities, **BE DIRECTED** to send a resolution to the Minister of Municipal Affairs to develop a provincial solution to this issue.

Carried

5.7 CSC-C 10-2022

Recommendations for Consideration from the Regional Development Charges Task Force meeting held on May 19, 2022

Moved by Councillor Whalen

Seconded by Councillor Rigby

That Correspondence Item CSC-C 10-2022, being a memorandum from A.-M. Norio, Regional Clerk, dated June 15, 2022, respecting Recommendations for Consideration from the Regional Development Charges Task Force meeting held on May 19, 2022, **BE RECEIVED** and the following recommendations **BE APPROVED**:

Minute Item 5.1

RDCPTF-C 7-2022

Regional Development Charge By-law Update

1. That the draft Regional Municipality of Niagara Development Charges Background Study **BE APPROVED**; and
2. That the draft Regional Municipality of Niagara Development Charges By-law in Appendix 2 of Report RDCPTF-C 7-2022, as amended, **BE PREPARED** for Regional Council consideration on July 21, 2022.

Minute Item 5.2

RDCPTF-C 8-2022

Brownfield Prepayment Agreement Criteria

1. That the criteria for the basis of prepayment agreements for the Regional Development Charge Brownfield Reduction Program, listed in Table 1 of Report RDCPTF-C 8-2022, **BE APPROVED** as amended.

Carried

5.8 CLK 3-2022

Restricted Acts After Nomination Day of the Municipal Election

Moved by Councillor Edgar

Seconded by Councillor Butters

That Report CLK 3-2022, dated June 15, 2022, respecting Restricted Acts After Nomination Day of the Municipal Election, **BE RECEIVED** and the following recommendations **BE APPROVED**:

1. That in the event, and for such period, that Regional Council is prohibited from taking certain actions pursuant to section 275 of the Municipal Act, 2001 (Act), Regional Council **DELEGATES** to the Chief Administrative Officer, only to the extent permitted by the Act and not already delegated, the following:
 - a) authority for expenditures or the incurring of any liabilities, outside current approved budgets, exceeding \$50,000;
 - b) authority, including authority to execute the agreement of purchase and sale, pertaining to the disposition of any real or personal property of the municipality which has a value exceeding \$50,000 at the time of disposal, outside current approved budgets;
 - c) authority to hire or dismiss any employee of the municipality, including a Commissioner; and
2. That the Chief Administrative Officer **BE DIRECTED** to report to Council regarding any exercise of the delegated authority provided by Recommendation 1 in the first quarter of 2023.

Carried

6. CONSENT ITEMS FOR INFORMATION

Moved by Councillor Redekop

Seconded by Councillor Rigby

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

CWCD 2022-122

Information and Background with Respect to the Correspondence from the City of Welland dated April 20, 2022

CSC-C 13-2022

A letter from T. Collins, President, LANDx Developments Ltd., on behalf of Downing Street Inc. (owners and developers of the Artisan Ridge Community, Thorold), respecting proposed Changes to the Regional Development Charge Brownfield Reduction Program (CSC-C 10-2022, Agenda Item 5.7)

CSC-C 14-2022

A letter from T. Collins, President, LANDx Developments Ltd., on behalf of 1939522 Ontario Inc. (owners and developers of the former Cytec Lands, Niagara Falls), respecting proposed Changes to the Regional Development Charge Brownfield Reduction Program (CSC-C 10-2022, Agenda Item 5.7)

CSC-C 12-2022

Information and Background with Respect to Regional Development Charge Brownfield Requests

Carried

7. OTHER BUSINESS

7.1 Request for Development Charges Exemption for On-Farm Accommodations Used for Agricultural Purposes

Moved by Councillor Easton
Seconded by Councillor Fertich

Whereas municipalities across Ontario may, by by-law, impose development charges against land to pay for increased capital costs required because of increased needs for services arising from development of the area to which the by-law applies;

Whereas the Regional Municipality of Niagara is currently undertaking the creation of a new Regional Development Charges By-law;

Whereas the current Development Charges By-law, By-law No. 2017-98, includes a clause in Section 11.(C) that states: Notwithstanding any other provision of this By-law, no development charge is imposed under this By-law respecting: non-residential lands and buildings used for agriculture;

Whereas the Development Charges Task Force passed a motion on May 19th, 2022 to direct staff to return the wording in the new proposed Development Charge By-law that exempts buildings used for agriculture purposes from paying development charges;

Whereas this motion did not include exemption from DC charges for residential units for on-farm accommodations for workers;

Whereas the exclusion of this exemption as it relates to agriculture will dis-incentivize implementing improvements to on farm housing to address new public health guidance on worker accommodations;

Whereas the implementation of residential development charges on on-farm accommodations to support farm workers will dis-incentivize private sector investment and hamper economic growth and job creation throughout the agricultural sector here in Niagara; and

Whereas consultation about the removal of this exemption in the 2017 by-law was not conducted to the satisfaction of the agricultural sector.

NOW, THEREFORE BE IT RESOLVED:

1. That staff **BE DIRECTED** to re-instate the exemption for on-farm accommodations used for agriculture purposes, from paying development charges.

Moved by Councillor Edgar
Seconded by Councillor Whalen

That the motion respecting the re-instatement of the exemption from development charges for on-farm accommodations used for agricultural purposes **BE REFFERED** to the Regional Development Charges Policy Task Force Committee.

Carried

7.2 Notice of Motion Respecting Grandfathering Provision to maintain the Brownfield Development Charges Reduction Program

Councillor Whalen advised that he will be bringing a motion to the Corporate Services Committee meeting being held on July 13, 2022, respecting the addition of a grandfathering provision to maintain the Brownfield Development Charges Reduction Policy, for select projects, for an additional five years.

8. **CLOSED SESSION**

Due to technical difficulties, the closed session items were not dealt. These items will be included on the agenda for the Regional Council meeting being held on June 23, 2022.

10. **NEXT MEETING**

The next meeting will be held on Wednesday, July 13, 2022, at 9:30 a.m.

11. ADJOURNMENT

There being no further business, the meeting adjourned at 12:22 p.m.

Councillor Foster
Committee Chair

Kelly Lotimer
Legislative Coordinator

Ann-Marie Norio
Regional Clerk

From: [PF-Mailbox-01](#)
To: [Norio, Ann-Marie](#); [Trennum, Matthew](#)
Subject: FW: Online Form - Request to Speak at a Standing Committee or Regional Council
Date: Thursday, April 21, 2022 3:28:57 PM

From: Niagara Region Website
Sent: Thursday, 21 April 2022 15:28:53 (UTC-05:00) Eastern Time (US & Canada)
To: Clerks
Subject: Online Form - Request to Speak at a Standing Committee or Regional Council

Request to Speak at a Standing Committee or Regional Council

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

Name

Michael Colaneri Jr and David Morse

Address

2125 Fruitbelt Parkway

City

Niagara Falls

Postal

L2J 0A5

Phone

9053513733

Email

david.m@pinewoodniagarabuilders.ca

Organization

Pinewood Homes (Niagara) Ltd

standing committee

Corporate Services Committee

Presentation Topic
683 York Road

Presentation includes slides
No

Previously presented topic
No

Presentation Details
The Town of Niagara-on-the-Lake unanimously passed a motion on April 4th, 2022 to defer the payment of development fees at 683 York Road, referring this matter to the Niagara Region with the request that they do the same.

Video Consent
Yes



From: [Niagara Region Website](#)
To: [Clerks](#)
Subject: Online Form - Request to Speak at a Standing Committee or Regional Council
Date: Friday, June 10, 2022 9:47:22 AM

Request to Speak at a Standing Committee or Regional Council

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

Name

christopher Lamb

Address

[REDACTED]

City

niagara falls

Postal

[REDACTED]

Phone

[REDACTED]

Email

chris@newcastlecommunities.com

Organization

newcastle communities

standing committee

Planning and Economic Development Committee

Presentation includes slides

No

Previously presented topic

No

Presentation Details

I would like to discuss the timelines related the transition period of the niagara regional brownfield DC bylaw. The deadline for the building permit issuance is the same time as the deadline to submit an RSC. No municipality will take in building permits, or even issue a site plan approval before submitting the RSC to the MOE. the same timeline for each item is not feasible. I would like to seek an extension in the building permit issuance deadline and reword the item to permit submission.

Video Consent

Yes



From: [Niagara Region Website](#)
To: [Clerks](#)
Subject: Online Form - Request to Speak at a Standing Committee or Regional Council
Date: Monday, June 13, 2022 1:52:04 PM

Request to Speak at a Standing Committee or Regional Council

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

Name

Tim Collins

Address

293-1235 Fairview Street

City

Burlington

Postal

L7S 2K9

Phone

[REDACTED]

Email

timcollins@landxdevelopments.com

Organization

LANDx Developments

standing committee

Corporate Services Committee

Presentation Topic

CSC-C 10-2022 - Proposed DC Bylaw and Pre-Payment Agreements for Brownfield DC Reduction Program

Presentation includes slides

Yes

Previously presented topic

No

Presentation Details

Tim Collins of LANDx Development will be providing a presentation on behalf of our clients Downing Street (Artisan Ridge) Inc. and 1939522 Ontario Inc. The removal of the BDCRP will have significant limitations on the financial viability of several critical brownfield redevelopment projects. The terms of the pre-payment agreements provided by Regional staff also do not align with the reality of brownfield development timelines. As such, LANDx formally requests on behalf of their clients that either: 1) The Draft 2022 Niagara Region Development Charge Bylaw be revised to accommodate a grandfathering provision which will maintain the BDCRP for select projects, such as the former Cytex lands in Niagara Falls and the Artisan Ridge subdivision in Thorold. OR 2) The terms and conditions of pre-payment agreements be revised and tailored on a case-by-case basis for eligible brownfield projects.

Video Consent

Yes



Niagara Region Corporate Services Committee Meeting (June 15th 2022)

CSC-C 10-2022 - Proposed 2022 DC Bylaw

Presented By



On behalf of our clients.....



- Timothy Collins

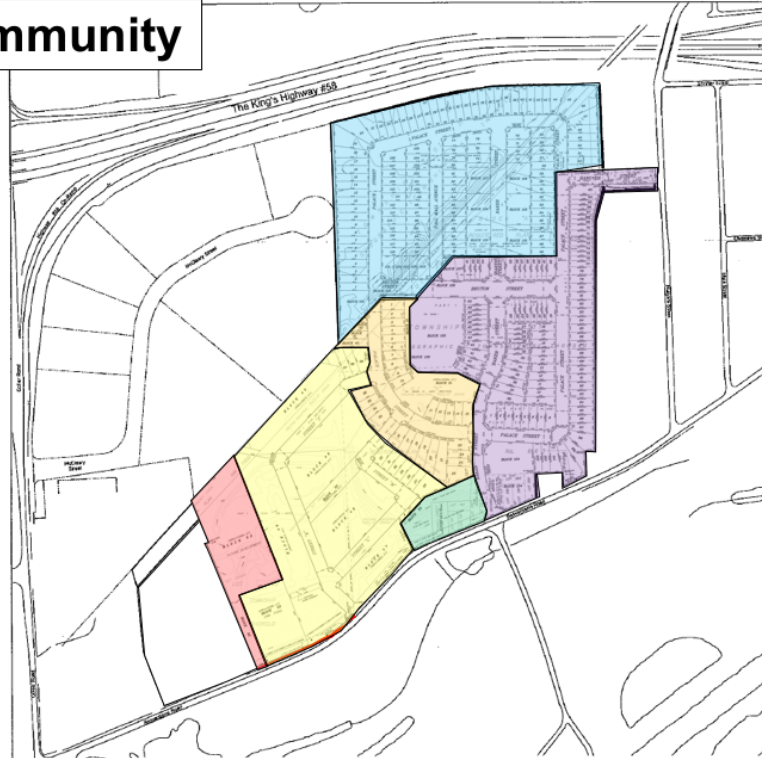
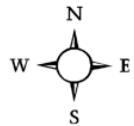
- Downing Street (Artisan Ridge) Inc.
- 1939522 Ontario Ltd. (Cytec)

Artisan Ridge, Thorold



Artisan Ridge Community

- Phase 1
- Phase 2
- Phase 3(A)
- Phase 3(B)
- Non-Profit Apt
- Future Industrial Lands



Key Facts

- 55.31 acre brownfield property
- 33.90 acres remediated with a record of site condition
- **\$27,869,477 in audited remediation costs incurred to date**
- 103 Units constructed and occupied in Phase 1
- 163 Units currently being serviced in Phase 2
- 60 Unit affordable housing apartment starting construction in 2022
- 35 Units draft approved within Phase 3(A)
- Applications for ~298 units in Phase 3(B) currently being finalized for submission later this summer
- Planned development of new ~46,000 sq.ft light industrial facility
- Upon completion the development will result in 659 new dwelling units within the built-up area

Artisan Ridge, Thorold



Development Benefits

- **Brownfield Investment & Local Economy**
 - Every dollar invested into brownfield redevelopment generates an additional \$3.80 in the output of all industries Canada Wide¹
 - Remediation costs alone have injected approximately **\$105,904,012** into the economy, with substantial work still required.
- **Job Creation**
 - Significant source of employment in Thorold for close to 20 years (*remediation, consulting, marketing, planning, engineering, construction*)
- **Municipal Tax Assessment Values**
 - Will generate approximately **\$2,567,959** annually for the municipality in new property taxes upon completion (*City+Region*)
- **Creation of Surplus Land Opportunities**
 - Decommissioning of former rail line creating 14 new surplus parcels of land within Greater Thorold, creating opportunities for new infill development aligned with municipal objectives (*i.e affordable housing*).

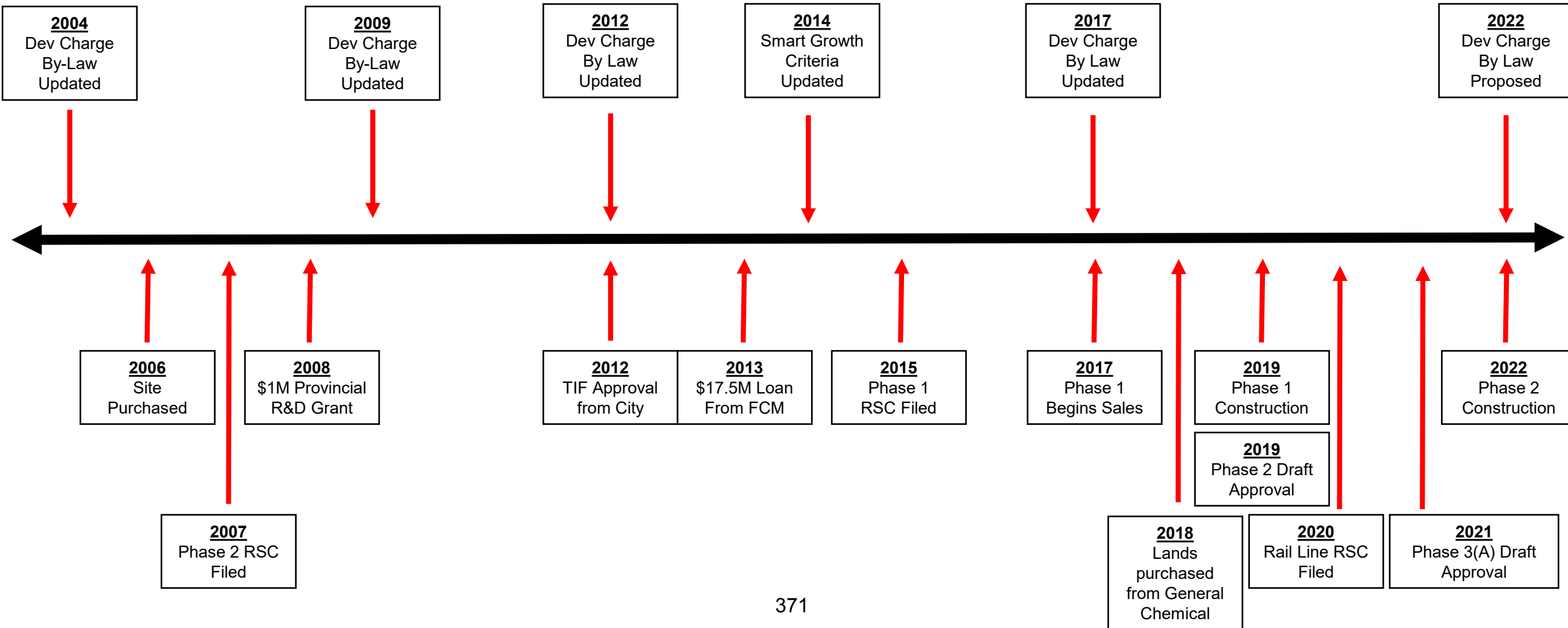
Artisan Ridge, Thorold



Development Constraints

- **Employment Land Use Designation**
 - Revisions to employment land mapping through pending 2022 Niagara Region Official Plan exercise and subsequent approval from Minister of Municipal Affairs and Housing
- **Servicing Capacity**
 - Niagara Region Capital Upgrades to Beaverdams Sanitary Pumping Station (*Anticipated completion in November 2023*)
- **Detailed Design and Subdivision Approval Process**
 - Substantial staffing limitations and turnover contributing to increased circulation and response timelines.
 - COVID-19 has also introduced unforeseen impacts to project timelines over the last two years
 - Multiple approval agencies (Hydro One, MTO, MECP) with significant review timelines

Artisan Ridge, Thorold



Cytec Lands, Niagara Falls



Key Facts

- 71.93 acre brownfield property
- 13.71 acres remediated with a record of site condition
- 49.34 acres currently being risk assessed.
- Stage 1 of Thorold Stone Road completed.
 - Stage 2 design work now underway.
- Audit of eligible costs to be completed
- Four phases of development (Parcel A, B, C, D)
- Potential for approximately 1,000,000 square feet of new light industrial and service commercial uses (*based on 20% building coverage*).

Cytec Lands, Niagara Falls



Development Benefits

- **Improved Interconnectivity**
 - Development of these lands and construction of Stage 1 and 2 of Thorold Stone Road will improve the east/west interconnectivity of the municipal road network, contributing to improved access into the City's Downtown.
- **Removal of Environmental Liability**
 - Remediation will contribute to improving the quality of the environment in the local community, removing both real and perceived threats to health and safety
- **Development of Strategically Located Employment Lands**
 - Revival of a legacy industrial area, recovering a desirable location for growth and intensification.
 - Development will provide employment supportive uses in strategic proximity to the City of Niagara Falls downtown.
 - Represents a significant opportunity for the creation of new local jobs.

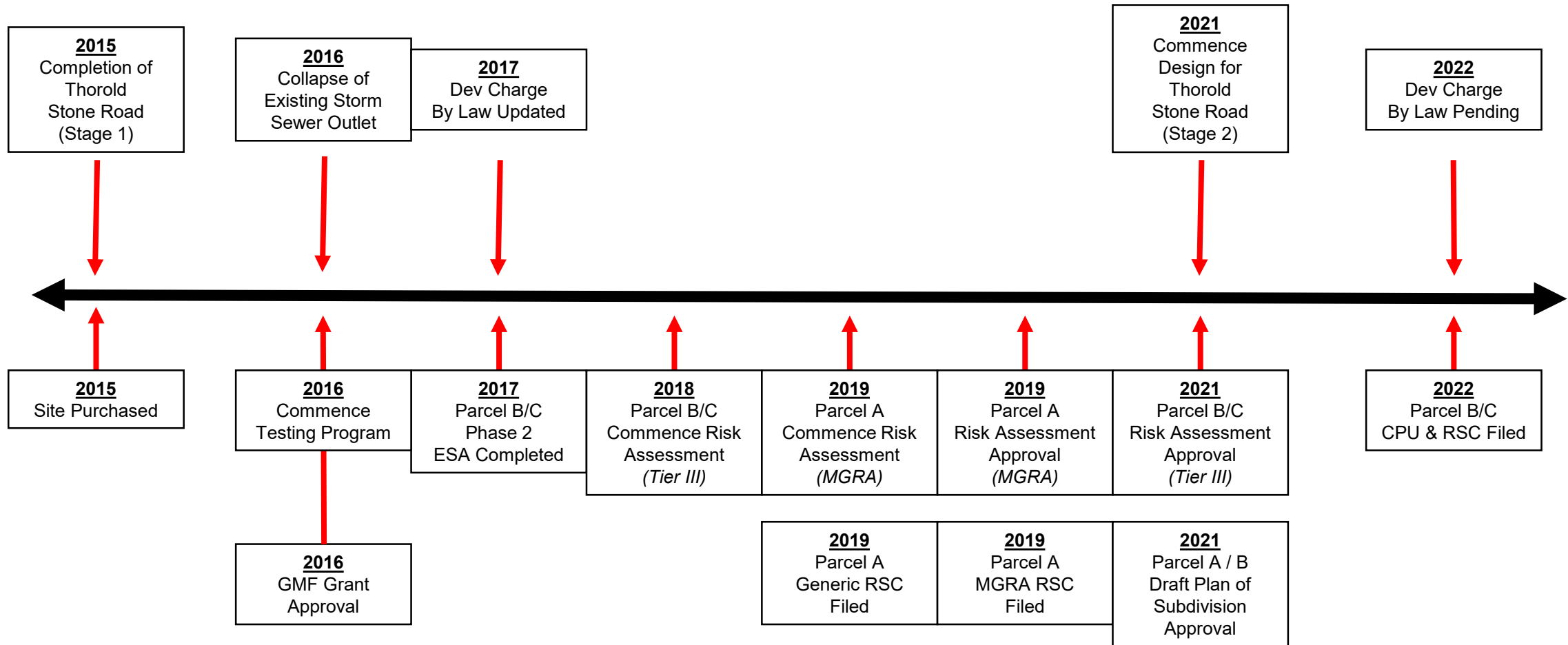
Cytec Lands, Niagara Falls



Development Constraints

- **Environmental Timelines - Risk Assessment**
 - Risk assessment process has taken approximately 4 years to complete for Parcel B/C.
 - Significant review timelines and reporting obligations as a result of Wide-Area of Abatement designation (*mandatory 22 week review period with MECP for each circulation*).
- **Servicing**
 - Working with City, Region, OPG, and Hydro One for the advancement of a new stormwater outlet and implementation of required sanitary connections
- **Hydro One Assets and Infrastructure**
 - Existing surplus easements and infrastructure from Hydro One which will require decommissioning and removal.

Cytec Lands, Niagara Falls





Questions?

Timothy Collins
President
LANDx Developments Ltd.
905-329-0312
timcollins@landxdevelopments.com

From: [Debbie Zimmerman](#)
To: [Norio, Ann-Marie](#)
Cc: [Foster, Robert](#); [Bradley, Jim](#)
Subject: Corporate Services Committee
Date: Tuesday, June 14, 2022 3:17:10 PM
Attachments: [image003.png](#)
[image004.png](#)

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

Good afternoon, Ann-Marie,

We have been made aware the draft Regional Development Charges bylaw will be presented at the Corporate Services Committee tomorrow morning, and as the agriculture community has work collectively to present our views throughout this process we would like to attend as a delegation before the Committee. Can you please add the following individuals who will present : Sarah Marshall, Tender Fruit, Andrew Morse Flowers Canada (Ontario), Flowers Canada, Jeanine West, Landscape Ontario, Debbie Zimmerman Grape and Tender Fruit. We will be brief but did want to add some further information from our last presentation.

Many thanks, Debbie Zimmerman

=====



Debbie Zimmerman, CEO

P: (905) 688-0990 Ext. 225 **C:** (905) 401-2471

A: 1634 South Service Road, St. Catharines ON L2R 6P9

E: d.zimmerman@grapegrowersofontario.com

www.grapegrowersofontario.com - www.localgrapes.ca



Ontario Tender Fruit Growers

FOLLOW UP PRESENTATION TO THE CORPORATE
SERVICES COMMITTEE

JUNE 15, 2022

Who We are

The Ontario Tender Fruit Growers represents over 190 family farms growing peaches, nectarines, plums, apricots, pears and cherries on approx. 9,000 acres - primarily located in the Niagara Region.

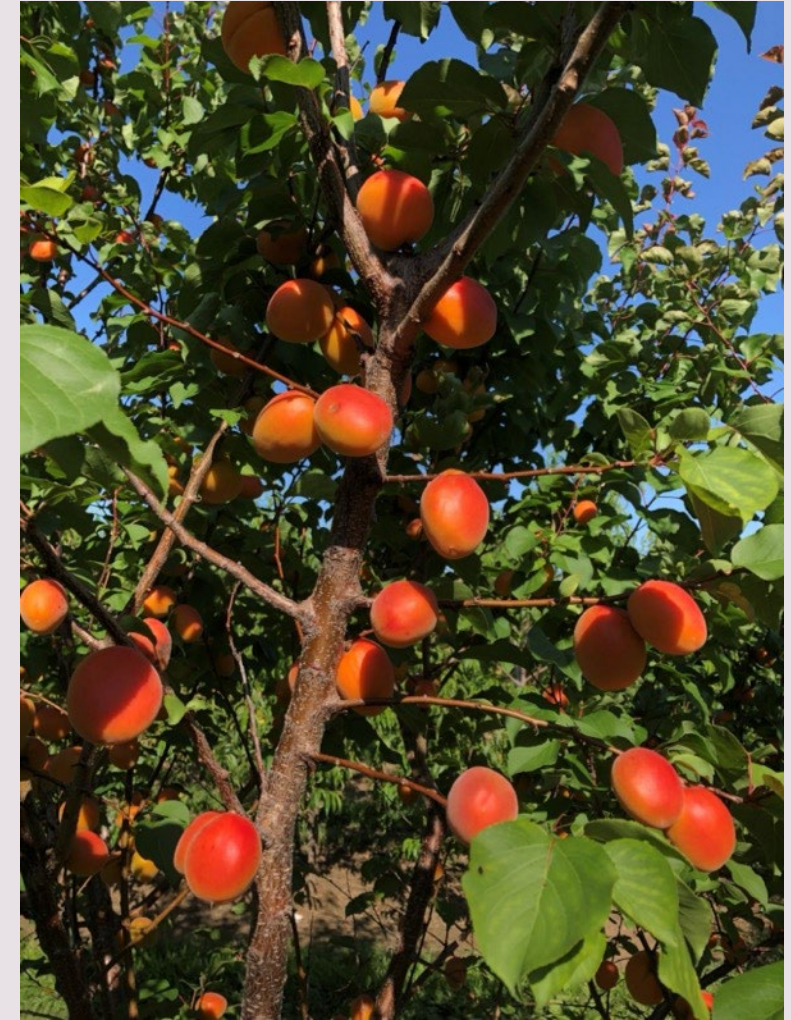


Why are we here?

- In early May we found out through a brief presentation to APAC that there was a proposal to remove the “agricultural use” exemption entirely from the 2022 renewal of the regional development charge by-law
- This presentation had no details on how agriculture was going to be treated in the future, and we had no knowledge of this proposal prior to this, nor did any other agricultural group
- We extend our sincere appreciation on the friendly amendment from the DC Taskforce that is before Corporate Services today, to include wording in the new Development Charge By-law that maintains exemptions for agricultural use non-residential lands and buildings where ‘agricultural use’ is defined to mean bona fide farming purposes

However,

- The previous renewal of the by-law in 2017 removed the exemption for on farm accommodations - also without consultation with agriculture



What is the impact to our growers?

- During these times of astronomical increases in input costs for farmers, we do not want to disincentivize them from making improvements to housing for their workers
- Proposed charges of over \$14,000 per house (without water/wastewater which is not typically available in rural locations) will provide a disincentive
- During COVID, updated public health guidelines have taught us about the need to provide more space to allow workers to safely distance themselves. Improvements to housing provides additional personal and common area space

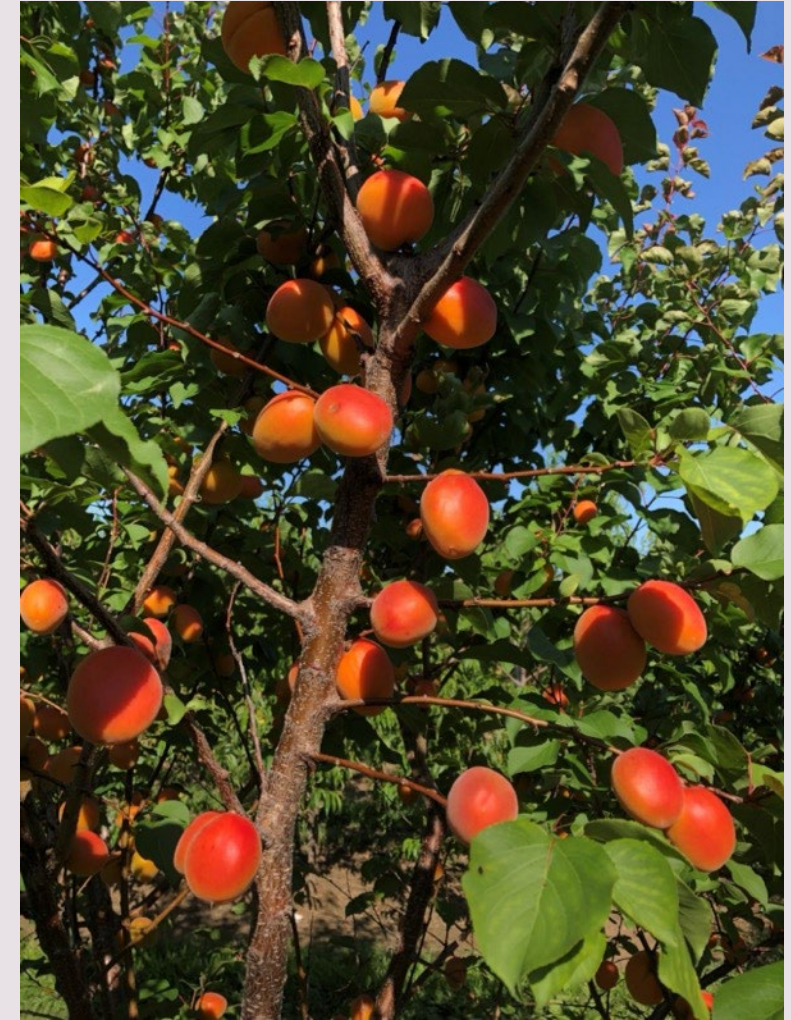


What is our ask?

- We are here to respectfully ask that the exemption from DC charges for on-farm accommodation be reinstated in the renewal of the by-law in keeping with the definition of agricultural uses in the PPS

Agricultural Use as defined in the 2020 Provincial Policy statement is the following:

“the growing of crops, including nursery, biomass, and horticultural crops; raising of livestock; raising of other animals for food, fur or fibre, including poultry and fish; aquaculture; apiaries; agro-forestry; maple syrup production; and associated on-farm buildings and structures, including, but not limited to livestock facilities, manure storages, value-retaining facilities, and accommodation for full-time farm labour when the size and nature of the operation requires additional employment.”





Grape Growers of ONTARIO

Dedicated to the Success of Ontario's Grape Growers

*Presentation to
Corporate Services
Committee*

~
June 15, 2022



Who We Are

- **GGO is the official organization representing all 500 processing grape growers including 183 wineries on 18,000 acres of vineyards in the province.**
- **95% of production is in Niagara.**
- **\$4.4 billion of economic impact; \$847 million tourism impact; 2.4 million tourists.**

The Importance of Agriculture to the Niagara Economy

In Niagara:

- \$838.1 million gross farm receipts
- \$1.4 billion gross domestic product impact
- 19,892 jobs

*Niagara Agriculture Profile and Niagara Region
Agriculture Economic Impact Reports (2016
census data)*

Niagara Region Official Plan

Pillar Statement:

***Thriving agriculture and tourism –
A prosperous agricultural industry and
world-class tourism opportunities that
grow our economy and elevate the
Niagara experience***

Our Ask

- re-instate the exemption for on-farm accommodations used for agriculture purposes, from paying development charges



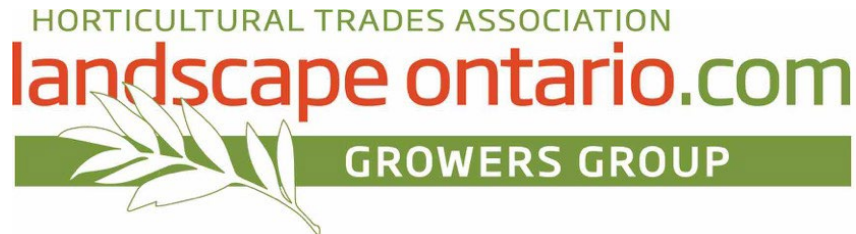
Landscape Ontario & Flowers Canada (ON)

Dr. Jeanine West/Andrew Morse
Corporate Services Committee Meeting
Regional Municipality of Niagara
June 15, 2022



Who we are

- ♦ Two ornamental horticulture associations
- ♦ Representing ~400 growers in Ontario
- ♦ >80% of our production is in Niagara
- ♦ Farm gate sales exceed \$1B
- ♦ Economic multiplier is 1.9



Agricultural help houses

- ♦ Local accommodation for seasonal/temporary agricultural workers
- ♦ Temporary use (months to 4 years)
- ♦ No revenue generated for farm owner
- ♦ Exclusively for support of agricultural activities

Supporting agricultural help houses

- ♦ Incentivizes farms to build locally and not purchase in-town residential properties
- ♦ Encourages farms to provide safe and appropriate housing in close proximity to the workplace
- ♦ Decreases costs for agricultural operations
- ♦ Supports economic benefits of agriculture in the community (jobs, GDP)

Request

- ♦ Re-instate the exemption of development charges for agricultural (farm) help houses
- ♦ Engage with the agriculture sector on future By-Laws and policies that could impact the sustainability of agriculture in Niagara

Report CSD 7-2022

2021 Corporate Asset Management Plan

June 15, 2022

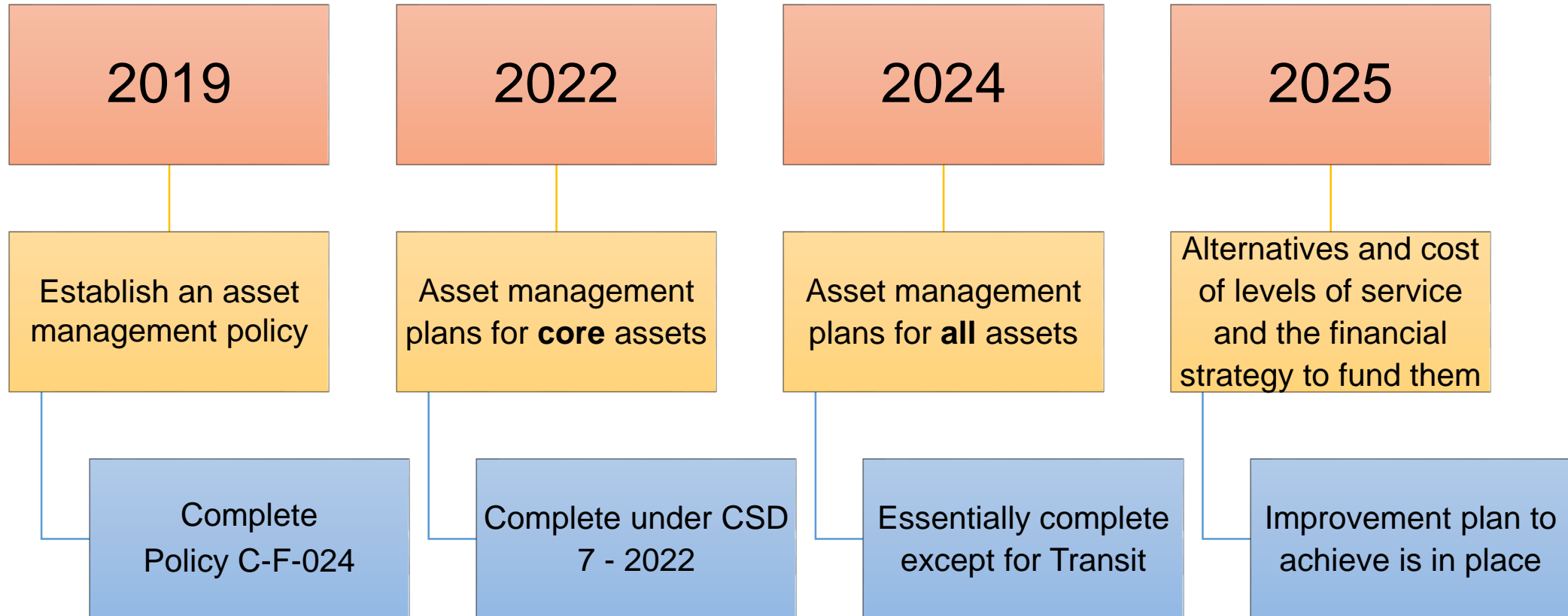
Report CSD 7-2022

2021 Corporate Asset Management Plan

Three key points from the 2021 Corporate Asset Management Plan (CAMP)

1. Legislative compliance requires approval of this report and maintains eligibility for grants and funding
2. This report identifies change to current funding level strategies that will be required by 2025
3. It highlights improvements since 2016 and outlines needed improvements

The 2021 CAMP fully complies with asset management legislation O. Reg 588/17

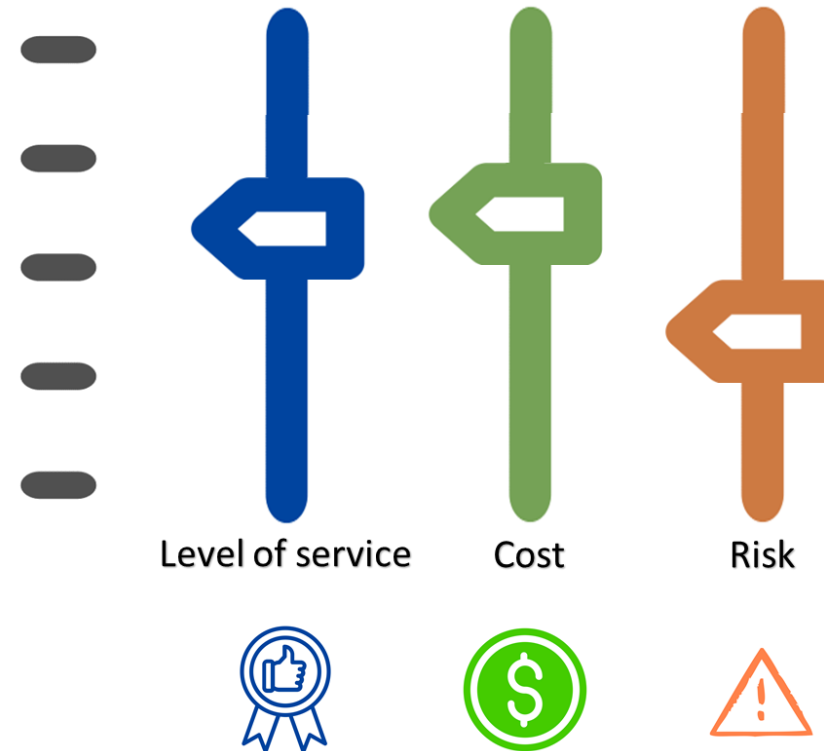


Asset management is a process used in decision-making

It helps inform Council so they may set direction in a way that:

- Considers customer needs
- Uses resources wisely
- Manages risk and opportunity

Figure1. Relationship between level of service, cost of investment and risk



The 2021 Corporate Asset Management Plan (CAMP) reports on 16 services

The majority of the Region's assets are in fair or better condition.

However, there is still over 30% of assets in poor or very poor condition.

Wastewater

Seniors Services

Public Health

Court Services

Water

Community
Housing

Emergency
Medical services

Transit

Waste
Management

Children's
Services

Information
Technology

Transportation

Fleet

Social Assistance
and Employment
Opportunities

Facilities

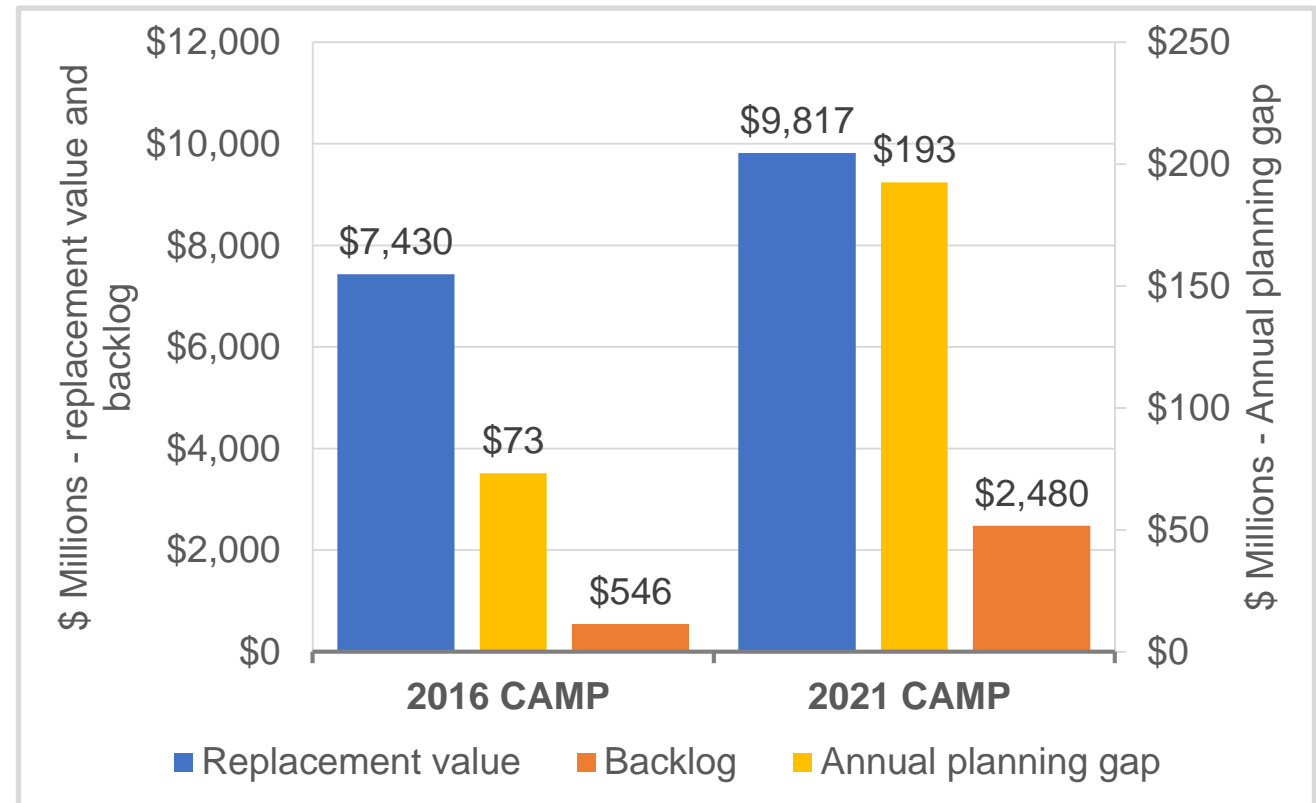
Niagara Regional
Police Services

There is a significant increase in financial measures between 2016 and 2021 corporate asset management plans

The three financial measures are:

- Current replacement value of assets
- Backlog of investment in capital renewal projects
- Difference between annual investment need and the current capital budget

Chart 1. Comparison between replacement value, backlog and annual investment planning gap with values in millions of dollars

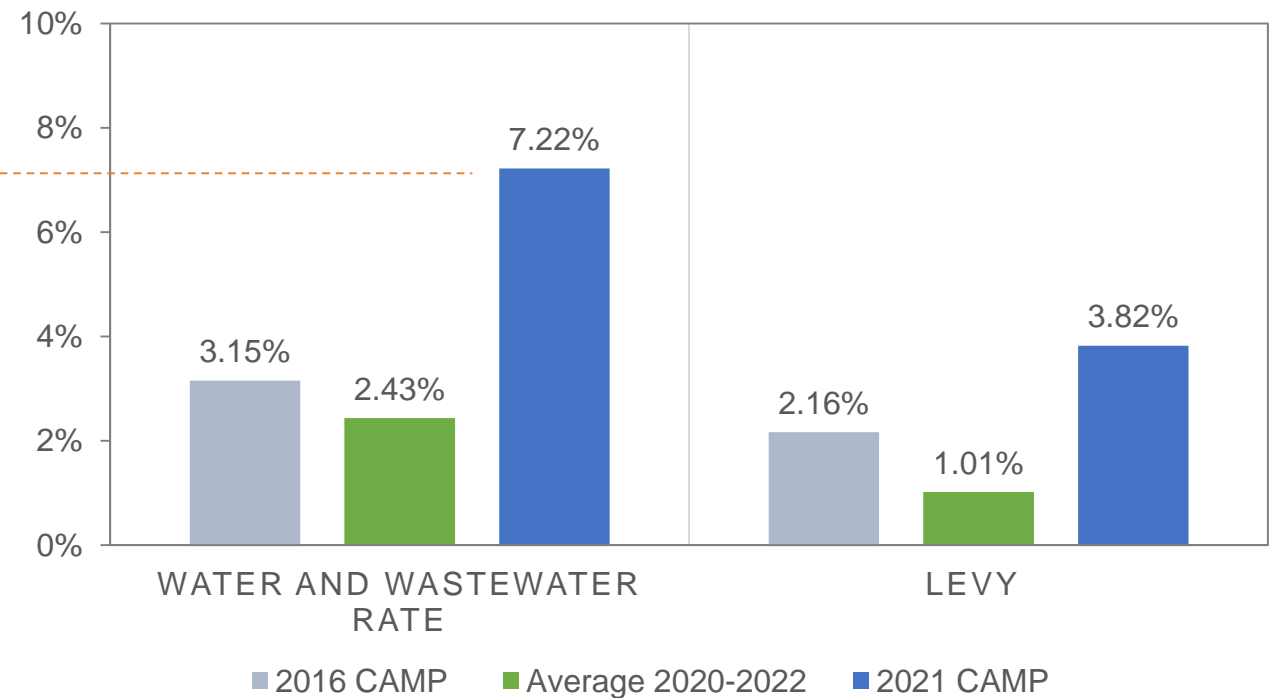


The change in financial measures results in a need for additional increase to rates and levy

The required increase (in blue) is where funding levels should be

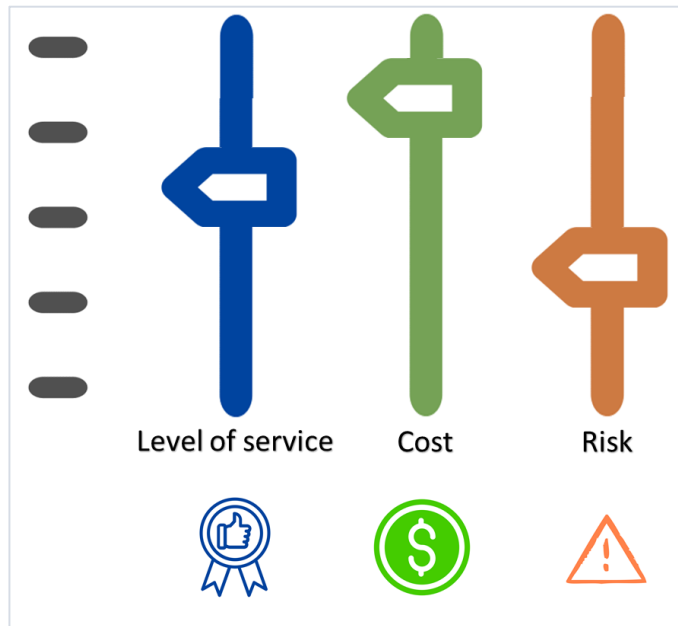
Chart 2. Comparison of recommended revenue increases in the asset management plans and with the average increases over the last three years

COMPARISON OF RATE AND LEVY

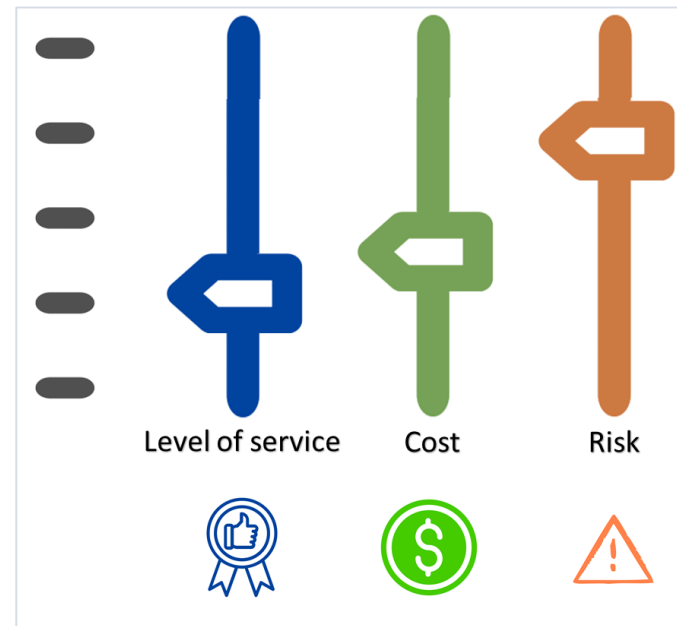


Alternatives for service delivery

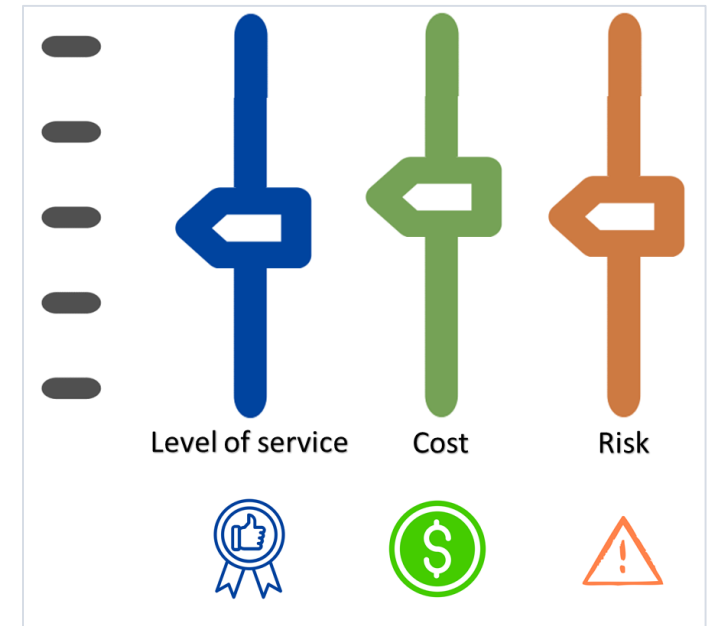
Increase rate and levy with no change in level of service or risk



Maintain funding with reduced level of service and increased risk



Balance funding increases with level of service reduction and increase in risk



Highlights of improvements since 2016

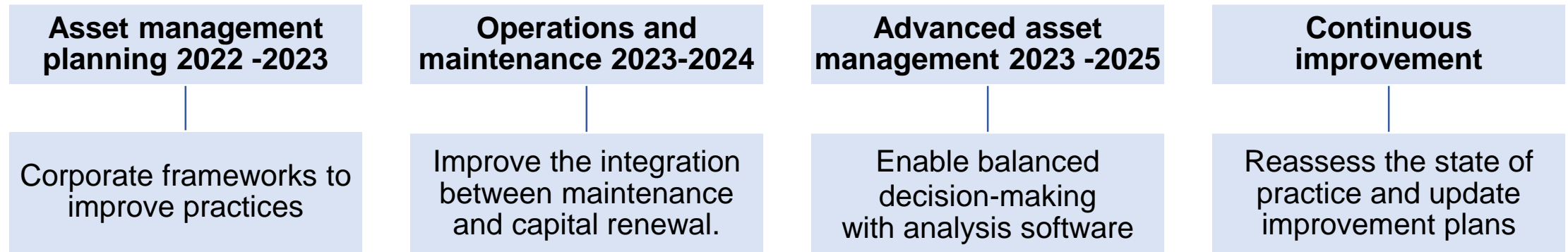
Key foundational components that have advanced the Region's asset management planning capabilities include:

- An improvement plan for asset management developed as part of the 2016 Asset Management Plan outlining specific business processes and practice improvements required to achieve objectives
- Asset Management Governance Framework adopted by Council in January 2019.
- Asset Management Policy adopted by Council in May 2019.
- Asset Management Focused Action Plan delivered in November 2021 outlining specific business processes and practice improvements to meet 2025 legislative requirements

Practice improvements since 2016 include:

- Developed a risk model to assess asset failure and incorporating this as part of the annual capital budget process
- Refining lifecycle activities to accurately reflect practice including the major change to the lifecycle replacement cycle of roads from 66 years to 45 years
- Updated unit replacement costs to reflect current construction costs for the long-term care homes, transportation assets and for Regional facilities
- Introduced risk measurement as part of the investment forecast to facilitate future risk-based optimization decisions
- Incorporated asset rehabilitation and growth projects within the forecast of investment needs

Planned improvements will inform and enable Council's decisions



Following from the 2021 asset management plan, the Region's asset management practices need more work to:

- Comply with requirements of Ontario Regulation 588/17 for future asset management plans.
- Meet the Region's Asset Management Policy C-F-024.
- Enable Council to set direction to balance level of service, cost and risk.

Questions



Subject: 2021 Corporate Asset Management Plan

Report to: Corporate Services Committee

Report date: Wednesday, June 15, 2022

Recommendations

1. That the 2021 Corporate Asset Management Plan attached to Report CSD 7-2022 as Appendix 1 **BE APPROVED**.

Key Facts

- The purpose of this report is to approve the 2021 Corporate Asset Management Plan that establishes compliance with Ontario Regulation 588/17, Asset Management Planning for Municipal Infrastructure (O. Reg. 588/17) prior to the deadline of July 1, 2022.
- The 2021 Corporate Asset Management Plan reflects changes since 2016 and presents the state of the Region's assets, service levels and risks, management strategies, and corresponding financial investment needs.
- From 2016 to 2021, improvements to asset management resulted in significant changes especially to investment needs. Compared to 2016, to eliminate the gap in the current annual investment, the financial changes in 2021 require an increase over a ten-year period to the annual Water and Wastewater rate from 3.15% to 7.22%, and the annual levy from 2.16% (exclusive of Agencies, Boards and Commissions) to 3.82% (exclusive of Agencies, Boards and Commissions).
- Future improvements to asset management planning will allow the Region to balance or adjust the investment needed with the level of service delivered and corresponding risk to service delivery.
- On an annual basis, staff will provide update reports on the plan's progress, which may require that Council adjust levels of service delivery to meet financial goals while addressing associated risk of service.

Financial considerations

An approved Asset Management Plan is a requirement to secure or maintain funding of the Federal Gas Tax, application based funds such as grants, and of the Ontario Development Charges Act.

The 2021 Corporate Asset Management Plan identifies a significant gap between available funding and investment to sustain the current level of service. This report does not recommend implementing changes to the previously approved rate increase or to the recommended levy increase at this time. Subsequent to asset management planning improvements for the asset management plan in 2025, staff will present alternatives to levels of service and investment to inform any change to rates and levy.

The 2021 Corporate Asset Management Plan identifies actions, staffing and financial resources to improve asset management planning prior to completing the asset management plan in 2025. Departments will identify any of these new resources through the annual budget process for approval by Council.

On approval by Council of this report, there is no direct financial impact to the 2022 operations of the Region.

However, without implementing changes to annual investments, the current level of service is not sustainable. Project deferral will continue leading to unplanned reduction in level of service, increase in risk and of asset failures, and increase in annual and long-term operational expenditures. This highlights the importance of continuing to improve asset management planning and rationalize levels of service with sustainable funding amounts.

Analysis

This report presents the 2021 Corporate Asset Management Plan for Council's approval, in accordance with Ontario Regulation 588/17: Asset Management Planning for Municipal Infrastructure (the "Regulation") and the Region's policy C-F-024 Asset Management Policy. Appendix 2 provides an overview of the Region's compliance related to the Ontario Regulatory 588/17.

The Asset Management Plan aligns with Corporate Asset Management Policy C-F-024 approved by Council in 2019. It incorporates key principles and strategic directions that enhance asset management practices and ensure that asset management activities are continuously improved and integrated across the organization.

Changes in asset management redefine investment backlog and future investment needs

This section summarizes the financial information of the 2021 Corporate Asset Management Plan. Other sections of this report provide additional details of the findings and results.

The backlog of deferred investment and forecast investment estimated in the 2021 Corporate Asset Management Plan is significantly greater than that in the 2016 Asset Management Plan.

The main reason for the increase is due to improvements in the asset management data. Although this data improvement highlights a greater financial need than in 2016, the information positions the Region to better address risk to level of service and of asset failure.

The result of the changes since 2016 is a need for a greater annual increase in rates and levy to reduce the backlog and achieve required funding levels. **Table 1** shows a comparison of various financial measures between 2016 and 2021 and the corresponding increase in those measures.

Table 1: Comparison of financial measures between 2016 and 2021

| Financial item | 2016 \$ millions | 2021 \$ millions | Increase |
|---|-------------------------------|-------------------------------|----------|
| Replacement value | \$7,430 | \$9,817 | 32% |
| Backlog | \$546 | \$2,480 | 354% |
| 10-year average annual renewal investment including backlog (10-year AARI) | \$225 | \$438 | 95% |
| Annual planning gap (difference between 10-year AARI versus the 10-year capital plan) | \$73 | \$193 | 163% |
| Required Water and Wastewater Rate increase to fund gap | 3.15% | 7.22% | 40% |
| Required Levy increase to fund gap | 2.16% (exclusive of ABC's) | 3.82% (inclusive of ABC's) | 77% |

ABC's stands for Agencies, Boards and Commissions of the Niagara Region.

The average annual renewal investment (AARI) is the total investment amount forecast in the period divided by the period. For example, the 10-year AARI is the total forecast investment cost for the next ten years divided by ten.

Both the identified levy and recommended rate increases are subject to annual budget approval. For various reasons due to financial constraints since the 2016 Asset Management Plan, Council did not fully follow the rate and levy increases approved or recommended.

Asset management employs risk to help determine an appropriate balance between the level of service delivered and the cost to deliver the service. Risk assessment provides the Region with the ability to make informed decisions when or under what circumstances it may be acceptable to defer investments.

Future improvements to asset management planning will allow the Region to use risk assessments to balance or adjust the investment needed with the level of service delivered and corresponding risk to service delivery.

The 2021 Corporate Asset Management Plan (2021 CAMP) builds on previous asset management planning

The approach in this Asset Management Plan builds on the successes of the previous 2016 plan and improvements to asset management practice since then. Although there are significant differences in the financial outcomes of this plan, this is a refinement rather than a significant departure from the previous plan. Many of the principles outlined in 2016 are still in place.

The recent improvements that have advanced the Region's asset management planning capabilities include the completion of the following key foundational components:

- An improvement plan for asset management developed as part of the 2016 Asset Management Plan that outlines specific business processes and practice improvements required to achieve asset management objectives.
- The Asset Management Governance Framework, which identifies the roles and responsibilities of Region staff within the Region's Asset Management System adopted by Council in January 2019.

- The Asset Management Policy, which outlines the Region's principles and commitments to asset management planning adopted by Council in May 2019.
- The Asset Management Focused Action Plan, an internal improvement plan update by staff in November 2021 that outlines specific business processes and practice improvements required to implement the policy and deliver sound asset management planning.

Progress since 2016:

- Practice improvements such as developing a risk model to assess asset failure and incorporating this as part of the annual capital budget process
- Refining lifecycle activities to accurately reflect practice including one major change to the lifecycle replacement cycle of roads from 66 years to 45 years
- Updating unit replacement costs to reflect current construction costs for the long-term care homes, transportation assets and for Regional facilities
- Introduced risk measurement as part of the investment forecast to facilitate future risk-based optimization decisions
- Incorporating asset rehabilitation and growth projects within the forecast of investment needs

There were two main obstacles in implementing the 2016 asset management plan and accompanying improvement plan.

The first obstacle, which is expected to be a continuing concern, is budget constraints to address annual capital requests and past capital deferrals. Deferral refers to projects not completed due to budget constraints. Budget constraints affect the ability to maintain level of service and increase risk of interruption in service delivery. In addition, capital deferrals require more investment in maintenance and increase operating budgets.

The second obstacle is the COVID-19 pandemic and strain on staffing and budgets. The result of the pandemic was to limit the improvements of the asset management system that the Region otherwise would have made.

The 2021 CAMP updates information on the state of infrastructure, including asset inventory, average asset life, and condition and replacement values for assets. It also provides information on demand, level of service, risk, lifecycle asset strategies, and financial information in the form of required capital investments. In addition, the 2021 CAMP includes 16 service areas. These areas are identified in Appendix 3.

Continuous improvement provides a framework to meet the future regulatory requirements

Continuously improving the asset management system enhances the data and information used for asset management decisions. These improvements increase the value from the assets and the service delivery of the Region.

The Region's annual capital planning process (Corporate Asset Management Resource Allocation or CAMRA) employs a risk model to help prioritize the annual capital budget across all service departments. This enables the Region to target the best return on investment of its limited funding.

A similar risk concept is applicable to apply for all of the Region's assets rather than just the current year's capital request.

The 2021 Corporate Asset Management Plan measures risk across the portfolio of the Region's assets although its use in optimizing the backlog is premature. Further work to calibrate the risk assessment process is necessary as part of the improvements to asset management planning before this level of risk optimization is possible. Risk assessment along with other asset management improvements up to 2025 will result in the ability to balance and optimize the level of service, the cost and risk to service delivery and risk of asset failure.

Although the Region conducts many of the current practices for asset management, the improvements require additional effort to develop, implement and continue to deliver as part of routine operations.

Approval for the resources to support the improvements will be through the annual capital and operating budget process.

Alternatives reviewed

The alternatives to approval of the 2021 Corporate Asset Management Plan and this report follow.

1. Do not approve the report. The Region will be non-compliant with a legislated requirement. Legislation requires completion and approval by Council of an asset management plan by July 1, 2022.

2. Approve the report, and using the capital financing strategy implement identified increases to rate and levy. This will help address the investment backlog for the next three years until the asset management plan in 2025. Using the planning improvements up to 2025, at that time Council may elect to further adjust rate and levy by balancing investment forecasts, level of service and risk.

Relationship to Council Strategic Priorities

The 2021 Corporate Asset Management Plan and this report support Council's Strategic Priorities as follows.

- Supporting Businesses and Economic Growth
- Healthy and Vibrant Community
- Responsible Growth and Infrastructure Planning
- Sustainable and Engaging Government

Visit the Region's website to view Councils' 2019-2022 Strategic Priorities:
<https://www.niagararegion.ca/priorities/default.aspx>

Other Pertinent Reports

CSD 21–2017 Asset Management Plan

CSD 51–2019 Capital Financing Policy

CSD 10-2019 Asset Management Governance Model

C-F-003 - Capital Asset Management Policy

C-F-024 – Asset Management Policy

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Recommended by:
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Commissioner / Treasurer
Corporate Services

Submitted by:

Ron Tripp, P.Eng.
Chief Administrative Officer

This report was prepared in consultation and with the support of senior management of the Region and many of their staff: Helen Chamberlain, Director, Financial Management & Planning, Deputy Treasurer; Richard Frayne, Superintendent, Operational Support, Niagara Regional Police Services; Dr. Mustafa Hirji, Commissioner, Public Health, Medical Officer of Health; Adrienne Jugley, Commissioner, Community Services; Siobhan Kearns, Director Environmental Health; Michelle Sergi, Commissioner, Planning and Development; Donna Woiceshyn, Director Housing Services; Bruce Zvaniga, Commissioner, Public Works.

Appendices

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|------------|---|
| Appendix 1 | Niagara Region 2021 Corporate Asset Management Plan |
| Appendix 2 | 2021 Corporate Asset Management Plan – Ontario Regulation 588/17 Requirements |
| Appendix 3 | 2021 Corporate Asset Management Plan Service Areas by Department |

2021 Corporate Asset Management Plan

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ES Executive Summary

The Regional Municipality of Niagara (the Region) is an upper tier municipality located in Southwestern Ontario, serving an estimated population of 498,660 people in 2022 over an area of approximately 1,800 square kilometers.

The Region is comprised of 12 local area municipalities including the Cities of Niagara Falls, St. Catharines, Thorold and Welland, the Towns of Fort Erie, Grimsby, Lincoln, Pelham and Niagara-on-the-Lake, and the Townships of Wainfleet and West Lincoln.

The 2021 Corporate Asset Management Plan (2021 CAMP) provides details of maintaining and managing the \$9.8 billion in assets that support the Region's services.

The 2021 CAMP reflects changes since 2016 and presents the state of the Region's assets, service levels and risks, management strategies, and corresponding financial investment needs. It presents the financial information and investments needed to support and sustain the Region's level of service.

The 2021 CAMP complies with the legislated requirements in Ontario Regulation 588/17, Asset Management Planning for Municipal Infrastructure (O. Reg. 588/17).

Asset management helps the Region care for the infrastructure that delivers valuable services to our communities. It helps inform Council so they may set direction in a way that:

- Considers service needs
- Uses resources wisely
- Manages risk and opportunity

The asset management plan documents the Region's services, assets, and practices and programs to manage them. Completion of the plan assures:

- Compliance with legislation and the Region's policies
- Continued eligibility for grants and funding
- Ultimately, alignment between desired levels of service, risk and cost through Rates, Levy and fees

ES. 1 Financial summary

The backlog of deferred investment and forecast investment estimated in the 2021 Corporate Asset Management Plan is significantly greater than that in the 2016 Asset Management Plan.

The main reason for the increase is due to improvements in the asset management data. Although this data improvement highlights a greater financial need than in 2016, the information positions the Region to better address risk to level of service and of asset failure.

The result of the changes since 2016 is a need for a greater annual increase in rates and levy to reduce the backlog and achieve required funding levels. Table 1 shows a comparison of various financial measures between 2016 and 2021 and the corresponding increase in those measures.

Table 1: Comparison of financial measures between 2016 and 2021

| Financial item | 2016 \$ millions | 2021 \$ millions | Increase |
|--|-------------------------|-------------------------|-----------------|
| Replacement value | \$7,430 | \$9,817 | 32% |
| Backlog | \$546 | \$2,480 | 354% |
| Annual investment including backlog in each of the next 10 years | \$225 | \$438 | 95% |
| Annual funding gap over 10 years | \$73 | \$193 | 163% |
| Required Water and Wastewater Rate increase to fund gap | 3.15% | 7.22% | 129% |
| Required Levy increase to fund gap | 2.16% | 3.82% | 77% |

Both the identified levy and recommended rate increases are subject to annual budget approval. For various reasons due to financial constraints since the 2016 Asset Management Plan, Council did not follow the rate and levy increases approved or recommended.

Asset management employs risk to help determine an appropriate balance between the level of service delivered and the cost to deliver the service. Risk assessment provides the Region with the ability to make informed decisions when or under what circumstances it may be acceptable to defer investments.

Future improvements to asset management planning will allow the Region to use risk assessments to balance or adjust the investment needed with the level of service delivered and corresponding risk to service delivery.

ES. 2 Introduction

The 2021 CAMP structure is nine overview sections describing a summary of applicable details for all of the Region's services and assets. Subsequent sections provide detail for each of 16 service areas in the Region. The sections and descriptions are in Table 2.

Table 2: Sections of the Corporate Asset Management Plan

| Number | Section | Description |
|--------|--------------------------|--|
| 1 | Introduction | Defines asset management, the Region and services provided. |
| 2 | State of infrastructure | Characteristics of the asset inventory, and its value, condition, age, and risk. |
| 3 | Demand | Influencing factors on community needs and assets. |
| 4 | Level of service | Services we provide and indicators of performance. |
| 5 | Lifecycle asset strategy | How we deliver service and the actions we take to manage assets. |
| 6 | Finance strategy | What the costs of our service are and how we will fund them. |
| 7 | Data Management | The quality and completeness of asset data and information. |
| 8 | Climate change | How climate change affects assets and approach to address risk. |
| 9 | Continuous improvement | How we will improve asset management. |

The 2021 CAMP includes 16 service areas within four of the Region's Departments and for the Niagara Regional Police Service as shown in Table 3.

Table 3: Region Departments and corresponding service areas in the asset management plan

| Department | Service |
|--------------------------------------|--|
| Public Works | Water |
| | Wastewater |
| | Waste Management |
| | Transportation |
| | Transit |
| | Fleet |
| Community Services | Seniors Services |
| | Community Housing |
| | Children's Services |
| | Social Assistance and Employment Opportunities |
| Public Health and Emergency Services | Public Health |
| | Emergency Medical Services |
| Corporate Services | Information Technology |
| | Facilities |
| | Court Services |
| Niagara Regional Police Service | Police Services |

All assets supporting the service area report under the service area regardless of the managing Department. For example, Police buildings, although managed by Corporate Services, report under the Police Services area. Two exceptions to the service area reporting structure is Information Technology (IT) and Fleet. All the Region's IT assets report under IT except for Police IT assets. The entire Region fleet reports under Fleet except for Police and EMS who report their fleet respectively.

Some Divisions are not included in the asset management plan because of the low value of the assets supporting the service. This includes Business Licensing and Enforcement, Economic Development and Planning among others. Assets these

Divisions utilize report under the respective service area such as Fleet or Information Technology.

ES. 3 Demand and level of service

Change in demand can occur because of a variety of factors such as population and demographics, changes in customer expectations, and external factors such as climate change. Demand forecasting helps analyze service needs to define future requirements and development of strategies to meet anticipated changes. Examples of service impacts include:

- Reduce, expand or remove the need for the service
- Maximize the capacity, life span and serviceability of existing assets
- Seek alternatives to investing in the assets, and/or alternative treatments,
- Explore ways to provide the services, e.g. own forces, contractors or agencies
- Explore funding options (government, non-government funding, and private sector investment).

The top drivers identified for the Region are population change, development trends and legislative changes.

The forecast for the Region's population is from 498,990 in 2022 to 694,000 in 2051. Development to accommodate population increase likely will be a combination of densification of existing areas and new development beyond current urban areas. These changes will have an impact on the Region's services, such as new dwellings requiring Water and Wastewater services, Transportation network requiring additional capacity, and community services demand in line with the population increase.

For municipal service providers, demand drivers closely link with level of service. A combination of demand drivers guide level of service development. These drivers include customer and other stakeholder expectations, regulatory and legislated requirements, and objectives including internal policies, strategies and procedures. In many cases, past performance and system design also inform level of service.

The cost associated with meeting the change in demand and service levels are included in the long-range financial forecast including cost of future maintenance, rehabilitation, refurbishment activities, and asset replacement.

ES. 4 State of infrastructure

Every time the Region produces an asset management plan, the plan reflects the best information at that point in time. This applies to asset inventory, condition, rehabilitation cost, and replacement cost. These changes affect the investment backlog and forecast of investment needs.

Understanding the useful life of an asset and its remaining life provides insight into the condition of assets and the potential risk of asset failure that affects levels of service and renewal need. Besides condition, age as a function of useful life is a primary determinant in asset management planning.

Condition corresponds to five grades from one to five (1 to 5), where one (1) represents very good, two (2) good, three (3) fair, four (4) poor, and five (5) represents very poor. Part grades are possible when averaging whole grades from multiple assets.

The distribution of assets by condition by percentage of value is in Table 4.

Table 4: Distribution of the Region's asset condition by value

| Grade | Very good | Good | Fair | Poor | Very poor |
|-------------------------------|------------------|-------------|-------------|-------------|------------------|
| Condition distribution % | 27.2% | 25.6% | 15.6% | 12.1% | 19.4% |
| Replacement value \$ billions | \$2.67 | \$2.52 | \$1.53 | \$1.19 | \$1.91 |

The remaining useful life corresponds to the average age of all the assets divided by the average useful expected life of those assets.

The replacement value, average condition and average percentage of life consumed for the assets in the Region's services is in Table 5.

Table 5: Replacement value, average condition grade and average percentage of remaining useful life for assets of the Region's assets

| Parameter | Replacement Value (\$ millions) | Condition grade | Remaining useful life |
|------------------|--|------------------------|------------------------------|
| Total or average | \$9,816.9 | 2.7 | 39% |

Although many Regional assets are in overall fair condition, significant investment is required to address poor and very poor assets to maintain service levels and manage risks.

An asset reaching useful expected life does not mean that the asset is in a failed state. An asset that is as old as or older than its useful expected life generally is in poorer condition than a newer or younger asset. However, some assets continue to perform beyond useful expected life but with an increased risk of failure or with lower performance.

The Region's annual budget process incorporates risk and other factors as part of the Corporate Asset Management Resource Allocation process (CAMRA). CAMRA works well to guide the Regions' annual funding decisions working with hundreds of projects. Expanding the process and applying it to the tens of thousands of assets within the Region requires more work before it is effective to help the Region balance level of service, risk and cost.

ES. 5 Lifecycle strategy

Asset management strategies are the planned lifecycle-based actions that the Region uses to manage its infrastructure to meet service levels.

The basic premise of a lifecycle asset strategy is to perform routine maintenance during the life of the asset with periodic rehabilitation or refurbishment. Replacement of the asset using its useful expected life guides when to replace and create a new asset. This starts the lifecycle over again.

The lifecycle asset strategy models the behavior, deterioration and risk of assets over time and the actions to restore performance. This forms the basis of the forecast of actions and costs, and the effect on levels of service, performance and risk.

ES. 6 Data management

The Region does not have a central registry for its asset management data although the continuous improvement plan includes developing one.

The Region manages its asset management data using a number of spreadsheets, computerized maintenance management systems (CMMS), and the geographic information system (GIS).

The 2021 CAMP uses ten key asset data attributes. These are:

1. Asset hierarchy – to allow reporting rollup through parent/child relationship of asset components
2. Asset identification – a unique number for each asset and each component to track inventory
3. Year installed – to determine age and inform timing of interventions
4. Units of asset measurement – to help determine replacement costs
5. Useful expected life – to guide asset replacement and help determine risk
6. Replacement cost – for each asset and component to inform investment needs
7. Condition – to help plan asset actions and inform risk
8. Consequence of failure – impact of failure to help determine risk
9. Probability of failure – to determine when failure might occur and help determine risk
10. Asset actions (maintenance and renewal) and corresponding timing and cost – to help generate investment needs

The quality of the Region's asset data reflects the confidence in determining the timing for asset actions and ultimately the investment needs and corresponding revenue requirements.

A data quality analysis defines the rating using a similar system as condition grades where one (1) represents very good, two (2) good, three (3) fair, four (4) poor, and five (5) represents very poor. Part grades are possible when averaging whole grades from multiple asset data criteria.

The overall data quality rating is fair with a numeric value of 2.9. Continuous improvement plans also include data improvement across many of the key attributes.

ES. 7 Continuous improvement of asset management

The asset management system is a management approach to direct, coordinate, and control activities for assets and the services the assets support. The asset management system is not software. It provides a structured and consistent approach to managing assets and service delivery.

Continuously improving the asset management system enhances the data and information used for asset management decisions. These improvements increase the value from the assets and the service delivery of the Region.

The most recognizable output of the asset management system the asset management plan. Improving the practices that support the asset management plan is the basis of the Region's six year focused action plan.

The focused action plan builds from changes identified in the previous 2016 asset management plan and a recent assessment of the state of practice of asset management in the Divisions, Departments and Boards of the Region.

There are five focus themes in the focused action plan. . Below are highlights of the themes and improvements.

1. Asset management planning
Development and implementation of corporate frameworks for core practices including level of service, asset performance data, risk assessment, lifecycle strategies and capital planning.
2. Capital project delivery
Improving project management for the annual delivery of capital investment projects with a focus on project performance monitoring and cost estimation.
3. Operations and maintenance
Improving the integration of maintenance with capital asset renewal planning and improving the software systems and data that support maintenance management.
4. Advanced asset management
Building from all other practice and data improvement, developing a central asset register and procuring software for advanced analysis and investment decision support.
5. Continuous improvement
In the final year of the plan, reassessing the state of practice and resetting any required improvements into a new focused action plan.

The improvements support these specific requirements of the asset management regulation that must be in the asset management plan by 2025:

- options for the proposed levels of service and the risks associated with those options
- capital and operating costs of undertaking the lifecycle activities and of the levels of service
- the ability of the Region to afford the preferred level of service

Resources to improve asset management

Although the Region conducts many of the current practices for asset management, the focused action plan is a series of 19 specific improvement initiatives. The improvements require additional effort to develop and implement improvements, and conduct as part of routine operations.

The several resources needed to improve and deliver asset management include:

1. Current staff complement
2. New asset management staff
3. Software for asset management
4. Budget increases for additional asset monitoring and assessment activities
5. Technical consultant support

Staffing from the corporate Asset Management Office (AMO) is sufficient to support and lead the development of practice frameworks and to support some Departments with implementing the improvements. In future years with a shift to asset management as part of routine Department operations, AMO staff will offset the need for additional new department staff.

Approval for additional resources will be through the annual capital and operating budget process.

1 Introduction

The Regional Municipality of Niagara (the Region) is an upper tier municipality located in Southwestern Ontario, serving an estimated population of 498,660 people in 2022 over an area of approximately 1,800 square kilometers. The Region is comprised of 12 local area municipalities including the Cities of Niagara Falls, St. Catharines, Thorold and Welland, the Towns of Fort Erie, Grimsby, Lincoln, Pelham and Niagara-on-the-Lake, and the Townships of Wainfleet and West Lincoln.

The Region's asset management vision is to achieve excellence and efficiency in service delivery through all capital assets (owned in whole or in part, leased or managed by the Region), at sustainable asset lifecycle costs, and acceptable levels of risk. The Region's 2021 Corporate Asset Management Plan (2021 CAMP, or the Plan) provides the framework for management of the Region's assets and presents consolidated information for all of the Region's assets. Legislative requirements, the Region's policies and objectives, and industry practice guided preparation of the Plan.

Niagara Regional Council's (Council) 2019-2022 Strategic Plan provides a guide for the work of the organization over the term of Council and focused on the services provided at the Regional level. Four [4] strategic priorities were identified in Council's 2019-2022 Strategic Plan:

1. Supporting business and economic growth
 - A coordinated approach to fostering economic growth in Niagara
2. Healthy and vibrant community
 - Foster a high quality of life through safe, healthy, and inclusive neighbourhoods through the delivery of quality, affordable and accessible human services
3. Responsible growth and infrastructure planning
 - Sustainable investments in transportation, transit and infrastructure, while aligning infrastructure planning with preservation of the natural environment
4. Sustainable and engaging government
 - A commitment to high quality, efficient, fiscally sustainable and coordinated core services through enhanced communication, partnerships and collaborations with the community

1.1 Overview of the Region's asset management journey

The Region began its asset management journey with the 2014 Asset Management Plan (2014 AMP) in response to the Ontario Ministry of Infrastructure's "Building Together: Guide for Municipal Asset Management Plans". The 2014 AMP included roads, bridges, water and wastewater systems and social housing assets required under the Ministry of Infrastructure's guide, as well as waste management assets.

In 2016, the Region published the 2016 Asset Management Plan (2016 AMP) which built on the 2014 AMP to include the majority of the Region's assets, and meet the requirements for Federal Gas Tax funding transfers with the Association of Municipalities of Ontario. The 2016 AMP covered Transportation, Water and Wastewater, Community Housing (previously known as Niagara Regional Housing), Waste Management, Public Health (including Emergency Medical Services), Community Services, Information Technology, Facilities and Police. The 2016 AMP was organized based on the Region's divisions, however assets managed under shared services were not aligned with the services being provided by the Region.

The Region then adopted C-F-024, "Asset Management Policy" (AM Policy), in May 2019, as per the requirements of Ontario Regulation 588/17, "Asset Management Planning for Municipal Infrastructure" (O. Reg. 588/17). The objective of the AM Policy is to provide a framework and guidance to enable provision of levels of service that are appropriate and affordable for the community.

To further support the corporate-wide development and implementation of asset management practices at the Region, in 2019 Council approved an asset management governance structure, which resulted in the creation of:

- Corporate Asset Management Steering Team (CAMST): Comprised of senior management from all Region commissions, boards and agencies providing governance and oversight of asset management within the Region.
- Corporate Asset Management Office (AMO): Centrally staffed to lead and support the development of a corporate-wide asset management system with implementation within departments.
- Asset Management Working Group (AMWG): Region wide body of department staff involved with development, delivery and support of asset management providing input and helping with asset management communications.

1.2 Summary of the Region's services

The 2021 CAMP includes 16 service areas within four of the Region's Departments and the Regional Niagara Police Service as shown in Table 6.

Table 6: Region Departments and corresponding service areas in the asset management plan

| Department | Service |
|--------------------------------------|--|
| Public Works | Water |
| | Wastewater |
| | Waste Management |
| | Transportation |
| | Transit |
| | Fleet |
| Community Services | Seniors Services |
| | Community Housing |
| | Children's Services |
| | Social Assistance and Employment Opportunities |
| Public Health and Emergency Services | Public Health |
| | Emergency Medical Services |
| Corporate Services | Information Technology |
| | Facilities |
| | Court Services |
| Niagara Regional Police Service | Police Services |

All assets supporting the service area report under the service area regardless of the managing Department. For example, Police buildings, although managed by Corporate Services, report under the Police Services area. Two exceptions to the service area reporting structure is Information Technology (IT) and Fleet. All the Region's IT assets report under IT except for Police IT assets. The entire Region fleet reports under Fleet except for Police and EMS who report their fleet respectively.

Descriptions of the 16 services are below including a summary of the assets supporting the service.

Water services provide treated drinking water to 11 of the Region's 12 local area municipalities (LAMs), with the exception being the Township of Wainfleet. Water service delivery is two-tiered. Niagara Region draws and treats raw water, operates bulk water storage facilities, major booster pumping stations, and rechlorination stations, and transmits treated water to participating LAMs, who then convey the water through local area transmission mains to residents and businesses. Assets supporting Water services include water treatment plants, water storage, pumping stations, watermains, and fleet.

Wastewater services treat sewage from 11 of Niagara Region's 12 local area municipalities (LAMs), with the Township of Wainfleet as the exception. Wastewater collection and treatment is two tiered. The LAMs collect sewage from residents and businesses and convey it to the Region through local area collection mains. The LAM collection system connects to larger Region-owned sewage transmission mains, which convey the sewage to wastewater treatment plants. Assets supporting Wastewater services include wastewater treatment plants, lagoons, pumping stations, sanitary mains, and fleet.

Waste Management Services (WMS) collects and processes residential and commercial waste. This is provided through bi-weekly curbside collection of waste and weekly collection of recycling and organics. Assets supporting WMS include active landfill sites and cell capacity, material recycling facility, naturalization sites and closed landfill sites.

Transportation is responsible for the provision of transportation through the network of Regional arterial roads. Asset supporting Transportation Services include roads, bridges, culverts, storm-water, traffic signals and luminaires, as well as fleet and works yard facilities.

Transit services leads inter-municipal transit, Niagara Regional Transit, and Niagara Specialized Transit. Assets supporting Transit include fleet that the Region purchased. The new Niagara Transit Commission will encompass all transit assets in the Region. This data is not available at the time of completing the 2021 Corporate Asset Management Plan.

Fleet services provides a full range of vehicle and equipment services for internal Regional divisions including maintenance and repair, marketing and disposal, and acquisition. Fleet manages fleet assets for all service areas with the exceptions of EMS and NRPS. Assets supporting Fleet include vehicles, trailers, maintenance garages, fuel depots and equipment. This section of the asset management plan reports all Region Fleet assets except those of Emergency Medical Services and Niagara Region Police.

Seniors Services provides a variety of long-term healthcare services for residents in the Region's long-term care homes. They also provide services for clients with healthcare needs and/or functional limitations who still live in the community, as well as those who attend adult day programs. Assets supporting Seniors Services include long-term care homes, supportive housing facilities, and care equipment.

Community Housing administers the Region's Community Housing program. Community Housing owns and operates approximately 3,000 accommodation units and has legislative oversight of an additional 4,000 private sector or non-profit units. Community Housing promotes affordable housing opportunities in Niagara, is a community partner who works collaboratively with stakeholders, and ensures equitable and fair access to affordable housing. Assets supporting Community Housing include high rise, low rise, townhouse, and single/semi communities.

Children's Services is responsible for the overall planning and management of services to children from birth to 12 years of age and their families. Assets supporting Children's Services include 5 daycare facilities and associated equipment.

Social Assistance and Employment Opportunities (SAEO) provides management and oversight of Ontario Works, on behalf of the Province. SAEO provides service through the development of plans and strategies to address and alleviate poverty in the Region, coordination with other Region divisions and community organizations involved in the delivery of human services. Assets supporting SAEO include five public service office facilities.

Public Health is responsible for the overall coordination and delivery of the Region's service requirements as a Board of Health in Ontario. Service requirements include providing a medical division, chronic disease and injury prevention division, clinical services division, environmental health division, family health division and an

organizational and foundational standards division. Assets supporting Public Health include facilities and equipment.

Emergency Medical Services (EMS) is responsible for providing 24-hour evidence based emergency pre-hospital medical care and transportation to hospital for individuals experiencing injury or illness. EMS customers include all residents and visitors of the Niagara Region. Assets supporting EMS include divisional stations, fleet, equipment, and information technology.

Information Technology (IT) plans, builds, sustains and secures the enterprise architecture, software applications, computer equipment and telecommunications systems. IT assets include various hardware such as servers, computers, telephone systems and software applications. This section of the asset management plan reports all Region IT assets except those of Niagara Regional Police Services.

Facilities centrally manages the majority of facilities within the Region including energy management and reporting. However, reporting of facility information for the asset management plan is by service area. Buildings shared by multiple departments such as the Region's administrative headquarters reports within Facilities.

Court Services administrates the Provincial Offences Courts including the prosecution of certain provincial offence matters, and fine processing and collection services. Assets supporting Court Services is the courthouse facility, equipment and information technology.

Police Services (Niagara Regional Police Services or NRPS) provide police services including crime prevention, law enforcement, and assistance to victims of crime, public order maintenance, and emergency response. NRPS serves one of Ontario's largest geographic regions by patrolling an area of 1,863 square kilometers, covering 12 Municipalities. Assets supporting NRPS include facilities for headquarters and divisional stations, fleet, personal and protective equipment and tools, investigative equipment and information technology assets.

1.3 Assets not included in this asset management plan

- Office furnishing and equipment
- Some service specific equipment, such as:
 - NRPS forensics lab

- W/WW lab equipment
- Transit assets of the newly approved regional transit Commission
- Land
- Forestry
- Niagara Peninsula Conservation Authority

1.4 Legislated requirements for asset management plans

Asset management planning supports the long-term strategic investment planning practices, which are crucial to the sustainability of infrastructure in an asset-intensive organization such as the Region. While these activities are sound business decisions, there has also been a legislative and regulatory push for the development of formal asset management plans for public sector entities to formalize these practices.

1.4.1 O. Reg. 588/17

The Government of Ontario released Ontario Regulation 588/17, “Asset Management Planning for Municipal Infrastructure” (O. Reg. 588/17) under the Infrastructure for Jobs and Prosperity Act, 2015. O. Reg. 588/17 established the requirements for municipalities to improve asset management practices over a number of years. The timelines presented in O. Reg. 588/17 were amended by Ontario Regulation 193/21 as a result of the COVID-19 pandemic as follows:

- July 1, 2022 – an asset management plan in respect of its core municipal infrastructure assets
- July 1, 2024 – an asset management plan in respect of all of its other municipal infrastructure assets
- July 1, 2025 – proposed levels of service for all assets, and a financial strategy to sustain

1.4.2 Canada Community Building Fund (formerly “Federal Gas Tax”)

In April 2014, the Region entered into a 10-year municipal funding agreement with the Association of Municipalities of Ontario for the transfer of Canada Community Building Funds (formerly named Federal Gas Tax funds). The agreement required the Region to develop and implement an asset management plan by December 31, 2016, and include the information and analysis described in Ontario’s Building Together: Guide for Municipal Asset Management Plans.

1.4.3 Development Charges Act

Ontario’s Development Charges Act requires asset management plans that demonstrate that the assets included in the background study are financially feasible over their full lifecycle. The Act requires detailed asset management plans to support

Transit development charge (DC) By-laws and less detailed asset management plans for all other DC eligible services.

1.5 Asset management plan methodology

The Plan fulfills the Region's legislated requirements under O. Reg. 588/17 for the preparation of an asset management plan, and follows the Building Together: Guide for Asset Management Plans of the Province of Ontario.

Additionally, the Region's AM Policy describes the vision and objectives of asset management in the Region. The AM Policy outlines three [3] principles that have been implemented in the Plan:

1. Service focused: Assets support the service delivered. Plan and manage the performance of assets keeping in mind the service delivered. Set service levels expected by customers and other stakeholders respecting cost, value and risk.
2. Value-based and affordable: Whole of lifecycle evaluation considers both operational and capital costs. Identify the best combination of investments that deliver the greatest benefit while respecting funding, resource, and timing constraints including customers' willingness and ability to pay.
3. Risk-based principles: Make more informed and better asset management decisions to address existing or potential risks to Regional objectives while understanding the likely outcomes and results of the actions.

The Plan is a consolidated summary of the asset management plans of each of the services provided by the Region. Staff from across the Region with the Asset Management Office developed these service area AM plans participating in workshops, providing information and validating results.

2 Demand for service

The goal of service demand analysis is to identify the required new or augmented service and related assets. Anticipated future demand provides details or forecast of growth, changes in requirements and changes in asset utilization. The forecast is enabled by describing drivers of change in demand and how the demand changes may influence service and assets. Demand analysis leads to investment planning necessary to meet the demand forecast.

Service demand is often interpreted as growth or capacity. Demand is also defined by other attributes such as quality, accessibility, and condition. As such, demand analysis closely links with levels of service.

Demand for services can exceed current capacity and may result in the need to expand, augment or upgrade assets, procure additional contracted services, or implement programs to reduce demand such as with conservation programs. Conversely, demand for services may also decrease, such as a move to more online services instead of in-person as has been experienced during the pandemic.

Change in demand can occur because of a variety of factors such as population and demographics, changes in customer expectations, and external factors such as climate change. Demand forecasting helps analyze service needs to define future requirements and development of strategies to meet anticipated changes. Examples of service impacts include:

- Reduce, expand or remove the need for the service
- Maximize the capacity, life span and serviceability of existing assets
- Seek alternatives to investing in the assets, and/or alternative treatments,
- Explore ways to provide the services, e.g. own forces, contractors or agencies
- Explore funding options (government, non-government funding, and private sector investment).

The cost associated with meeting the change in demand can be included in the long-range financial forecast including cost of future operating, maintenance and asset renewal activities.

2.1 Change in demand

Demand drivers are the underlying factors that direct change in the demand for the service. Drivers and their influence help define and measure the changing requirements for services, and the activities and assets required to support those services.

2.2 Demand driver influence and effect

Service divisions across the Region identified a number of drivers that influence demand for the services they provide and rated them by significance of impact on demand as low, moderate or high. A summary of the significance of impact rankings is provided in Table 7. Most drivers identified result in changes to operational requirements rather than changes to the assets utilized in the provision of the service.

Table 7: Region demand driver rankings

| Driver | Region rank |
|-------------------------------------|-------------|
| Population change | 1 |
| Development trends | 2 |
| Legislation and higher Government | 2 |
| Organizational goals and objectives | 4 |
| Social issues and trends | 5 |
| Customer expectations | 5 |
| Demographic changes | 7 |
| Economic factors | 7 |
| Pandemic | 7 |
| Climate change | 10 |
| Technology change | 10 |
| Operational efficiency | 12 |
| Other service provider changes | 13 |
| Asset management | 14 |

In order to better understand the impact which these drivers have on corporate service delivery they were further grouped into the following five [5] generalized drivers, as summarized in Table 8.

Table 8: Demand driver definitions

| Generalized driver | Definition |
|--|---|
| Population, demographics and development changes | Population, and any increase or decrease, change in the structure of the population through age, sex, race, marital status, number of children, occupation, annual income, education level and others. Development changes refer to planning and developments which occur to change the makeup of infrastructure across the region, for instance densification and/or sprawl. |
| Social and economic trends | Trends caused by social changes and economic conditions, such as accessible services, proactive policing, and environmental conscientiousness. Legislative requirements issued by higher levels of government are often driven by social or economic trends and is therefore included. |
| Corporate objectives and customer expectations | Regional goals and objectives, including optimization of services. Internal and external customer expectations of services delivery. |
| Technology and service delivery partners | External service delivery change which impacts the need for a Regional service. Technological innovation which creates a change in a required Regional service. |
| Significant global event | Significant global event which disrupts the lives of many Niagara residents such as war, pandemic or epidemic, and climate change (more intense storm events, colder winters, hotter summers, and longer droughts). |

2.2.1 Population, demographic and development changes

Population is forecasted to grow from 498,990 in 2022 to 694,000 in 2051. If population increases as forecasted, significant development will occur. This development would likely be a combination of densification of existing areas and new development beyond current urban areas. These changes would have an impact on the Region's services, such as new dwellings requiring Water and Wastewater services, Transportation network requiring additional capacity, and social services demand increase in line with the population increase.

2.2.2 Social and economic trends

Social and economic trends encompass a wide range of impacts and are based on a large number of factors and events. An example of this can be found in Community

Housing services which provides affordable housing to those in need. Some scholars predict a growing economic polarization in the coming years, which will likely cause an increase in demand for social services such as those provided by Community Housing. Social trends may dictate how or what services are delivered, and the changes may even be dictated by legislation to implement. For example, the trend over the last several years to invest in Transit is driven by the need to improve social conditions and economic opportunity through enhanced mobility in addition to climate change considerations.

2.2.3 Corporate objectives and customer expectations

Corporate objectives refer to customer expectations, operational efficiency and organizational goals and objectives. For example, EMS has a system transformation initiative to find internal efficiencies to ensure the service is operating efficiently and cost effectively.

2.2.4 Technology and service delivery partners

New technology and its use in service delivery may result in changes to asset useful lives, quality of services delivered, or efficiencies in service delivery. For example, Waste Management can use GPS technology to identify compaction levels within a landfill, which may lead to actions resulting in a reduced need for additional cell capacity.

2.2.5 Significant global event

Significant global events, such as climate change or the COVID-19 pandemic, has a direct impact on Regional services. For example, climate change impacts Wastewater with an increase in frequency and severity of storms that the network must be designed to endure. Whereas COVID-19 pandemic impacts to Facilities may reduce the amount of space maintained if remote work arrangement extend beyond the near term.

2.3 Development

The forecast population increase is a significant driver of new assets. Planning for growth is part of master plans such as for Transportation, Water and Wastewater, and Community Housing. Funding for new assets required to support growth may come from development charges.

Development charges (DCs) are fees collected from developers at the time of building permit approval to assist the municipality with covering the initial capital costs of new infrastructure to accommodate the proposed development.

A Development Charge By-law is legislated to be in effect for no more than five years. Although the last completed study for the entire Region is from 2017, an update in 2022 is ongoing and part of Council reporting in the same period as this asset management plan. As a result, the 2021 Corporate Asset Management Plan includes a draft of new assets from the 2022 Development Charges study; expect those of Water and Wastewater. Growth assets in this plan for Water and Wastewater are those from the 2017 Development Charges study.

3 Levels of service

Levels of service (LOS) are key business drivers that influence decisions about managing assets. LOS statements describe the quality of service the Region is striving to provide to customers and other stakeholders, and commonly relate to service attributes such as availability, reliability, suitability, health and safety, affordability, environmental sustainability, responsiveness and timeliness. Performance indicators and targets are used to describe, quantify and communicate the services that customers and other stakeholders expect to receive and to determine whether the Region is delivering as expected.

For municipal service providers, LOS are guided by a combination of customer and other stakeholder expectations, regulatory and legislated requirements, and internal policies, strategies and procedures. In many cases, LOS are also implied based on past performance and system design. Effective asset management requires that LOS be formalized and supported through a framework of performance measures, targets, and timeframes to achieve targets, and that the costs to deliver the documented LOS be understood.

Niagara has organized its LOS framework under the following categories:

- Corporate LOS: Corporate statements that describe what services the Region intends to deliver, and how it will align with customer expectations, operation efficiencies, and organizational goals and objectives.
- Customer LOS: Understanding the Region's customers and other stakeholders and their expectations is a key input into LOS. Customer LOS are typically balanced against legislative requirements and the customer's ability/willingness to pay.
- Technical LOS: The Region must translate customer expectations and legislative requirements into technical objectives, performance measures, and targets. Technical levels of service define what the Region must do to deliver services that meet customer and legislated LOS.

In addition, legislation plays a great part in defining level of service and may be applicable at either the corporate, customer or technical level.

- Legislated LOS: Legislated requirements define the standards by which the Region is obligated to provide services. Legislative requirements are a significant business driver for most municipal services.

The individual service sections describe the level of service and requirements. This section provides more detail on the corporate level of service, and an overview with examples of legislated, customer and technical level of service.

3.1 Corporate LOS

Corporate LOS are statements that describe what the Region intends to focus on for the term of the Council Strategic Plan. Council engaged in a number of public consultations on what residents expected from the Region and current trends and drivers amongst other relevant issues, and used the results to develop Councils' Strategic Plan for 2019-2022. Councils Strategic Plan identified four [4] key areas of focus for the term of Council:

1. Supporting business and economic growth
 - A coordinated approach to fostering economic growth in Niagara
2. Healthy and vibrant community
 - Foster a high quality of life through safe, healthy, and inclusive neighbourhoods through the delivery of quality, affordable and accessible human services
3. Responsible growth and infrastructure planning
 - Sustainable investments in transportation, transit and infrastructure, while aligning infrastructure planning with preservation of the natural environment
4. Sustainable and engaging government
 - A commitment to high quality, efficient, fiscally sustainable and coordinated core services through enhanced communication, partnerships and collaborations with the community

Within each of the four focus themes, the Region has identified specific actionable objectives. Examples of these are investment in Transit, Community Housing, Social Equity, and in asset management.

3.2 Legislated LOS

Legislated requirements define the standards according to which the Region is obligated to provide services to the community. These standards typically relate to service and asset safety and reliability. The Region delivers services in adherence to applicable legislative requirements, including required compliance monitoring and reporting.

Ontario Regulation 588/17, “Asset Management Planning for Municipal Infrastructure” (O. Reg. 588/17) includes legislated customer levels of services for ‘core municipal infrastructure assets’ (O. Reg. 588/17 refers to them as ‘Community LOS’ which the Plan utilizes when referencing the O. Reg. 588/17 requirements) and requires qualitative descriptions that describe the scope, quality of reliability of the services provided. O. Reg. 588/17 also specifies Technical LOS for municipal infrastructure assets.

3.3 Customer LOS

Customer level of service are generally qualitative and written to describe the service delivered.

Examples in this category are:

- Wastewater: Provide adequate wastewater collection and treatment capacity to prevent sewage backups and overflows
- Waste Management: Waste is disposed of economically
- Information Technology: Public access municipal information and services when, where and how it is convenient to them

3.4 Technical LOS

The Region must translate customer expectations and legislative requirements into technical objectives, performance measures, and targets. Technical LOS define what the Region must do to deliver services that meet customer and legislated LOS.

Compliance with legislated requirements has always been a primary driver for the Region, with changes to legislation driving continuous update of associated technical LOS over time. Technical LOS to support customer and other stakeholder requirements are more dynamic than those defined to support legislative requirements – they must be adapted to changes in the local, regional and global business environments.

Examples in this category are:

- Water: Number of boil water advisories issues
- Roads: Overall average pavement condition grade
- Various: Percentage compliance with regulatory obligations

4 State of infrastructure

The state of infrastructure (SOI) provides the current state of the Region's assets to facilitate informed infrastructure investment decisions, in particular for asset rehabilitation and renewal. SOI provides the basis for determining the amount of funding required to sustain the levels of service at an acceptable level to Niagara Region residents and the community at large and informs the decision making process to keep assets in an acceptable state of repair.

SOI addresses four traditional asset management questions:

1. What assets does the Region own (quantity)?
2. What are they worth (replacement value)?
3. What is the asset performance level (condition in this asset management plan with some risk information)?
4. What is the expected and remaining useful life?

Furthermore, this section highlights the Region's intention to shift the approach to asset management decision-making from condition to risk based. The shift will incorporate a greater emphasis on risk-based economic decision making to enable the explicit trade-off between level of service, cost and risk. As such, risk information is included as part of the assessment for the assets:

5. What is the risk level associated with the assets?

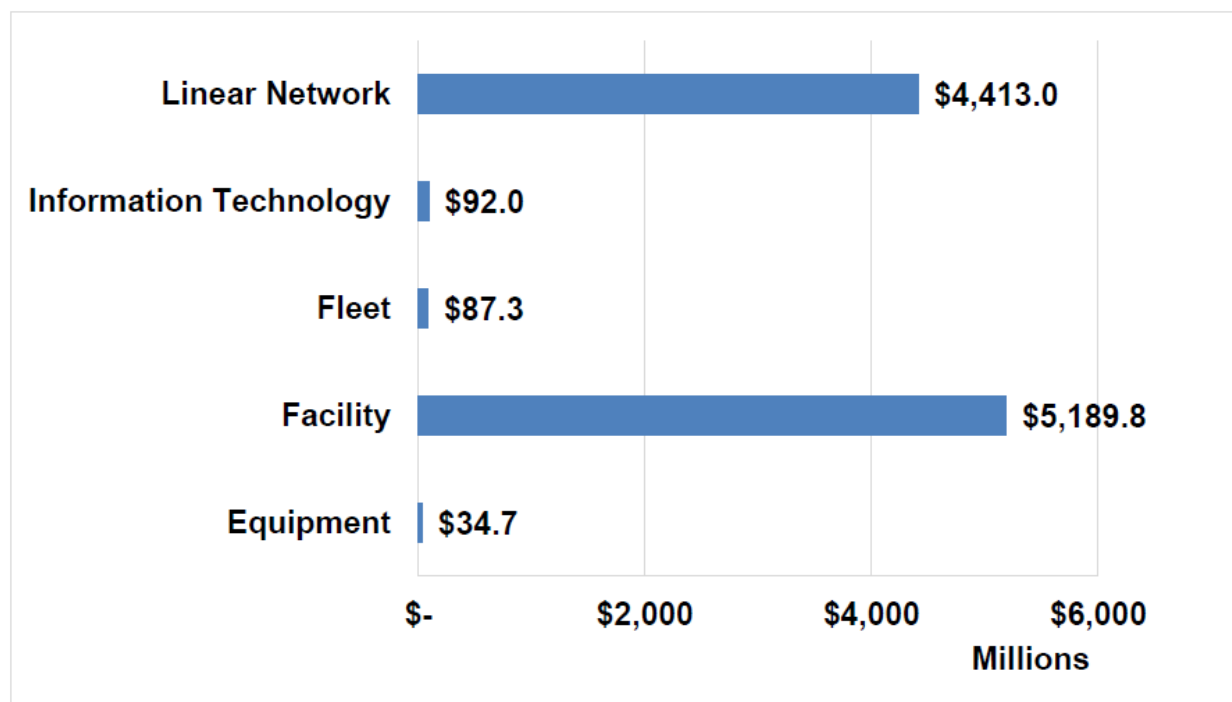
This section includes summary information for all asset owned and operated by the Region on:

- Asset classes or types and quantity
- Replacement cost
- Asset age distribution and asset age as a proportion of useful expected life (UEL)
- Asset condition
- Risk including probability and consequence of failure

4.1 Asset inventory and replacement cost

The assets required to support the services provided by the Region are estimated to cost \$9.82 billion to replace, as summarized by asset category in Figure 1.

Figure 1: Asset replacement cost (\$ millions)



Some of the Regions assets include:

- 41 facilities, such as corporate headquarters, Public Health, day care centres, ambulance and police stations
- Six [6] water treatment plants, 31 pumping stations & reservoirs, and 314 km of water transmission mains for drinking water
- 10 wastewater treatment plants, 126 sewage pumping stations, and 306 km of force and gravity mains for sewage conveyance
- 1,733 km of road network and 89,085 square meters of bridges

From an asset management perspective, current replacement cost valuations are useful for long-term decision-making since it provides a key decision making parameter for understanding the future commitments for replacing assets at their end of useful life or upon asset failure. The current replacement cost was derived from a variety of source data and methods depending on the asset type.

Index from previous cost estimate

Indexing is a forecast of the current replacement value uses an appropriate index starting from a recent asset valuation (replacement cost estimate). The most common index in a municipal setting is Canada's Construction Price Index for Non Residential

Buildings (NRBCI). NRBCI is applicable for facilities, infrastructure and major equipment.

Market price

Market price is the recent purchase price of the same or similar asset that is commercially available. Market price is applicable for commonly purchased and relatively short-lived assets including vehicles, computers, and equipment.

Cost models

Cost models rely on units of measure and a unit cost derived from modelling and combining different sources and methods for the unit cost. The Region has some informal cost models and very few formal cost models.

4.2 Asset age distribution

Traditionally, the age of an asset indicates its remaining life based on its useful expected life (UEL). In absence of condition or risk assessments, the age distribution of assets relative to their respective UEL provides a broad and high-level assessment of remaining useful life. This ratio of age to UEL informs the development of a planning horizon for future asset replacements. This is especially the case when an organization has limited condition or failure data. The average age and average UEL, based on weighted average cost, are summarized by service in Figure 2 and Table 9.

Figure 2: Average age and UEL in years

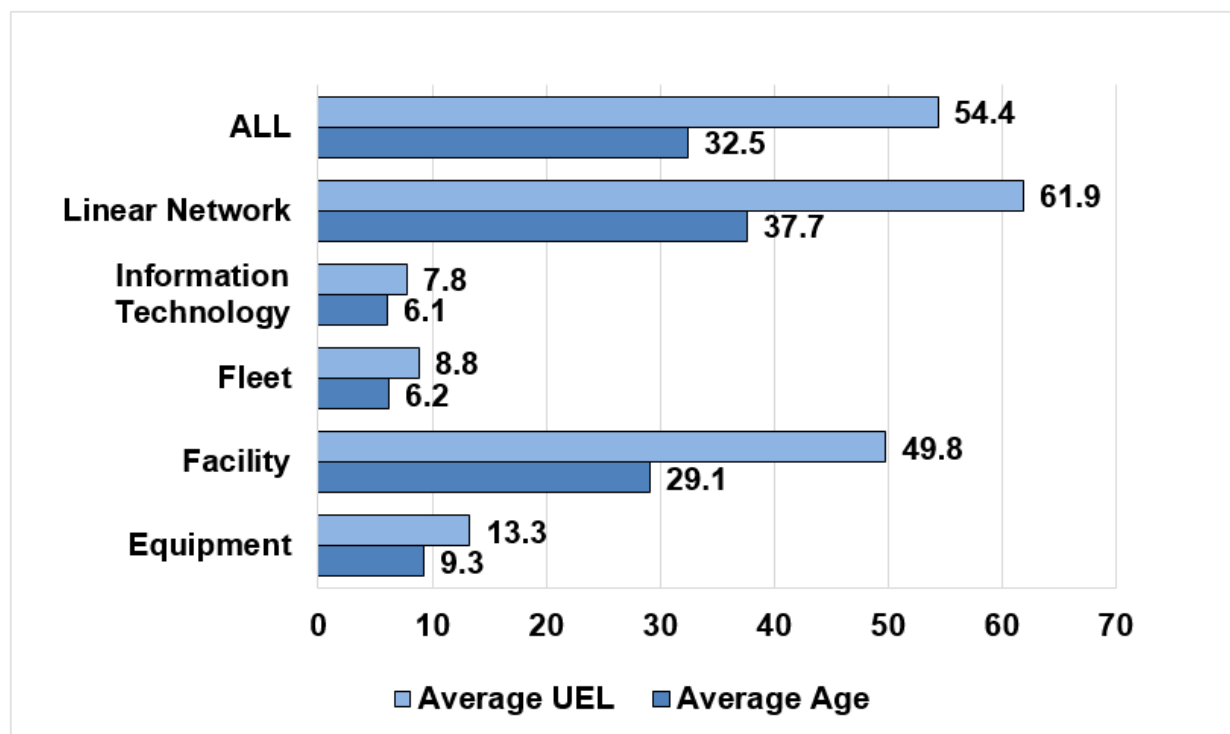


Table 9: Average age and UEL in years

| Asset Category | Average Age | Average UEL | Average Remaining Life |
|------------------------|-------------|-------------|------------------------|
| Equipment | 9.3 | 13.3 | 4.0 |
| Facility | 29.1 | 49.8 | 20.7 |
| Fleet | 6.2 | 8.8 | 2.6 |
| Information Technology | 6.1 | 7.8 | 1.8 |
| Linear Network | 37.7 | 61.9 | 24.3 |
| Total | 32.5 | 54.4 | 21.9 |

An asset reaching useful expected life does not mean that the asset is in a failed state. An asset that is as old as or older than its useful expected life generally is in poorer condition than a newer or younger asset. However, some assets continue to perform beyond useful expected life but with an increased risk of failure or with lower performance.

This performance concept is important to understand when addressing asset backlog. For example, keeping a vehicle on the road past the useful expected life is possible. This subjects the vehicle to higher maintenance costs to keep it running and higher risk of failure of a major component including breaking down at unexpected times. Both these outcomes affect level and cost of service.

The shorter the useful expected life, the higher the capital investment for asset replacement. Ideally, the useful expected life correlates with the expected performance and level of service of an asset. However, the risk of assets at any age should inform decisions about asset replacement to enable balance of cost and level of service with risk.

Overall, the Region has a healthy age distribution of its assets. On average, Facilities and Networks – the largest category of aggregated assets – have significant remaining life left to continue delivery of services for at least two decades. The specific age distribution within these broad categories provides a more granular view on imminent investment needs in the near future. From the perspective of planning asset replacement programs, the Region uses asset age distributions relative to their UEL for ranking high priority assets for further consideration.

Figure 2 represents the asset categories as averages, and therefore may represent new assets as well as assets beyond their useful life. There are in fact assets beyond their useful expected life meaning they are overdue for replacement and represent an investment backlog or deferred investment.

4.3 Asset condition

The assessment of asset condition provides a more refined approach to estimating an assets remaining UEL when condition is directly measured. The Region uses a number of techniques for assessing asset conditions, namely structured visual inspections, model-based condition deterioration assessments and condition assessments correlated with asset age distributions.

To enable comparison of condition and condition trends over time between different asset types, a generic condition grading scale translates detailed engineering data about assets into information that the public and council can compare across asset groups. For this purpose, an industry standard general condition grading system was used based on the International Infrastructure Management Manual (IIMM), summarized in Table 10.

Table 10: General condition rating scale (from IIMM)

| Colour | Condition rating | Description |
|--------|------------------|---|
| | Very good (VG) | Asset is physically sound and is performing its function as originally intended. Required maintenance costs are well within standards and norms. Typically, asset is new or recently rehabilitated. |
| | Good (G) | Asset is physically sound and is performing its function as originally intended. Required maintenance costs are within acceptable standards and norms but are increasing. Typically, asset has been used for some time but is still within early to mid-stage of its expected life. |
| | Fair (F) | Asset is showing signs of deterioration and is performing at a lower level than originally intended. Some components of the asset are becoming physically deficient and component replacement may be necessary. Maintenance requirements and costs are continuing to increase. Typically, asset has been used for a long time and is within the mid- to later stage of its expected life. |
| | Poor (P) | Asset is showing significant signs of deterioration and may be performing to a much lower level than originally intended. A major portion of the asset is physically deficient. Required maintenance costs exceed acceptable standards and norms. Typically, asset is approaching the end of its expected life. |
| | Very poor (VP) | Asset is physically unsound and/or not performing as originally intended. The asset is still operational but has higher probability of failure or failure is imminent. Maintenance costs are unacceptable and rehabilitation is not cost effective. Replacement / major refurbishment are required. |

Asset condition, based on weighted average cost, is summarized by asset category in Figure 3 and Table 11.

Figure 3: Asset condition as % of value by asset category

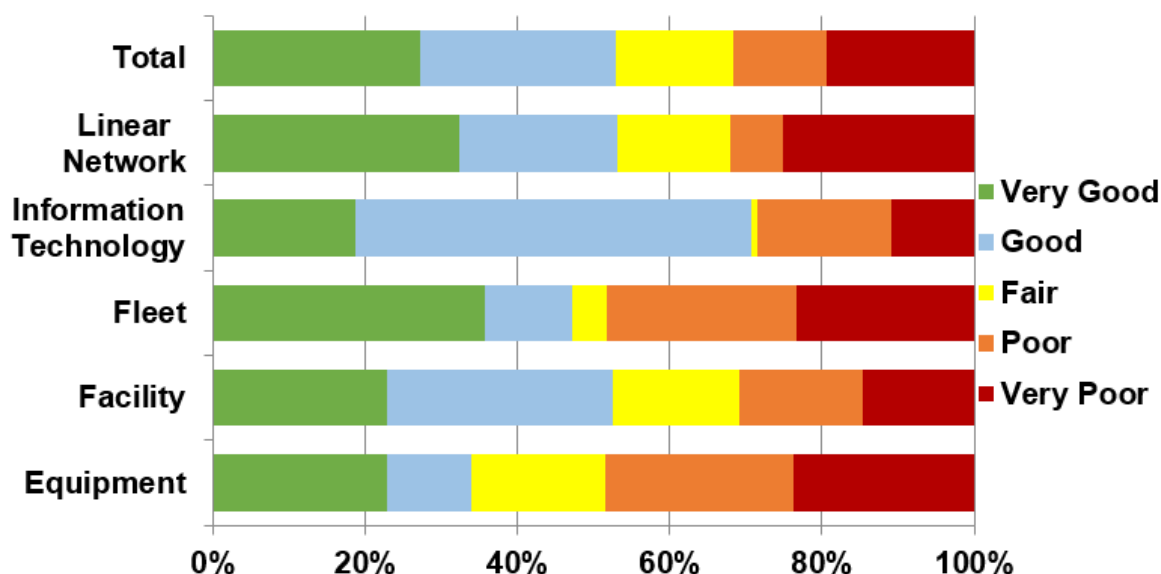


Table 11: Region's asset condition as % of value by asset category

| Colour | Condition rating | Total | Linear Network | Information Technology | Fleet | Facility | Equipment |
|--------|------------------|-------|----------------|------------------------|-------|----------|-----------|
| | Very good | 27.2% | 32.4% | 18.7% | 35.7% | 22.9% | 23.0% |
| | Good | 25.6% | 20.7% | 51.9% | 11.5% | 29.6% | 11.0% |
| | Fair | 15.6% | 14.9% | 0.9% | 4.5% | 16.6% | 17.6% |
| | Poor | 12.1% | 6.8% | 17.5% | 24.9% | 16.2% | 24.6% |
| | Very poor | 19.4% | 25.2% | 10.9% | 23.3% | 14.7% | 23.8% |

The Region's portfolio of assets is overwhelmingly rated in fair to very good condition, with nearly 70% of assets rated as fair or better condition. Although some of these assets deteriorate at a faster pace (e.g., IT equipment, vehicles, etc.) relative to long-lived infrastructure assets, it can generally be assumed that the Region has a healthy mix of assets in various condition states.

Nonetheless, the converse of good performance is the 25.2% of assets in very poor condition. Assets in this group are high risk and candidates for immediate replacement.

The specific condition distribution within these categories provides a more granular view on imminent investment needs in the near future as shown in Figure 4 and Table 12.

Figure 4: Asset condition as % of value by service

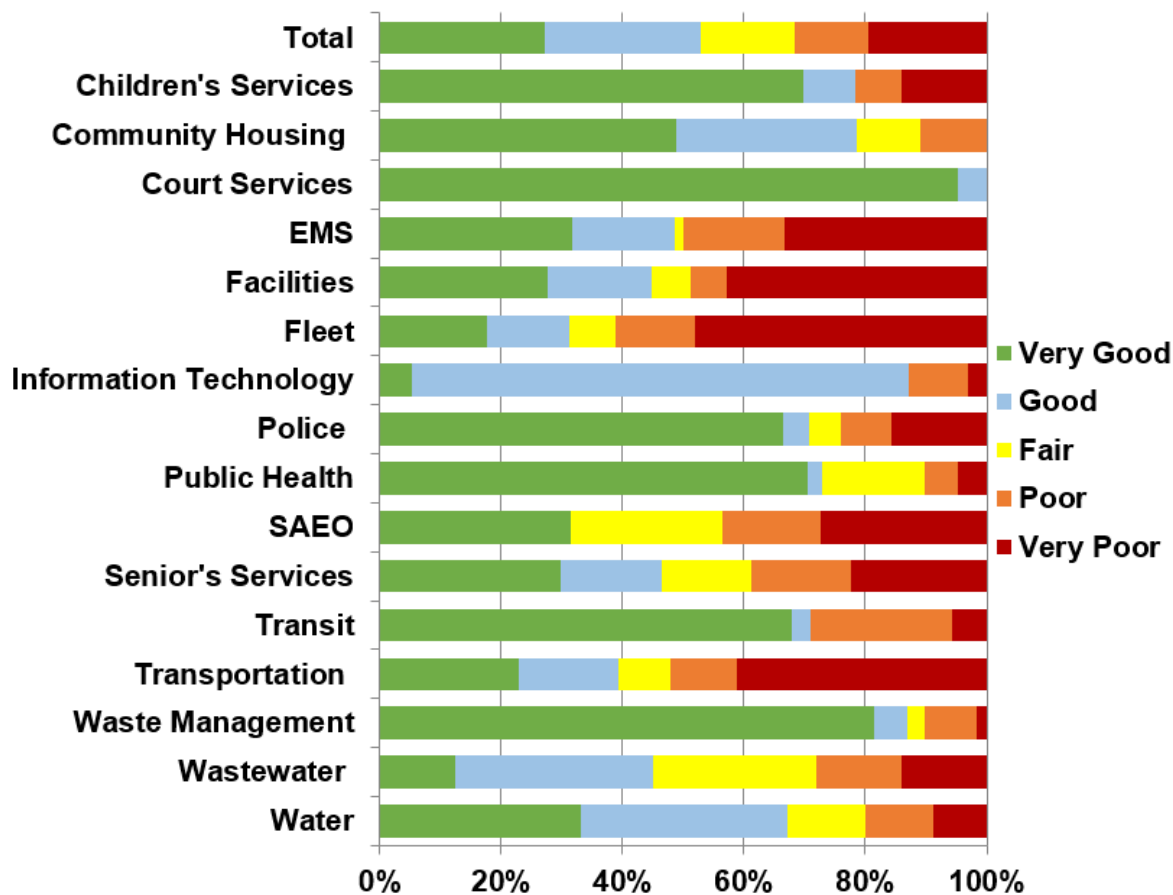


Table 12: Region's asset condition as % of value by service

| Service | Very good | Good | Fair | Poor | Very poor |
|------------------------|--------------|--------------|--------------|--------------|--------------|
| Children's Services | 69.7% | 8.6% | 0.2% | 7.5% | 14.0% |
| Community Housing | 48.7% | 29.9% | 10.5% | 10.9% | 0.0% |
| Court Services | 95.4% | 4.6% | 0.0% | 0.0% | 0.0% |
| EMS | 31.6% | 17.1% | 1.4% | 16.5% | 33.4% |
| Facilities | 27.7% | 17.1% | 6.4% | 5.9% | 42.9% |
| Fleet | 17.6% | 13.6% | 7.6% | 13.1% | 48.1% |
| Information Technology | 5.3% | 81.8% | 0.0% | 9.8% | 3.1% |
| Police | 66.4% | 4.3% | 5.1% | 8.5% | 15.7% |
| Public Health | 70.4% | 2.5% | 16.9% | 5.5% | 4.6% |
| SAEO | 31.4% | 0.0% | 25.0% | 16.3% | 27.4% |
| Senior's Services | 29.9% | 16.6% | 14.8% | 16.2% | 22.5% |
| Transit | 68.0% | 2.9% | 0.0% | 23.3% | 5.8% |
| Transportation | 23.0% | 16.3% | 8.5% | 11.1% | 41.2% |
| Waste Management | 81.5% | 5.4% | 2.8% | 8.6% | 1.7% |
| Wastewater | 12.3% | 32.7% | 27.0% | 14.0% | 14.0% |
| Water | 33.0% | 34.1% | 12.8% | 11.3% | 8.7% |
| Total | 27.2% | 25.6% | 15.6% | 12.1% | 19.4% |

Where available, actual data on condition and performance assess current state and forecast infrastructure needs. When gaps in data exist, an action plan establishes the steps necessary for more comprehensive data and information. The action plan improves the level of confidence in the use of the information, which is to forecast infrastructure investment requirements.

4.4 Risk

Table 13 (Risk Matrix) is a standardized risk matrix to represent assets with their current replacement cost and percentage of total asset replacement cost, respectively, according to their probability of failure (POF) and consequence of failure (COF). For each asset, POF is determined using a Weibull probability function to indicate its current cumulative asset failure likelihood. The cumulative distribution function is asset-specific in terms of the UEL and increasing POF over the lifetime for each asset.

COF represents an assets' criticality to provide service to society, and is defined by social, environmental and financial impact in the event that an asset fails.

- Environmental impact is a measure for the consequential impact of an asset failure on the environment, and includes pollution to air, water bodies and soil contamination.
- Social impact of asset failure evaluates Health & Safety, Well-being, Compliance and Reputational impact on the residents and employees of the Region.
- Financial impact considers the direct cost to the Region as well as compensation to affected residents. The impact of asset failure is represented as a monetary cost.

From an asset management planning perspective, the risk matrix facilitates the review and targeted action of high risk assets and lays the foundation for risk-based asset management planning, e.g. in prioritizing asset replacements or rehabilitation of assets using cost benefit analysis, where risk reduction is considered a benefit.

Risks relating to asset failure may be further mitigated through more detailed condition and risk assessments, preventative and corrective maintenance planning and capital renewal programs. The activities are intended to ensure that the appropriate work is completed to sustain the desired LOS delivered. Asset service risk distribution is summarized in Table 13.

A note on the colour scheme in the matrix is that it is similar to that of the condition grade colour scheme but is not precisely the same. The main difference is assets that have a very high consequence of failure always require a higher degree of treatment regardless of the probability of failure.

Table 13: Distribution of the Region's asset risk (in \$ millions)

| COF | Very low | Low | Moderate | High | Very high |
|-----------|----------|---------|----------|---------|-----------|
| POF | | | | | |
| Very high | \$4 | \$21 | \$46 | \$- | \$- |
| High | \$139 | \$187 | \$32 | \$3,481 | \$721 |
| Moderate | \$146 | \$1,114 | \$132 | \$1,026 | \$420 |
| Low | \$278 | \$379 | \$484 | \$773 | \$- |
| Very low | \$3 | \$110 | \$29 | \$- | \$291 |

POF = Probability of failure
COF = Consequence of failure

Table 14 represents the percentage of total asset replacement cost according to the risk of asset failure. Considering that 7.3% of assets (weighted by asset value) fall into the category of very high risk, these assets should be further validated and prioritized for subsequent asset management activities, including capital asset replacement and auditing emergency response planning.

Table 14: Region risk exposure summary

| Colour | Risk | Asset value (\$ million) | % of assets |
|--------|----------------|--------------------------|---------------|
| VL | Very low (VL) | \$391.7 | 4.0% |
| L | Low (L) | \$554.5 | 5.6% |
| M | Moderate (M) | \$2,991.8 | 30.5% |
| H | High (H) | \$5,157.8 | 52.5% |
| VH | Very high (VH) | \$721.0 | 7.3% |
| | Total | \$9,816.8 | 100.0% |

Risks can indicate required action, standardized responses to existing risks by risk category are as follows:

- Very low (VL)
 - A very low risk has a low probability of risk occurring, and low impact to service delivery. This risk can be responded to by maintaining routine procedures, and planning renewals in the longer term.
- Low (L)
 - A low risk has a low-moderate probability of occurring, and low-moderate impact to service delivery. This risk can be responded to by establishing a monitoring program and planning renewals in the intermediate to long term.
- Moderate (M)
 - A moderate risk has a moderate probability of occurring, and a moderate impact to service delivery. This risk can be responded to by establishing a monitoring program, and planning renewals in the intermediate term.
- High (H)

- A high risk has a moderate-high probability of occurring, and moderate-high impact to service delivery. This risk can be responded to by establishing a monitoring program with frequent risk assessments, and planning renewals in the intermediate to near term. Consideration should also be made for additional preventative or correction actions.
- Very high (VH)
 - A very high risk has a high probability of occurring, and high impact to service delivery. This risk can be responded to by establishing a monitoring program with frequent risk assessments, and planning renewals in the near term. Consideration should also be made for additional preventative or correction actions.

5 Lifecycle strategies

Lifecycle delivery is the asset management element to manage assets from the time it is acquired to its disposal. Lifecycle delivery includes a strategy or approach for actions to maintain, rehabilitate and replace assets. In its simplest form, these actions, referenced as infrastructure solutions, are the lifecycle asset strategy (LAS). In the asset management plan these actions, their costs, and timing inform the level of service and the cost of service.

In addition to infrastructure solutions, the LAS includes non-infrastructure solutions and associated costs. There are five [5] categories of LAS as summarized in Table 15.

Table 15: The five categories of lifecycle asset strategies

| No. | Solution | Description |
|-----|-------------|---|
| 1 | Service | Service delivery solutions may or may not involve the asset portfolio. Service decisions focus on the extent of service provided and on service delivery. Service based lifecycle management includes contracted service as a non-asset solution. |
| 2 | Maintenance | Operations and maintenance of the asset portfolio according to maintenance or operations strategies. This includes regularly scheduled inspection, condition assessments, routine maintenance, and more significant repairs including those due to unexpected events. Maintenance helps assets achieve expected life whereas incorrect maintenance leads to not achieving expected life. |
| 3 | Renewal | Renewal is enhancement of the assets or services, and rehabilitation or replacement of existing assets. Generally, rehabilitation is different from maintenance because of the higher cost, that it is a capital expense and that it enhances the asset in some way such as extending the asset life. Replacement occurs when rehabilitation is no longer a viable option and the asset has reached the end of its useful life. |
| 4 | Expansion | Expansion is planned activities to extend services to previously un-serviced areas or expand services to meet growth demands. For assets, it is the addition of new assets or new asset capacity. |
| 5 | Non-asset | Non-asset solutions are those that do not involve the acquisition, maintenance or renewal of assets. They are actions or policies that can lower costs or extend asset life, e.g., better integrated infrastructure planning and land use planning, demand management such as conservation or business process optimization. Master or service planning and management are the main processes identifying non-asset solutions. |

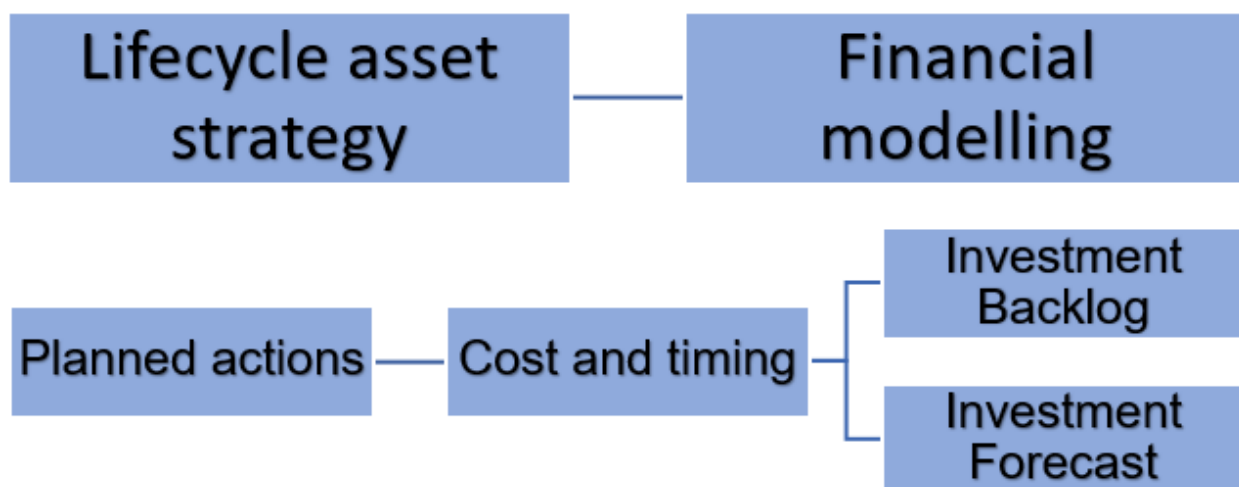
The LAS is the planned actions that enable assets to provide the desired level of service in an efficient and sustainable way.

Efficient means providing service at the lowest lifecycle cost. To achieve the lowest lifecycle cost includes delaying investment as long as possible. Delaying investment means managing risk of failure or interruption of service delivery within tolerable limits. Risk is an important measure to help make decisions on when it is best to maintain, rehabilitate or to replace an asset.

Sustainable means fully funding the service needs and actions. The basis of determining funding needs or investment is the lifecycle asset strategy.

Figure 5 shows the relationship between the lifecycle asset strategy and financial modelling.

Figure 5: Lifecycle asset strategy and financial modelling



5.1 Lifecycle asset strategies for the Region's assets

The Region uses three [3] basic lifecycle asset strategies in the financial model for all existing assets. These are maintenance, rehabilitation, and replacement.

The financial model uses the expansion strategy for all assets to support growth that the Region's Development Charges Bylaw identifies. After acquiring the asset, the financial model employs one of the three strategies for existing assets as applicable as described in Table 15 previously.

The Region uses five [5] categories for all its assets and further subdivides the category for different classes of assets. An example is Buildings and Plant within the Facility

category. In addition to maintenance, which is a strategy for virtually every asset in the Region, there is a general strategy for each asset category in Table 16.

Table 16: Lifecycle asset strategy for the Region's assets

| Asset category | Class | Lifecycle asset strategy |
|------------------------|----------------------|---------------------------------|
| Facility | Buildings | Rehabilitation and replacement |
| Facility | Plant | Rehabilitation and replacement |
| Facility | Landfill | Rehabilitation and replacement |
| Equipment | Equipment | Replacement |
| Linear network | Roads | Rehabilitation and replacement |
| Linear network | Bridges | Rehabilitation and replacement |
| Linear network | Other Transportation | Replacement |
| Linear network | Pipelines | Replacement |
| Fleet | Fleet | Replacement |
| Information Technology | Hardware | Replacement |
| Information Technology | Software | Replacement |

5.2 Performance modelling

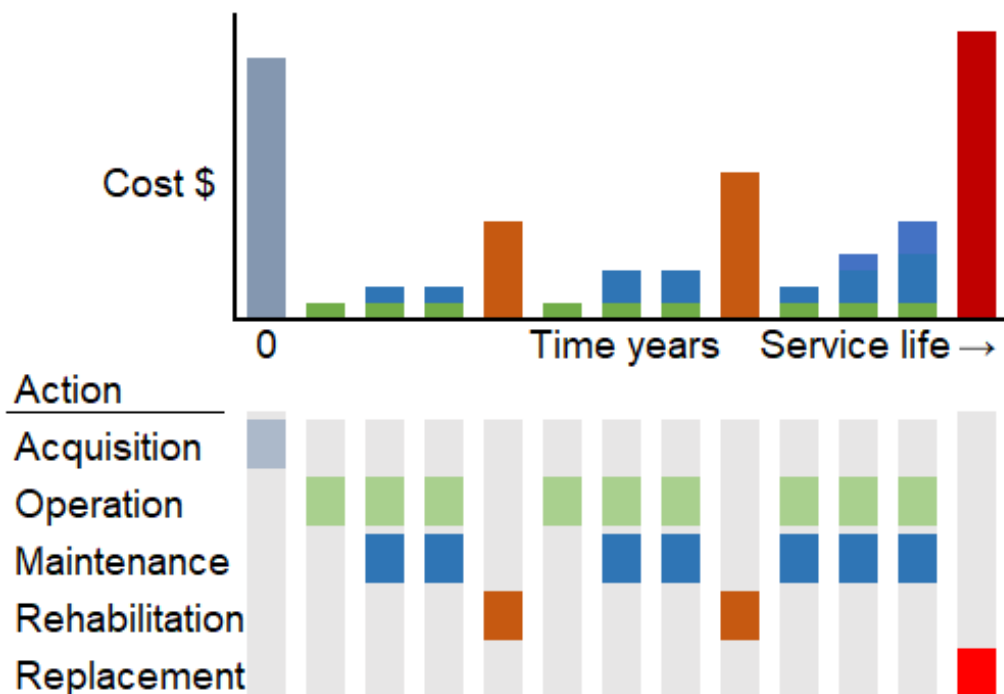
Performance modelling is the basis of lifecycle analysis. Analysis requires a model of change in asset performance over time and change because of lifecycle actions. An example of performance change is the improvement of condition and lowering of risk after rehabilitation.

All assets degrade over time and this degradation may have linear or non-linear degradation curves. Deterioration profiles for an asset can be determined from a variety of sources, including historical performance, local knowledge, and best practice. Some organizations have developed bespoke deterioration profiles using failure and performance data. More typically, organizations adopt typical performance curves approximating an industry standard. Provided an organization collects performance data, it is possible to customize these standard deterioration curves over time.

Based on empirical data and experience, specific points along the degradation curve can be set as thresholds for actions of maintenance, rehabilitation or replacement.

The lifecycle depicted in Figure 6 illustrates the relationship between cost and lifecycle actions through the asset life. This is a simple example in that the actions correspond to time during the life of the asset rather than risk. A risk-based strategy employs risk principles for rehabilitation and replacement timing.

Figure 6: Example of a simple lifecycle asset strategy



5.3 Risk of not following the lifecycle asset strategy

The selected strategies reflect the best information and practice at this time. The Region has designed the strategies to be appropriate, cost-effective and ensure service sustainability.

Deviating from the defined strategies increase the risk of service delivery risks and risk from asset failures. It is worth noting the Region may choose to vary from the strategies and resulting forecast investment rate for a time due to various economic or political factors. However, eventually funding must follow the strategy and the forecast investment amounts to avoid increasing the backlog, and realizing asset risks.

The timing of a lifecycle strategy action, one of the three [3] used in the financial model, relies on timely and accurate asset management activities such as inspections,

assessments, analysis and forecasts. If the Region does not complete the actions and activities in the right way, at the right time, or for the right reason, it exposes the Region to risk. The outcomes of the risk are general and typical for most assets. A general description is in Table 17.

Table 17: Risks of not following the lifecycle asset strategy

| Risk | Strategy | Potential outcomes |
|--|--|--|
| Work timed too late Incorrect assessment: lower performance than actual | Maintenance, Rehabilitation, Replacement | Reduced level of service, fail to avoid failure and consequences, more expensive maintenance or repair, missing an opportunity for minor works |
| Work timed too early Incorrect assessment: higher performance than actual | All | Ineffective use of funding and resources |
| Work timed too late | Expansion | Stalled growth and revenue, overcapacity pressure on existing assets |
| Incorrect lifecycle model timing | Maintenance, Rehabilitation, Replacement | Incorrect forecast of investment and either under or over funded |
| Incorrect risk assessment | Maintenance, Rehabilitation, Replacement | Suboptimal prioritization and performance |
| Incorrect work performance or strategy | All | Suboptimal performance, ineffective use of funding and resources |

5.4 Measuring risk

The risk model in this asset management plan is the risk model from the annual capital budget process, the Corporate Asset Management Resource Allocation Model or CAMRA.

The CAMRA model is a methodology that assesses the Region's exposure to operational risks in the context of its corporate priorities. It uses a customized risk

assessment methodology within the triple bottom line consequences of Environment, Social and Financial consequence.

The risk model in CAMRA uses a standard formula of probability multiplied by consequence of a risk event with the following criteria for consequence:

- Health and safety
- Well being
- Compliance
- Reputational risk
- Environmental
- Consequential costs

This provides a framework for consistent, defensible and replicable risk assessments that are sufficiently generic to be comparative across all the Region's services.

In the annual budget, for individual projects staff select probability of failure (POF) from six pre-set values using a corresponding description for each. The pre-set values range from 2% to 100%. Staff assign a rating for each individual project and for each of the five consequence factors using a standard scale. This approach works well when there is a limited number of individual projects to assess such as the several hundred in the annual budget. However, for the asset management plan there are tens of thousands of assets to assess so a modelled approach is better.

The model for probability uses a two-parameter Weibull equation that returns a POF for any asset age. The parameters change the relationship between POF and age. Setting the parameter values requires a professionally judged qualitative understanding of asset behaviour correlating to asset type. The results from several years of using CAMRA also is a source of data for the qualitative assessment. In this way the set of standard Weibull models built are applicable to any asset in the Region.

To use the Weibull risk model the parameters necessary are:

- Asset type: to enable Weibull model selection
- Useful expected life: to set the model performance boundary condition
- Age: to generate probability using the Weibull model
- Condition: when available, to generate a working age if different from actual age

The model risk assessment for consequence of failure uses a similar approach to assess assets at the class level.

With the modelled approach, it is possible to measure risk for every asset in the Region. However, the model and its use needs further improvement before using it to optimize the timing of forecast lifecycle actions and resulting investments. For now, the Region has a foundation from which to work towards the legislative requirements of the 2025 asset management plan.

6 Financial strategy

This section presents a financial projection of asset investment needs based asset inventory data and lifecycle activities discussed in Section 5, which outlines the lifecycle asset strategy.

The basic premise of a lifecycle asset strategy is to perform routine maintenance during the life of the asset with periodic rehabilitation or refurbishment. Replacement of the asset using its useful expected life guides when to replace and create a new asset. Asset replacement starts the lifecycle over again.

The lifecycle asset strategy models the behavior, deterioration and risk of assets over time and the actions to restore performance. This model forms the basis of the forecast of actions and costs, and the effect on levels of service, performance and risk

The financial strategy projects investment requirements from asset management planning and combines this with financial and budget planning practices. This enables the Region to determine a long-range financial plan to sustain the level of service delivered by the Region.

6.1 Changes to investment backlog and future investment needs

This subsection summarizes the financial information from this section. Additional details are in subsequent subsections.

The backlog of deferred investment and forecast investment estimated in the 2021 Corporate Asset Management Plan is significantly greater than that in the 2016 Asset Management Plan.

The main reason for the increase is due to improvements in the asset management data. Although this data improvement highlights a greater financial need than in 2016, the information positions the Region to better address risk to level of service and of asset failure.

The result of the changes since 2016 is a need for a greater annual increase in rates and levy to reduce the backlog and achieve required funding levels. Table 15 shows a comparison of various financial measures between 2016 and 2021 and the corresponding increase in those measures.

Table 18: Comparison of financial measures between 2016 and 2021

| Financial item | 2016 \$ millions | 2021 \$ millions | Increase |
|--|------------------|------------------|----------|
| Replacement value | \$7,430 | \$9,817 | 32% |
| Backlog | \$546 | \$2,480 | 354% |
| Annual investment including backlog in each of the next 10 years | \$225 | \$438 | 95% |
| Annual funding gap over 10 years | \$73 | \$193 | 163% |
| Required Water and Wastewater Rate increase to fund gap | 3.15% | 7.22% | 129% |
| Required Levy increase to fund gap | 2.16% | 3.82% | 77% |

For various reasons due to financial constraints since the 2016 Asset Management Plan, Council did not follow the rate and levy increases approved or recommended from this plan.

There is ongoing pressure to maintain current rate and levy increases as low as possible. While understandable, there is a clear need to rationalize the investment needed with the level of service delivered. Appropriate rate and levy amounts require a decision on a revenue increase, or a reduction in level of service, or both.

Asset management employs risk to help determine an appropriate balance between the level of service delivered and the cost to deliver the service. Risk assessment provides the Region with the ability to make informed decisions when or under what circumstances it may be acceptable to defer investments.

To inform the rate and levy decision, the Region will work on improving asset management for the Asset Management Plan in 2025. This includes identifying alternative levels of service, costs of the alternative levels of service, the associated risk to service delivery and the corresponding change to rates and levy.

6.2 Future renewal investment needs

The 2021 CAMP forecasts average annual renewal investment (AARI) for each service that is necessary to sustain the Region's existing assets, valued at \$9.8 billion, and for

the future investment needed to sustain growth assets that are initially funded through development charges. For application in funding strategies, AARIs are presented for the 10, 50 and 100-year terms to provide a fulsome view of the longer-term needs of the Region, which will inform the development of a sustainable financial strategy.

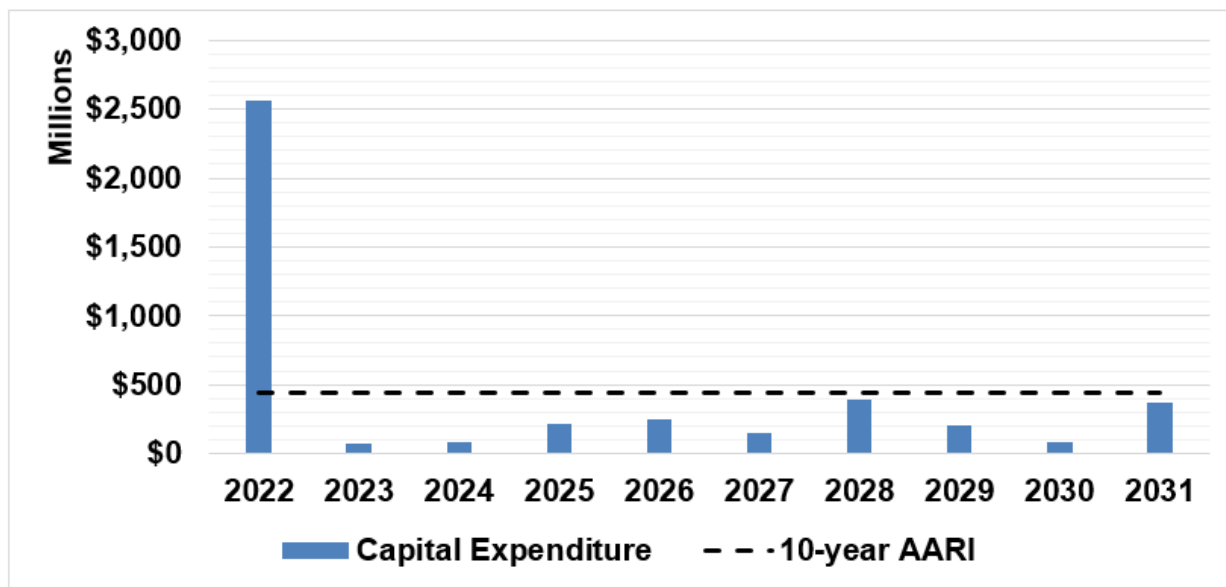
The AARI forecast in the 2021 CAMP includes the replacement of the assets at the end of the useful expected life (UEL), as well as expenditures for lifecycle strategies to sustain assets and lower overall cost of ownership. For assets that are paid for through development charges, the cost of acquisition is assumed to be \$nil for the Region. Following acquisition, the future renewal and replacement costs have been included in the AARI forecast.

The 10-year AARI includes the average annual spending necessary to eliminate the current backlog of \$2,479.7 million over the 10-year period. This is in addition to the level of average investment required annually based on the Region's lifecycle asset strategies.

When the 10-year AARI is compared to the average renewal budget from the 2022 Capital Budget and 9-year Forecast (2022 Capital Budget) of \$245.4 million annually, there is a difference of \$192.8 million.

This difference in average annual investment is the funding gap. Figure 7 and presents the annual and 10-year average capital program from the 2022 Capital Budget and the 10-year AARI. The high bar indicated in 2022 indicates that there is a backlog of capital work of approximately \$2,479.7 million based on analysis of the renewal strategies.

Figure 7: Region's total future renewal investment needs



Future renewal investments, backlog, and projected infrastructure funding gap vary between services. Table 19 provides a summary of the 10-year Capital Budget renewal investment, 10-year AARI, infrastructure funding gap, and backlog by service.

Note: Facilities 10-year average capital budget in Table 19 includes budgets for facilities managed by the corporate Facilities service. At this time, there is insufficient detail in the capital budget requests to allocate costs to specific services. Table 19 also excludes asset acquisition costs that are funded through development charges as it is a net \$nil cost to the Region. The lifecycle costs after acquisition are included in the 10-year AARI forecast.

Table 19: Service renewal investments (\$ million)

| Service | 10-year average capital renewal budget | 10-year AARI forecast | Infrastructure gap (surplus if positive) | Backlog |
|-------------------------------|---|--------------------------------------|---|------------------|
| Water | \$36.2 | \$50.0 | (\$13.8) | \$242.2 |
| Wastewater | \$51.3 | \$113.7 | (\$62.4) | \$589.6 |
| Waste Management | \$3.4 | \$5.0 | (\$1.6) | \$8.6 |
| Transportation | \$96.4 | \$189.0 | (\$92.6) | \$1,422.4 |
| Transit | \$2.4 | \$2.6 | (\$0.2) | \$1.5 |
| Fleet | \$3.0 | \$4.5 | (\$1.5) | \$20.3 |
| Seniors Services | \$1.9 | \$15.1 | (\$13.2) | \$40.8 |
| Community Housing | \$8.7 | \$25.2 | (\$16.5) | \$39.6 |
| Children's Services | \$0.0 | \$0.5 | (\$0.5) | \$2.7 |
| SAEO | \$0.0 | \$1.0 | (\$1.0) | \$5.9 |
| Public Health | \$0.0 | \$0.3 | (\$0.3) | \$1.3 |
| Emergency Medical Services | \$5.1 | \$4.6 | \$0.5 | \$13.2 |
| Information Technology | \$4.5 | \$6.8 | (\$2.3) | \$1.7 |
| Facilities | \$23.0 | \$6.1 | \$16.9 | \$48.3 |
| Courts | \$0.0 | \$0.2 | (\$0.2) | \$0.0 |
| Police Services | \$9.5 | \$13.6 | (\$4.1) | \$41.5 |
| Total | \$245.4 | \$438.2 | (\$192.8) | \$2,479.6 |

Service-specific information is presented in the individual service sections of the 2021 CAMP.

6.3 Capital budget

As part of the annual capital budget process, each of the Region's services develops a 1-year capital budget and 9-year forecast. The Region prioritizes capital project requests from all divisions using a corporate prioritization model that measures a projects risk and its level of alignment with corporate priorities. The risk model uses a triple bottom line (social, environment and economic) approach with a consistent set of criteria to determine the consequence of an asset failure, then incorporates the project cost and probability of failure (before and after project completion) to generate a risk-

based return on investment (R-ROI). The corporate priority model determines the level of alignment with corporate priorities, including Council's four strategic priorities.

Results from the models allow the Region to rank proposed projects and provide a consistent basis to compare and evaluate projects from different divisions with objective, evidence based information. Project prioritization is informed by the model outputs in the following order:

1. R-ROI value
2. Risk (consequence of failure * probability of failure)
3. Corporate priority alignment
4. Factors identified by staff professional judgement in addition to those incorporated in the model

As the Region is currently experiencing a funding shortfall in its capital program, the prioritized list generated through the models assists with determining which projects should be recommended for funding allocation first. The final prioritization list is reviewed and approved by the Region's Corporate Asset Management Steering Team for recommendation to Council.

To assess the financial sustainability of these capital investments, the 2021 AMP includes long-term outlooks over 50 and 100 years for each service (see Section 6.3). This long-term analysis ensures that major expenditures beyond the next 10-year period are considered in sustaining assets and developing appropriate reserves for peak investment requirements.

In 2019 Council approved C-F-027 Capital Financing Policy (CF Policy), which establishes guiding principles for the basis of the capital financing request in the operating budget. A description of the primary funding sources and the CF Policy principles for applying funding based on project type are summarized in Table 20.

Table 20: Funding sources and CF Policy principles for use

| Funding source | Description | CF Policy principles for use |
|-----------------------|---|--|
| Reserves | Pay-as-you-go funding provided from the tax levy or user rates | State of good repair |
| Debt | Long-term borrowing, generally to be repaid over the useful life of the underlying assets, funding for repayment from the tax levy of rates | Strategic investments |
| Development charges | Funding collected from developers under the Region's DC Bylaw to fund infrastructure requirements that are growth-related | Growth-driven projects |
| Other | Government grants, cost-sharing contributions or other external sources, generally linked to a specific project | Specific project being funded or those eligible under the terms of the funding agreement |

Funding sources identified in the 2022 Capital Budget and 9-year Forecast are summarized in Figure 8.

Figure 8: 2022-2031 Capital budget funding sources

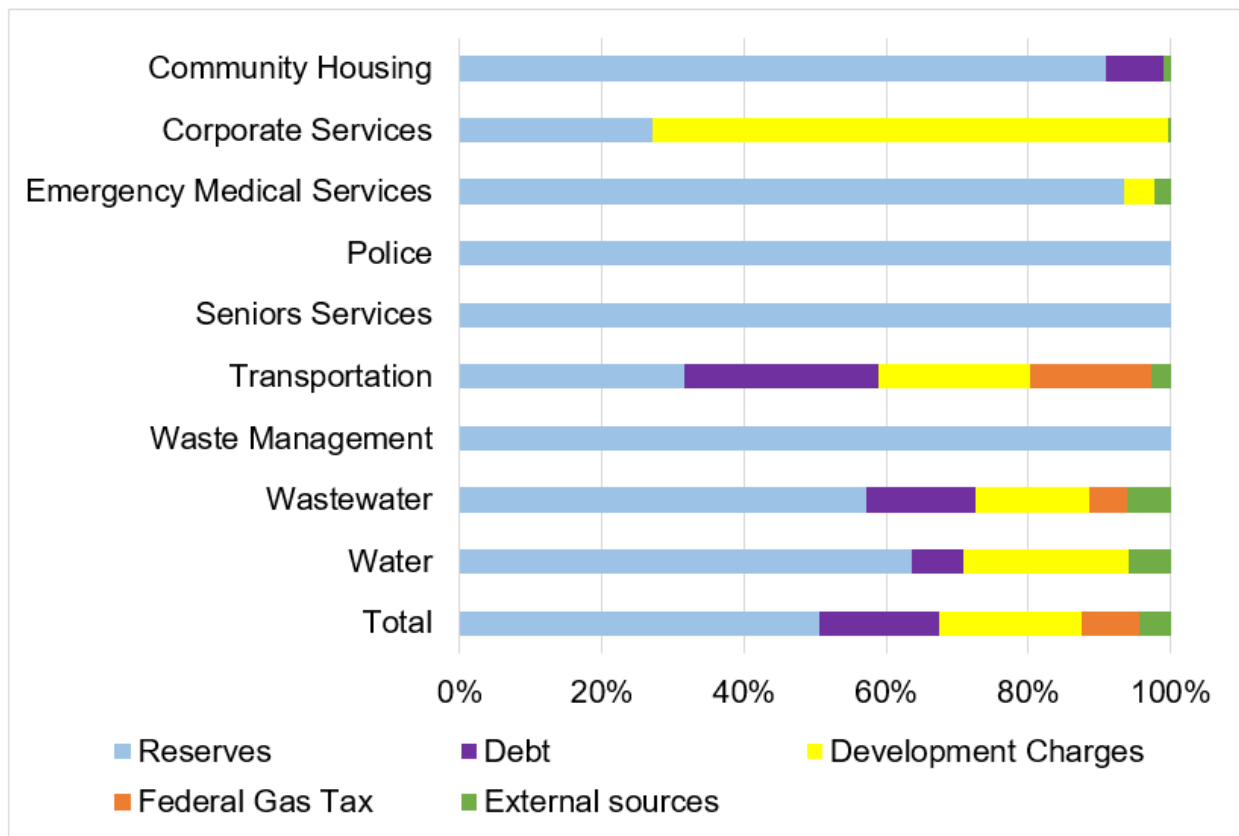


Table 21: Funding sources and CF Policy principles for use

| Service | Reserves | Debt | Development charges | Federal gas tax | External sources |
|----------------------------|--------------|--------------|---------------------|-----------------|------------------|
| Community Housing | 91.0% | 7.9% | 0.0% | 0.0% | 1.1% |
| Corporate Services | 27.2% | 0.0% | 72.5% | 0.0% | 0.3% |
| Emergency Medical Services | 93.4% | 0.0% | 4.2% | 0.0% | 2.4% |
| Police | 100.0% | 0.0% | 0.0% | 0.0% | 0.0% |
| Seniors Services | 100.0% | 0.0% | 0.0% | 0.0% | 0.0% |
| Transportation | 31.5% | 27.3% | 21.4% | 16.9% | 2.8% |
| Waste Management | 100.0% | 0.0% | 0.0% | 0.0% | 0.0% |
| Wastewater | 57.2% | 15.4% | 16.0% | 5.3% | 6.1% |
| Water | 63.6% | 7.2% | 23.3% | 0.0% | 5.9% |
| Total | 50.5% | 17.0% | 20.1% | 8.1% | 4.4% |

Included in the funding source summary is approximately \$89.2 million of funding from grants, local area municipalities (cost-sharing) or other external sources. As these sources are generally application based or one-time funding, such as specific stimulus announcements, it is not practical to forecast these funds as a sustainable source into the future. As such, these sources will need to be replaced in the future with a sustainable funding source to meet capital expenditure requirements.

Examples of other financial policies and Council reports that directly impact capital budget information or processed include:

- C-F-013 Reserve and Reserve Funds Policy establishes target reserve balances and outlines any restrictions on use of funds with a reserve or reserve fund
- C-F-003 Capital Asset Management Policy address how tangible capital assets are recorded in the financial statements of the Region including eligible costs, depreciation and disposal practices
- Capital pay-as-you-go/reserve funding increases:

- CSD 70 2016: 1% of total levy in 2017 (referred to as the Infrastructure Deficit Reduction)
- CSD 51-2021: 1% of the Regional departmental levy dedicated to infrastructure funding in 2021 \$2M
- CSD 58-2022: 1% of total levy in 2022

6.4 Operating budget

Annually, each of the Region's services develops a current year operating budget and a 2-year forecast (referred to as the multi-year operating budget), which outline the financial requirements to support service delivery. To maintain the current levels of service, the Region includes planned maintenance and operations works in its annual operating budget. Table 22 outlines the approved 2022 operating budget by service, summarized at object of expenditure level, which includes operating and maintenance related expenditures.

Table 22: 2022 operating budget summary (in \$ millions)

| Service | Staffing | Utilities | Operating & maintenance | Program specific | Operating subtotal |
|----------------------------|-----------------|------------------|------------------------------------|-------------------------|---------------------------|
| Water | \$7.8 | \$3.3 | \$2.9 | \$30.7 | \$44.7 |
| Wastewater | \$10.8 | \$7.8 | \$5.5 | \$43.7 | \$67.8 |
| Waste Management | \$4.0 | \$0.7 | \$4.9 | \$58.0 | \$67.6 |
| Transportation | \$15.0 | \$0.7 | \$7.2 | \$20.1 | \$43.0 |
| Transit | \$0.4 | \$0.0 | \$0.8 | \$21.7 | \$22.9 |
| Fleet | \$1.9 | \$0.0 | \$2.3 | \$2.8 | \$7.0 |
| Seniors Services | \$89.8 | \$2.0 | \$3.5 | \$13.7 | \$109.0 |
| Community Housing | \$5.8 | \$5.1 | \$6.3 | \$43.6 | \$60.8 |
| Children's Services | \$8.5 | \$0.1 | \$0.1 | \$49.6 | \$58.3 |
| SAEO | \$17.2 | \$0.2 | \$6.3 | \$103.6 | \$127.3 |
| Public Health | \$55.4 | \$0.1 | \$1.9 | \$7.1 | \$64.5 |
| Emergency Medical Services | \$52.7 | \$0.2 | \$4.0 | \$8.5 | \$65.4 |
| Information Technology | \$5.7 | \$0.0 | \$0.9 | \$4.0 | \$10.6 |
| Facilities | \$3.9 | \$0.6 | \$1.2 | \$0.7 | \$6.4 |
| Courts | \$2.8 | \$0.0 | \$0.2 | \$8.9 | \$11.9 |
| Police Services | \$171.0 | \$1.1 | \$7.2 | \$13.7 | \$193.0 |
| Total | \$452.7 | \$21.9 | \$55.2 | \$430.4 | \$960.2 |

In addition to operating costs, each of the Region's services' budget for capital financing related expenditures that are funded through transfer from the operating budget. Table 23 outlines the capital financing costs by service, which includes capital reserve transfers and debt charges (payments on previously approved and outstanding debt).

Table 23: 2022 capital financing budget summary (in \$ millions)

| Service | Capital reserves transfers | Debt charges | Capital financing total |
|----------------------------|-----------------------------------|---------------------|--------------------------------|
| Water | \$22.2 | \$2.1 | \$24.3 |
| Wastewater | \$18.6 | \$14.2 | \$32.8 |
| Waste Management | \$4.4 | \$0.1 | \$4.5 |
| Transportation | \$11.8 | \$19.2 | \$31.0 |
| Transit | \$0.7 | \$1.3 | \$2.0 |
| Fleet | \$2.6 | \$0.0 | \$2.6 |
| Seniors Services | \$2.4 | \$7.8 | \$10.2 |
| Community Housing | \$3.9 | \$6.9 | \$10.8 |
| Children's Services | \$0.4 | \$0.1 | \$0.5 |
| SAEO | \$0.8 | \$0.0 | \$0.8 |
| Public Health | \$1.3 | \$1.2 | \$2.5 |
| Emergency Medical Services | \$4.3 | \$1.0 | \$5.3 |
| Information Technology | \$0.0 | \$0.0 | \$0.0 |
| Facilities | \$0.0 | \$0.2 | \$0.2 |
| Courts | \$0.3 | \$0.5 | \$0.8 |
| Police Services | \$4.1 | \$9.3 | \$13.4 |
| Total | \$77.5 | \$63.9 | \$141.4 |

6.5 Actual capital expenditures

Table 24 provides actual historical capital expenditures for the Region's infrastructure. Capital funds for initial construction of assets, funded by Development Charges, are included. Therefore, a direct comparison to the future forecasts in Section 4 is not appropriate. Also, expenditures for centrally managed facilities such as child care centres and public health offices, are recorded in this table under Facilities.

Table 24: Actual capital expenditures (in \$ millions)

| Service | 2017 | 2018 | 2019 | 2020 | 2021 |
|----------------------------|----------------|----------------|----------------|----------------|----------------|
| Water | \$12.0 | \$21.0 | \$16.4 | \$36.9 | \$24.1 |
| Wastewater | \$21.0 | \$15.1 | \$26.7 | \$28.5 | \$32.6 |
| Waste Management | \$2.0 | \$2.3 | \$9.5 | \$6.0 | \$2.4 |
| Roads Network | \$44.9 | \$34.8 | \$57.8 | \$53.2 | \$29.6 |
| Transit | \$4.6 | \$0.5 | \$0.8 | \$3.5 | \$0.9 |
| Fleet | \$2.9 | \$0.8 | \$0.7 | \$0.2 | \$0.1 |
| Seniors Services | \$1.5 | \$1.4 | \$1.5 | \$1.7 | \$1.0 |
| Community Housing | \$9.7 | \$17.0 | \$16.2 | \$13.4 | \$36.1 |
| Children's Services | \$0.0 | \$0.0 | \$0.0 | \$0.0 | \$0.0 |
| SAEO | \$0.0 | \$0.0 | \$0.0 | \$0.0 | \$0.0 |
| Public Health | \$0.0 | \$0.0 | \$0.0 | \$0.0 | \$0.0 |
| Emergency Medical Services | \$0.1 | \$3.9 | \$0.8 | \$4.5 | \$3.1 |
| Information Technology | \$2.9 | \$2.9 | \$2.8 | \$2.5 | \$2.4 |
| Facilities | \$16.7 | \$5.0 | \$10.2 | \$18.8 | \$23.5 |
| Courts | \$0.0 | \$0.0 | \$0.0 | \$0.0 | \$0.0 |
| Police Services | \$6.1 | \$3.7 | \$2.8 | \$4.9 | \$5.5 |
| Total | \$124.7 | \$108.4 | \$146.2 | \$174.1 | \$161.3 |

7 Data management

7.1 Introduction

Data management is the practice of collecting, keeping, and using data securely, efficiently, and cost-effectively. The goal of data management is to help people, organizations, and connected things optimize the use of data within the bounds of policy and regulation so that they can make decisions and take actions that maximize the benefit to the organization.

In asset management, data management practices are often categorized in two [2] parts:

1. Asset hierarchy; the definition of an asset, its relationship to other assets and systems, and the components that make up the asset.
2. Asset information; the inventory and performance attributes that describe the asset.

7.2 Asset hierarchy

An asset hierarchy allows an organization to effectively and efficiently manage the assets utilized in service delivery, and ensure the necessary asset information is complete across all services. The Region does not currently have a consistent corporate-wide asset hierarchy in place, however each service maintains an asset inventory organized to suit individual service management purposes.

To complete this 2021 CAMP, asset information was compiled from the services inventories and transformed, as required, to consistently report by the asset categories noted in Section 4, State of infrastructure. As part of the Region's ongoing asset management system improvements, a corporate-wide asset hierarchy will be developed.

7.3 Asset information

Data is maintained using a variety of spreadsheets, computerized maintenance management systems (CMMS), and the geographic information system (GIS). The Region does not have a central registry. An action plan had been developed to create a central asset registry which can be used to maintain asset information. For the development of the 2021 CAMP, there were nine [9] asset data attributes required:

1. Asset hierarchy – parent/child
2. Asset ID - unique

3. Year installed
4. Units of measure
5. Useful life
6. Replacement Cost
7. Condition
8. Consequence of failure (COF)
9. Probability of failure (POF)

As the quality and completeness of asset data attribute information varies across the Region's services, five [5] parameters were used to assess the quality of the asset information:

1. Completeness
2. Consistency
3. Currency
4. Accuracy
5. Surrogate Information

A data quality analysis was undertaken to evaluate the quality of data sources with respect to these data attributes against the quality parameters. In the case of some categories these attributes are available, however in many instances there is missing data or the quality parameters are insufficient. In these situations surrogate data was used, such as data that was estimated through transformations. Where existing data is not available or of sufficient quality, an action plan should be established to reach a desired data quality.

The analysis was completed by asset category at the service level by grading the quality on a one to five scale, where one is the highest quality and five is the lowest. The consolidated results, weighted by asset replacement value, can be found in Table 25.

Table 25: Data quality assessment results

| Quality parameters | Rating |
|---------------------------|---------------|
| Completeness | 3.12 |
| Consistency | 2.71 |
| Currency | 2.21 |
| Accuracy | 2.81 |
| Total | 2.93 |

8 Climate change

The Region has committed to considering climate change as part of the risk management approach and embedding it in local asset management planning methods. Climate change is identified as a driver for demand, and requires special consideration throughout asset management, including demand, level of service, state of infrastructure, and lifecycle asset strategies. Changes to environmental weather factors from climate change include wind speed and direction, temperature changes, storm intensity, and sunlight intensity.

This asset management plan considers climate change in terms of how it affects assets which support service delivery and describes, in general terms, the affects climate change has on asset management planning. Some examples of how climate change interact with aspects of asset management are described below.

8.1 Demand

Changes to engineering, environmental and planning requirements to address climate change could result in the need for accelerated rehabilitation or replacement programs and related increases in capital and operational cost.

Each of the Region's services' identified drivers that impact demand for services, and many indicated climate change as a primary driver. The increased demand is often for more robust assets, such as facilities with more insulation, or storm water systems with increased capacity to withstand a 100-year storm event. These asset upgrades would both mitigate, and adapt to the effects of climate change.

In other cases, climate change may have an indirect impact on a demand driver. For example, social issues and trends or demographic changes may be driven by other issues like climate change. These drivers may result in need more assets or more robust assets.

8.2 Levels of service

Levels of service (LOS) can be sustained by considering the implications of climate change when designing assets. An example can be seen in a storm water system, by designing infrastructure capacity to manage events with greater intensity that are expected to occur more frequently. The resulting system is more resilient and better designed to continue delivering the desired LOS.

8.3 State of infrastructure

Risk is considered across assets which support service. Risk is comprised of a probability of failure (POF) and consequence of failure (COF). As both POF and COF can be impacted by climate change, the Region's risk profile will be impacted by climate change.

For example, climate change may result in environmental conditions which accelerate the rate at which materials degrade, which increases the POF. In other cases climate change may increase the COF, such as flooding impacts when the storm water system capacity is exceeded with increased frequency and severity of storms.

8.4 Lifecycle strategies

It is evident that climate change may increase the probability of risks being realized and in some cases may also increase the consequence of risks being realized. These additional risks can be managed by developing appropriate lifecycle strategies.

These strategies should consider the impacts of climate change and consider opportunities to develop services which are more resilient to the impacts of climate change. These lifecycle strategies may include non-asset, service, maintenance, renewal, or expansion. Increased renewal is a likely solution given the expected increased rate of degradation due to environmental conditions described earlier.

9 Continuous improvement

9.1 Introduction

The asset management system is a management approach to direct, coordinate, and control activities for assets and the services the assets support. The asset management system is not software. It provides a structured and consistent approach to managing assets and service delivery. The output from the asset management system is achieving the greatest value from the assets the Region owns. The assets, and their careful management, helps the Region achieve its service delivery goals.

The asset management plan is the most recognizable output of the asset management system. A primary output of the asset management plan is long-range investment needs and financial planning to ensure sustainability. Financial sustainability requires a careful balance and decisions between competing forces. These forces are:

- the demand and level of service customers require,
- the state of assets including risk, and
- the available funding through taxes, rates, grants and other sources.

Higher levels of service cost more while lower levels increase risk of service interruptions and of customer satisfaction. Asset management helps achieve the right balance of risk, cost and level of service.

Continuously improving the asset management system enhances the data and information used for asset management decisions. These improvements increase the value from the assets and the service delivery of the Region.

9.2 Improvements to the asset management system

A focused action plan captures planned improvements to the asset management system over the next six years. The focused action plan builds from changes identified in the previous 2016 asset management plan and a recent assessment of the state of practice of asset management in the Divisions, Departments and Boards of the Region.

The focused action plan is a series of initiatives leading to compliance with the requirements of Ontario's asset management regulation, O. Reg. 588/17, and specifically requirements for the year 2025 municipal asset management plans. It also leads to comparative levels of practice across all of the different services of the Region leading to better investment decisions.

The improvement initiatives are within five focus themes spread over a six-year period. Below are highlights of the themes and improvements.

1. Asset management planning

Development and implementation of corporate frameworks for core practices including level of service, asset performance data, risk assessment, lifecycle strategies and capital planning.

2. Capital project delivery

Improving project management for the annual delivery of capital investment projects with a focus on project performance monitoring and cost estimation.

3. Operations and maintenance

Improving the integration of maintenance with capital asset renewal planning and improving the software systems and data that support maintenance management.

4. Advanced asset management

Building from all other practice and data improvement, developing a central asset register and procuring software for advanced analysis and investment decision support.

5. Continuous improvement

In the final year of the plan, reassessing the state of practice and resetting any required improvements into a new focused action plan.

The improvements support these specific requirements of the asset management regulation that must be in the 2025 asset management plans:

- options for the proposed levels of service and the risks associated with those options
- capital and operating costs of undertaking the lifecycle activities and of the levels of service
- the ability of the Region to afford the preferred level of service

9.3 Resources to implement the improvement plan

The focused action plan is a series of 19 specific improvement initiatives. Although the Region conducts many of the current practices for asset management, the improvements require additional effort to develop, implement and continue to deliver as part of routine operations.

There are several resources needed to improve and deliver asset management.

1. Current staff complement
2. New asset management staff
3. Software for asset management
4. Budget increases for additional monitoring and assessment activities
5. Technical consultant support

Staffing from the corporate Asset Management Office (AMO) is sufficient to support and lead the development of practice frameworks and to support some Departments with implementing the improvements. In future years with a shift to asset management as part of routine Department operations, AMO staff will offset the need for additional new department staff.

The Region completed a resource analysis that confidently confirms the need for new asset management staff in many of the service divisions such as Fleet, Transportation and Facilities. The approach to staffing phases new resources over a three period and is subject to continued monitoring and assessment of staffing needs:

- 2023 – 4 new positions
- 2024 – 4 additional positions with gap supplemented with 2 AMO positions
- 2025 – 4 additional positions with gap supported from 2 or more AMO positions

Estimated costs for software are for cost estimation, maintenance management and decision support. Some software may be subscription based and therefore be an operating expense. The full cost and details of the software may change during the evaluation stage of the applicable improvement initiative.

Increase in operating budgets reflect additional and enhanced activity such as condition assessments and for additional and new assets. While the requirements are clear, the specific costs require further analysis.

Some asset management activities and improvements require technical consultant support. The most notable is for master planning and for implementing new software.

Approval for the resources will be through the annual capital and operating budget process.

9.4 Monitoring and Review Procedures

By regulation, the Region must conduct an annual review of its asset management progress and the progress in implementing the asset management plan.

The annual review includes identifying any obstacles to implementing the asset management plan and addressing how to overcome the obstacles.

Measures for the progress of asset management are the extent or degree of the following:

- Adherence to the plan and schedule of improvements in the Focused Action Plan
- Adherence to outcomes from the Focused Action Plan such as conducting condition assessments
- Ratio of actual annual budget to the forecast expenditure
- Revenue adjustments made to meet the long-term financial requirements
- Alignment between projects in the annual capital plans and the forecast of investment needs in the same period
- Attainment of funding goals for levels of service and asset renewal

9.5 Progress measurement of the 2016 Asset Management Plan

The progress made on the 2016 Asset Management Plan includes:

- Adopting the governance model for asset management including forming a corporate asset management office
- Added management positions for asset management in the Transportation division and in the Water and Wastewater division
- Various practice improvements notably developing a risk model to assess asset failure and incorporating this as part of the annual capital budget process
- Refining lifecycle activities to more accurately reflect actual practice including one major change to the lifecycle replacement cycle of roads from 66 years to 45 years
- Updating unit replacement costs to reflect current construction costs for the Long-Term Care homes and for some Transportation assets

- Introduced risk and residual risk measurement as part of the investment forecast to allow for future risk-based optimization decisions
- Where the 2016 forecast included only asset replacement, incorporating asset rehabilitation and growth projects within the forecast of investment needs

There were two main obstacles in implementing the 2016 asset management plan and accompanying improvement plan.

The first obstacle, which the Region expects to be a continuing concern, is budget constraints to address annual capital requests and past capital deferrals. Deferral refers to projects not completed due to budget constraints. Budget constraints affect the ability to maintain level of service and increase risk of interruption in service delivery. In addition, capital deferrals require more investment in maintenance and thus increase operating budgets.

The second obstacle is the COVID-19 pandemic and resulting strain on staffing as well as on budgets. The result of the COVID-19 pandemic was to limit the improvements of the asset management system that the Region otherwise would have made.

10 Water

10.1 Introduction

Water services include providing treated drinking water to 11 of Niagara Region's 12 local area municipalities (LAMs). The Region does not provide water services to the Township of Wainfleet. Water service delivery is two-tiered whereby Niagara Region draws and treats raw water, operates outstations, and transmits treated water to participating LAMs, who then convey the water through local area transmission mains to residents and businesses.

Through the above delivery model, Water Services provides services to over 425,000 users across the Niagara Region. Assets used to provide the services include:

- 6 water treatment plants and associated facility assets.
- 31 outstations, including pump stations, treated water storage facilities, rechlorination facilities, sampling stations, and other facilities, and associated assets.
- Approximately 313 kilometers of trunk watermain.
- Two "Water Wagons" for the provision of potable water at community events.
- Divisional-specific software applications – shared with Wastewater Services.
- Vehicles – managed by Fleet Services.

This Asset Management Plan (AMP) assists Water in developing a summary of current capital and operating spending requirements and a forecast of future needs. It includes consideration of objectives and priorities established within Water Services as well as those established at the corporate level. The AMP simultaneously references and influences many Corporate and business unit processes that guide the delivery, maintenance, and expansion of services.

To complement corporate objectives and priorities, Water maintains its own strategic plan and asset management documents and records, such as the Water-Wastewater Master Servicing Plan (WWWMSPP – "How We Flow". Additionally, Water is legislatively required to implement and maintain a quality management system conformant to Ontario's Drinking Water Quality Management Standard (Ministry of the Environment and Climate Change, 2017). The Standard includes specific elements that focus on infrastructure provision, maintenance, rehabilitation, and renewal; risk management; emergency management; and continual improvement.

10.2 Water demand drivers

Demand drivers are the underlying factors that direct change in the demand for the service. Drivers and their influence help define and measure the changing requirements for services and the activities and assets required to support those services. Some of the drivers identified in this AMP can be used to inform specific, measurable changes to service delivery; others are more qualitative in nature. Drivers and the estimated significance of impact on service are summarized in Table 26.

Table 26: Water demand drivers

| Demand driver | Divisional significance |
|-----------------------------------|--------------------------------|
| Legislation and higher government | High |
| Asset management | High |
| Climate change | Moderate-high |
| Population change | High |
| Planning trends | High |

10.2.1 Planned asset portfolio growth and enhancements

The expected growth in the population of Niagara will place significant pressure on the capacity of existing assets and create demand for new assets. The Region has updated various master plans that outline current service levels and associated existing assets, recommend future service levels and associated assets, and identify the actions required to move from the current to future state including requirements for new, expanded and enhanced assets.

Table 27 highlights large-investment capital projects for Water Services that are forecasted to address growth or enhancement needs. For additional information on growth related projects, please see Section 25.7.

Table 27: Water forecast asset portfolio growth and enhancement projects

| Asset class | Growth or enhancement forecasted |
|-------------------------------|---|
| Water Treatment Plants (WTPs) | <ul style="list-style-type: none"> Grimsby WTP expansion (additional 15ML capacity) CT volume increases at all treatment plant reservoirs |

| Asset class | Growth or enhancement forecasted |
|----------------------------|---|
| Treated Water Storage | <ul style="list-style-type: none"> • New South Niagara Falls Elevated Tank, with capacity increase • New Bemis Elevated Tank (Welland), with capacity increase |
| Water Distribution Systems | <ul style="list-style-type: none"> • New trunk main from Grimsby WTP to new Grimsby Reservoir • New trunk watermain from new Grimsby Reservoir to Hixon Reservoir (Lincoln) • New Niagara Falls South trunk watermain to provide additional supply to new growth areas |

10.3 Water levels of service

Table 28 summarizes Water Services' performance against customer and technical levels of service (LOS).

Table 28: Water LOS summary

| Customer LOS | Technical LOS | Performance |
|--|---|-------------|
| Provide safe drinking water to LAMs, including raw water uptake, treatment, bulk water storage, and transmission to LAMs for subsequent distribution to end-users. * | Scope: percentage of properties connected to the municipal water system. ** | 97% |
| Provide adequate volumes of water at adequate pressures to meet fire flow requirements in serviced areas. * | Scope: percentage of properties where fire flow is available. ** | Unknown |

| Customer LOS | Technical LOS | Performance |
|--|--|--|
| Provide safe drinking water to participating LAMs, including raw water uptake, treatment, bulk water storage, and transmission to LAMs for subsequent distribution to end-users. * | Reliability: number of connection-days per year where a boil water advisory is in place compared to the total number of properties connected to the municipal water system. ** | Zero boil-water advisories |
| Provide safe drinking water to participating LAMs, including raw water uptake, treatment, bulk water storage, and transmission to LAMs for subsequent distribution to end-users. * | Reliability: number of connection-days per year due to water main breaks compared to the total number of properties connected to the municipal water system. ** | 8 connection-days per 160,897 connected properties |
| Assets are maintained in good condition and enable reliable/ continuous provision of service. | Physical condition state = % of assets in fair condition or better, by current replacement value | 80% |

* Refer to detailed description of customer LOS in Section 10.3.1

** LOS measures required by O. Reg. 588/17

10.3.1 Customer levels of service (CLOsSs)

Scope: user groups/areas connected to the regional water system

Niagara Region owns and operates five drinking-water systems that treat and transmit drinking water to 11 of the 12 LAMs, namely, the Cities of St. Catharines, Thorold, Niagara Falls, Welland, and Port Colborne, the Towns of Grimsby, Lincoln, Niagara-on-the-Lake, Pelham, and Fort Erie, and the Township of West Lincoln, but not the Township of Wainfleet.

Scope: user groups/areas with fire flow

Niagara Region's 2021 WWWWSP identifies fire flow criteria for Regional transmission mains (250L/s at 30psi residual pressure). In practice, the Region strives to maintain system pressures within an operating range of 50-80psi (40psi min, 100psi max). Treated water is discharged from the plants at adequate pressures to feed the transmission systems, with system storage and booster pumping stations installed in

strategic locations to ensure adequacy of water flow and pressure at points of transfer to LAM distribution systems. The LAMs manage service delivery to end-users, and thus are ultimately responsible to ensure that distribution system pressures meet regulated local fire flow requirements; however, where issues are identified, Water works with LAMs to adjust system pressures through booster pumping, pressure relief valves, and bulk water storage management.

Reliability: boil water advisories

A boil water advisory may be issued where a condition or concern is identified in the drinking water system that may negatively impact the safety of the water supply. The boil water advisory serves to protect the community from potentially harmful pathogens that may cause illness or adverse health effects.

Conditions necessitating a boil water advisory can occur within LAM operations as well as Regional operations. The Region (Water Services and Public Health) works in partnership with LAMs to ensure that public safety is protected and appropriate reparative and restorative measures are put in place.

Boil water advisories are exceedingly rare occurrences for both the Region and our municipal partners.

Reliability: service interruptions

Service interruptions could be caused by watermain breaks. Considering the two-tier system and the Region's responsibility for high-flow transmission of drinking water to LAMs, Water maintains a highly reliable transmission system that is looped and/or has redundancy of supply in many locations; as such, transmission main isolations do not put properties out of water at the same frequency that a LAM watermain isolation would. When a transmission main breaks, continuity of service to end-users can typically be maintained by operating valves to reroute flow through other mains or by relying on system storage to maintain service while repairs are made.

10.3.2 Technical levels of service

The water industry is highly regulated, with relevant legislation enacted at the federal, provincial, and regional/municipal levels. With this in mind, it is reasonable to say that selected compliance requirements offer "built-in" technical LOSs for Water, these can be found in section 10.3.3. Table 28 describes the technical levels of service as required by O. Reg. 588/17.

10.3.3 Regulatory

Water Services strives to maintain compliance with all legislative and regulatory requirements. Major legislation relevant to Water Services includes but is not limited to:

- Source water protection: Clean Water Act, 2006, and associated regulations
- Water-taking: O. Reg. 387/04, “Water Taking and Transfer”
- Water treatment and distribution: Safe Drinking Water Act, 2002, and associated regulations, particularly:
 - O. Reg. 188/07, “Licensing of Municipal Drinking Water Systems”
 - O. Reg. 169/03, “Ontario Drinking Water Quality Standards”
 - O. Reg. 170/03, “Drinking Water Systems”
 - O. Reg. 128/04, “Certification of Drinking Water System Operators and Water Quality Analysts”
- System-specific instruments: Permits to Take Water, Municipal Drinking Water Licenses

The fundamental purpose of the Safe Drinking Water Act is to “provide for the protection of human health and the prevention of drinking water health hazards through the control and regulation of drinking water systems and drinking water testing”. This purpose is supported by that of the Clear Water Act, which is to “protect existing and future sources of drinking water”.

10.3.4 Backup capacity and/or equipment redundancy

Within the scope of its Water and Wastewater Quality Management Systems, the Division undertakes routine risk assessments for each of its water systems; capacity and redundancy concerns are explicitly considered, and the condition and performance reviews of assets are prioritized in areas where no redundancy ensures continued service delivery in the event of an asset’s failure.

10.3.5 Physical condition of assets

The Division assesses the condition of its vertical assets through a “capital validation” process where Operations and Maintenance teams provide information about asset condition and performance. Through this process, the Division examines processes at each facility and assigns a condition rating for each process. A standard condition scale of 1-5 is used to assign these ratings, where 1 indicates that the asset is in a “new or like-new condition” and 5 indicates that “full rehabilitation or replacement is required”. Outside of the Division’s capital validation process, the Region’s corporate Asset Management Office uses Weibull functions to generate estimated remaining service lives for vertical Water-Wastewater assets.

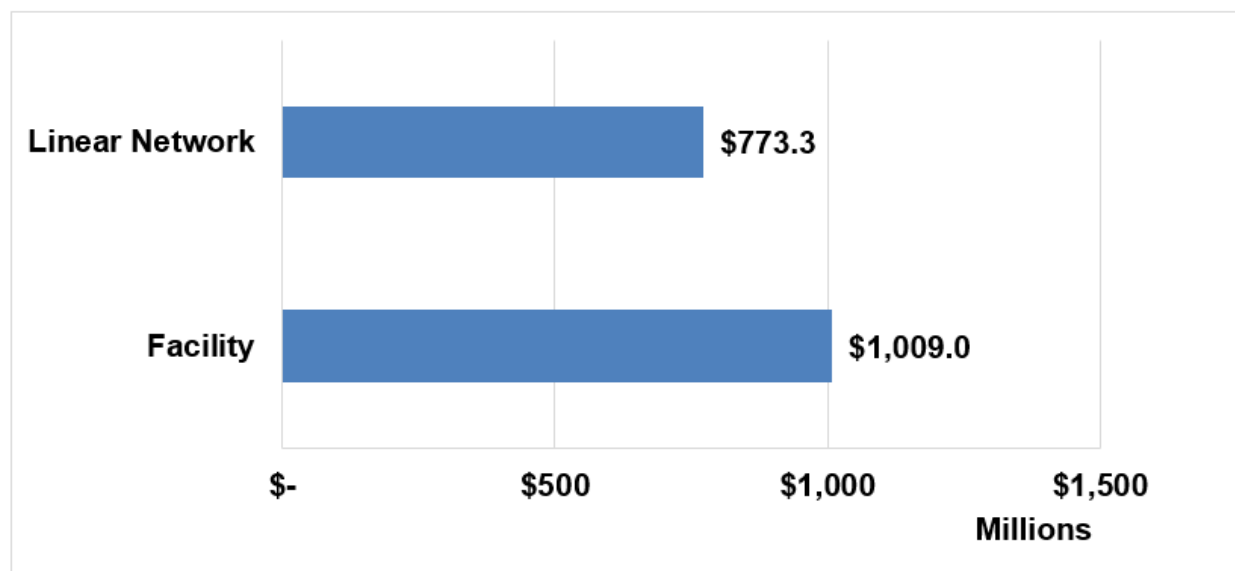
Water services assesses the condition of its below ground assets through several means. Weibull functions are applied in the Water-Wastewater GIS to provide an indication of remaining service life for pipe segments and other linear assets, and the remaining service life is then coupled with pipe break history to generate a condition score using the same 1-5 rating system as described above. Water has not established a “target” score for condition ratings; rather, the goal is simply maintain its assets in a serviceable condition.

10.4 Water state of infrastructure

10.4.1 Water asset inventory and replacement cost

The assets required to support the services provided by water include facility and linear network assets. Replacement costs for water assets were estimated by indexing current replacement values, identifying market pricing, and/or preparing cost models. The assets required to support the services provided by Water are estimated to cost \$1,782.3 M to replace, as summarized in Figure 9.

Figure 9: Water inventory and replacement cost



10.4.2 Water asset age distribution

Water assets, on average, are halfway through their useful expected life (UEL); these averages reflect a wide range of in-service dates. Water has undertaken several significant treatment plant and treated water storage facility upgrades in recent years, and several more are forecasted within the ten-year horizon. With significant growth projected in the Region over the planning horizon (to 2051), upcoming capital projects

will address growth needs as well as rehabilitation work that is required. The average age and estimated service life of Water assets, weighted by replacement value, is summarized by asset category in Figure 10 and Table 29.

Figure 10: Water average age by asset category

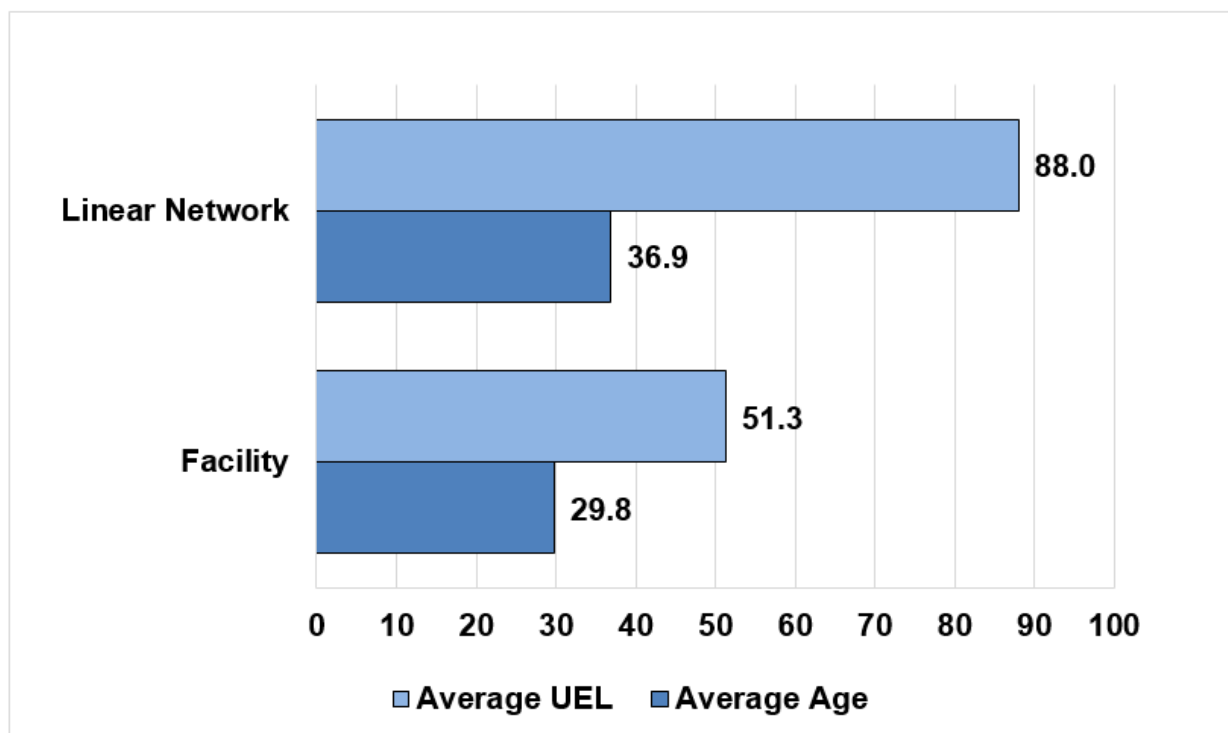


Table 29: Water average age by asset category

| Asset Category | Average Age | Average UEL | Average Remaining Life |
|----------------|-------------|-------------|------------------------|
| Facility | 29.8 | 51.3 | 21.4 |
| Linear Network | 36.9 | 88.0 | 51.1 |
| Total | 32.9 | 67.2 | 34.3 |

10.4.3 Water asset condition

At present, much of the condition data for discrete water assets is collected through informal visual assessment of asset condition, observed changes in asset or process performance, or other subjective means. Formal condition assessments are occasionally completed, but these are typically reserved for situations where there are known gaps in asset condition or performance, with the outputs being used to scope

capital work. A tiered condition assessment approach is being developed so that cost-effective technologies are used on assets where condition data is the most relevant. As linear water assets are more difficult to inspect, condition ratings for these assets are typically based on age and break history.

Water assets are rated as good, with 67% of assets rated as good or better. The average condition of Water assets, weighted by replacement value, is summarized by asset category in Figure 11 and Table 30.

Figure 11: Water asset condition as % of value

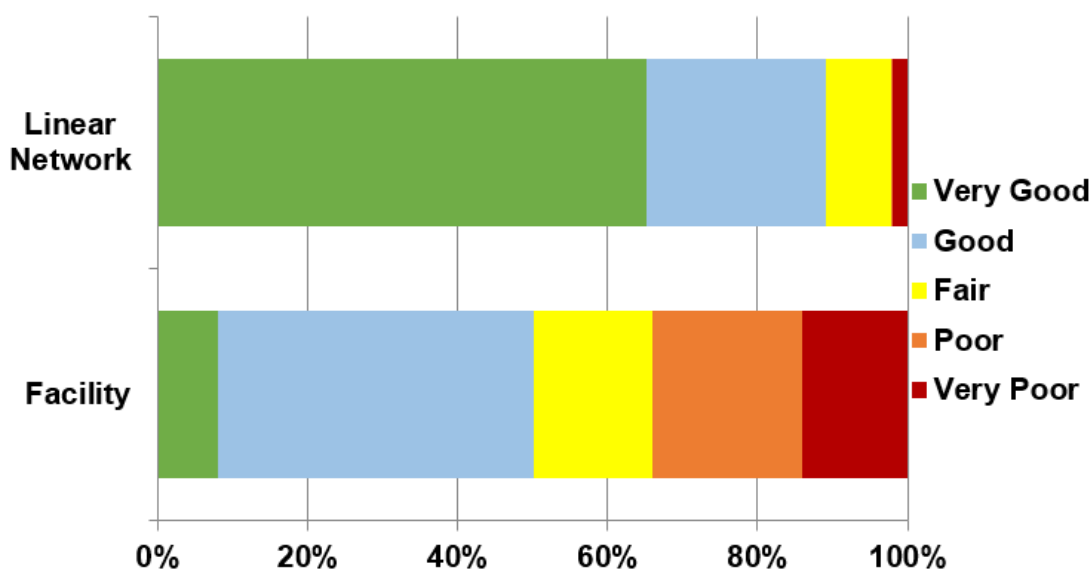


Table 30: Water asset condition as % of value

| Colour | Condition rating | Facility | Linear Network | Total |
|--------|------------------|----------|----------------|-------|
| | Very good | 8.1% | 65.1% | 33.0% |
| | Good | 42.0% | 23.9% | 34.1% |
| | Fair | 15.9% | 8.9% | 12.9% |
| | Poor | 20.0% | 0.2% | 11.3% |
| | Very poor | 14.0% | 1.9% | 8.7% |

10.4.4 Water risk

Water conducts annual risk assessments for all six of its drinking water systems under the scope of its Drinking Water Quality Management System (Drinking Water QMS). These assessments include examination of both asset-based and process-based risks, and equipment reliability and redundancy are explicitly considered. Outputs of the risk assessments are fed into the capital planning process via the initiation of capital needs requests for each high-scoring asset risk. Water continues to work on strengthening linkages between QMS risk assessment outputs, condition assessment information, and capital planning.

Table 31 is a standardized risk matrix that represents assets with their current replacement cost according to the risk of asset failure.

Table 31: Water risk distribution

| COF | Very low | Low | Moderate | High | Very high |
|-----------|----------|-----|----------|-------|-----------|
| POF | | | | | |
| Very high | \$- | \$- | \$- | \$- | \$- |
| High | \$- | \$- | \$- | \$- | \$669 |
| Moderate | \$- | \$- | \$- | \$- | \$340 |
| Low | \$- | \$- | \$- | \$773 | \$- |
| Very low | \$- | \$- | \$- | \$- | \$- |

POF = Probability of failure

COF = Consequence of failure

Table 32 represents the percentage of total asset replacement cost according to the risk of asset failure.

Table 32: Water risk exposure summary

| Colour | Risk category | Asset value (\$ million) | % of assets |
|--------|----------------|--------------------------|---------------|
| VL | Very low (VL) | \$ | 0.0% |
| L | Low (L) | \$0.0 | 0.0% |
| M | Moderate (M) | \$773.3 | 43.4% |
| H | High (H) | \$339.7 | 19.1% |
| VH | Very high (VH) | \$669.3 | 37.5% |
| | Total | \$1,782.3 | 100.0% |

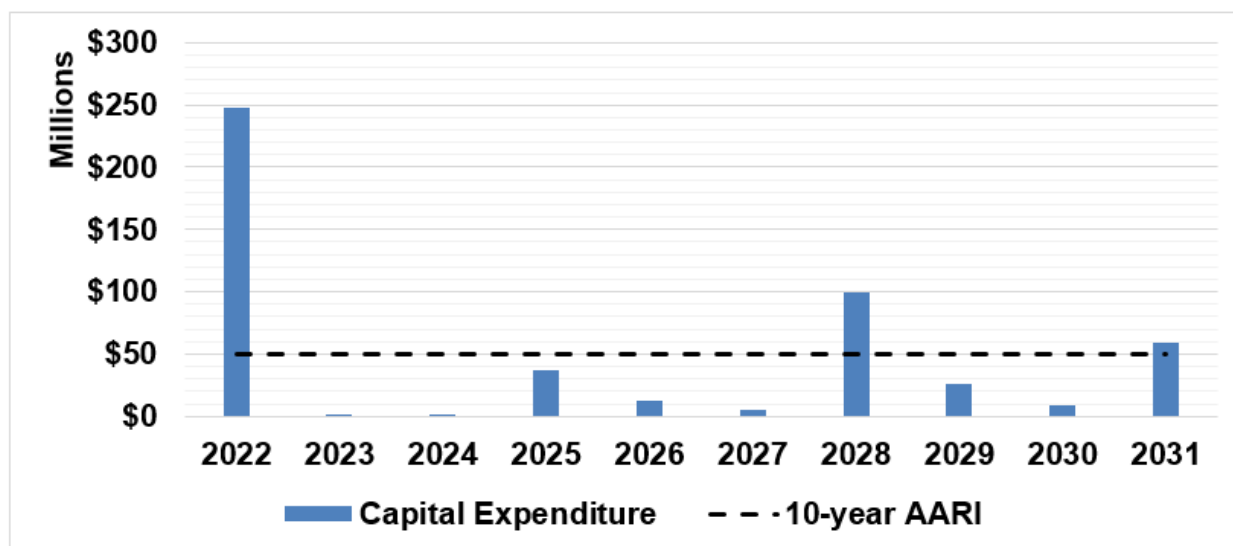
10.5 Lifecycle strategies

Water preserves assets through maintenance and renewal (i.e. rehabilitation and replacement) activities and investments. Maintenance and renewal activities are timed to reduce the risk of service failure from deterioration in asset condition and to minimize the total cost of ownership. Sufficient investment, doing the right thing to the right asset at the right time for the right reason, is crucial.

10.6 Financial strategy

Figure 12 presents the AARI necessary to support existing assets and current levels of service for Water of \$50.0 M in the 10-year forecast. This includes both annual requirements for the 10-year period, as well as addressing the identified capital spending backlog of \$242.2 M during the same period. For comparison, the 50-year AARI is forecast at \$42.2 million as the backlog is spread over a longer period.

Figure 12: Water AARI and capital expenditure



10.6.1 Water financial indicators

The cost of service delivery for Water includes operating expenses, capital expenditures and revenues. A summary of the 2022 operating budget for Water is presented in Table 33.

Table 33: Water summary of costs to deliver services

| Area of expenditure | 2022 budget (in millions) |
|---------------------------|----------------------------|
| Staffing | \$7.8 |
| Utilities | \$3.3 |
| Operating & maintenance | \$2.9 |
| Program specific | \$30.7 |
| Capital reserve transfers | \$22.2 |
| Debt charges | \$2.1 |

10.7 Water 2017 Development Charge Background Study projects

The following Table 34 is an extraction of the growth projects identified in the 2017 Development Charge Background Study (2017 DCBS).

Table 34: Water infrastructure costs in the DC calculation

| Increased service needs attributable to anticipated development | Timing | Gross capital cost estimate (\$ million) | Net cost funded by Region (\$ million) | Other funding sources (\$ million) | Potential DC cost recovery (\$ million) |
|---|-----------|--|--|------------------------------------|---|
| Pumping | 2017-2021 | \$10,944.0 | \$1,094.4 | \$0.0 | \$9,849.6 |
| Pumping | 2032-2041 | \$989.0 | \$98.9 | \$0.0 | \$890.1 |
| Storage | 2017-2021 | \$46,313.0 | \$14,162.7 | \$0.0 | \$32,150.3 |
| Storage | 2022-2031 | \$15,750.0 | \$9,163.6 | \$0.0 | \$6,586.4 |
| Storage | 2032-2041 | \$14,521.0 | \$8,238.9 | \$0.0 | \$6,282.1 |
| Treatment | 2017-2021 | \$22,969.0 | \$0.0 | \$18,500.0 | \$4,469.0 |
| Treatment | 2022-2031 | \$51,496.0 | \$10,299.2 | \$0.0 | \$41,196.8 |
| Watermain | 2017-2021 | \$33,522.0 | \$16,761.0 | \$0.0 | \$55,500.4 |
| Watermain | 2022-2031 | \$65,880.0 | \$10,545.5 | \$0.0 | \$33,719.5 |

| Increased service needs attributable to anticipated development | Timing | Gross capital cost estimate (\$ million) | Net cost funded by Region (\$ million) | Other funding sources (\$ million) | Potential DC cost recovery (\$ million) |
|--|---------------|---|---|---|--|
| Watermain | 2032-2041 | \$44,265.0 | \$0.0 | \$33,719.5 | 2032-2041 |

11 Wastewater

11.1 Introduction

Wastewater Services (Wastewater) treats sewage received from 11 of Niagara Region's 12 local area municipalities (LAMs). The Region does not provide wastewater services to the Township of Wainfleet. Wastewater service delivery is two-tiered whereby the LAMs collect sewage from residents and businesses and convey it to Niagara Region through local area collection mains. The LAM collection systems connect to larger Region-owned sewage transmission mains that convey the sewage to wastewater treatment plants.

Through the above delivery model, Wastewater provides service to over 370,000 users across the Niagara Region. Assets used to provide the services include:

- 10 wastewater treatment plants and associated facility assets.
- 5 wastewater treatment lagoons and associated facility assets (1 lagoon is operational, 4 are out of service).
- 1 biosolids treatment facility and associated facility assets.
- 126 outstations and associated facility assets; outstations include sewage pumping stations, odour control facilities, combined sewer overflow tanks, and a storm water pumping station.
- Approximately 145 kilometres of sanitary gravity collection mains.
- Approximately 161 kilometres of sanitary forcemains.
- Niagara Region Environmental Laboratory equipment.
- Divisional-specific software applications – shared with Water Services.
- Vehicles – managed by Fleet Services.

This Asset Management Plan (AMP) assists Wastewater in developing a summary of current capital and operating spending requirements and a forecast of future needs. It includes consideration of objectives and priorities established within the Wastewater division, as well as those established at the corporate level. The AMP simultaneously references and influences many Corporate and business unit processes that guide the delivery, maintenance, and expansion of services.

To complement corporate objectives and priorities, Wastewater maintains its own strategic plan and asset management documents and records. Legislation and documents that guide service delivery include the following:

- Water-Wastewater Master Servicing Plan (WWWMSP – “How We Flow”).

11.2 Wastewater demand drivers

Demand drivers are the underlying factors that direct change in the demand for a service. Drivers and their influence help define and measure the changing requirements for services and the activities and assets required to support those services. Some of the drivers identified in this AMP can be used to inform specific, measurable changes to service delivery; others are more qualitative in nature. Drivers and the estimated significance of impact on service are summarized in Table 35.

Table 35: Wastewater demand drivers

| Demand driver | Divisional significance |
|-----------------------------------|-------------------------|
| Legislation and higher government | High |
| Asset management | High |
| Climate change | High |
| Population change | High |
| Planning trends | High |

11.2.1 Planned asset portfolio growth and enhancements

The expected growth in the population of Niagara will place significant pressure on the capacity of existing assets and create demand for new assets. The Region has updated various master plans that outline current service levels and associated existing assets, recommend future service levels and associated assets, and identify the actions required to move from the current to future state, including requirements for new, expanded and enhanced assets.

Table 36 highlights large-investment capital projects for Wastewater that are forecasted to address these growth or enhancement needs. For additional information on growth related projects, please see Section 11.7.

Table 36: Wastewater Services forecast asset portfolio growth and enhancement projects

| Asset class | Growth or enhancement forecasted |
|-------------------------------------|---|
| Wastewater Treatment Plants (WWTPs) | <ul style="list-style-type: none"> ▪ New South Niagara Falls WWTP ▪ Baker Road WWTP Upgrade (Grimsby) ▪ Region-wide WWTP process upgrades to re-establish Environmental Compliance Approval capacity |

| Asset class | Growth or enhancement forecasted |
|--|--|
| Pumping Stations, Combined Sewer Overflows | <ul style="list-style-type: none"> ▪ Region-wide WWTP process upgrades to improve odour control |
| Wastewater Collection Systems | <ul style="list-style-type: none"> ▪ New trunk sewers supporting South Niagara Falls Wastewater Treatment Plant ▪ South Side Low Lift SPS to WWTP ▪ South Side High Lift SPS to WWTP ▪ Smithville trunk sewer upgrade ▪ Smithville forcemain twinning ▪ Wet weather reduction projects in selected catchment areas |

11.3 Wastewater levels of service

Table 37 summarizes Wastewater Services' performance against customer and technical levels of service (LOS).

Table 37: Wastewater LOS summary

| Customer LOS | Technical LOS | Performance |
|---|--|--|
| Provide efficient and environmentally-sound wastewater services to LAMs, including wastewater collection and pumping, treatment, and effluent discharge to the environment. * | Scope: percentage of properties connected to the municipal wastewater system ** | 95% |
| Provide adequate wastewater collection and treatment capacity to prevent sewage backups and overflows. * | Reliability: number of events per year where combined sewer flow in the municipal wastewater system exceeds system capacity compared to the total number of properties connected to the municipal wastewater system ** | 114 events per year per 158,883 connected properties |

| Customer LOS | Technical LOS | Performance |
|---|--|---|
| Provide adequate wastewater collection and treatment capacity to prevent sewage backups and overflows. * | Reliability: number of connection-days per year due to wastewater backups compared to the total number of properties connected to the municipal wastewater system ** | Zero connection-days |
| Provide efficient and environmentally-sound wastewater services to LAMs, including wastewater collection and pumping, effective treatment, and effluent discharge to the environment. * | Reliability: number of effluent violations per year due to wastewater discharge compared to the total number of properties connected to the municipal wastewater system ** | Two exceedances per year per 158,883 connected properties |
| Assets are maintained in good condition to enable reliable/ continuous provision of service. * | Physical condition state = % of assets in fair condition or better, by current replacement value | 72% |
| Assets are provided in a way that fairly distributes costs for both current and future customers. * | Renewal reinvestment rate (%) = annual capital renewal expenditure / current replacement value | 1.55% |

* Refer to detailed description of customer LOS in Section 11.3.1

** LOS measures required by O. Reg. 588/17

11.3.1 Customer levels of services

Scope: user groups/areas connected to the regional wastewater system

Niagara Region owns and operates eleven wastewater systems that collect and treat wastewater from 11 of the 12 LAMs, namely, the Cities of St. Catharines, Thorold, Niagara Falls, Welland, and Port Colborne, the Towns of Grimsby, Lincoln, Niagara-on-the-Lake, Pelham, and Fort Erie, and the Township of West Lincoln, but not including the Township of Wainfleet. In these 11 municipalities receiving wastewater services, it is typical that only urban areas are serviced; rural properties may or may not be connected

to municipal servicing depending on their proximity to Regional trunk sewer mains. The Region also routinely accepts hauled sewage at 7 of 11 wastewater treatment facilities. Wastewater is required to maintain reserve capacity for this sewage and must ensure that hauled sewage volumes are considered in master servicing plans.

Reliability: frequency and volume of combined sewer overflows in habitable areas or beaches

Sanitary sewers in the Region's collection systems are designed to accommodate peak wet weather flows. The vast majority of sewage pumping stations are equipped with redundant pumps and emergency backup power in order to mitigate the potential risk of backups and/or overflows; selected stations are also equipped with combined sewer overflow tanks for this purpose at both the Regional and LAM tiers.

The Cities of Niagara Falls, Welland, and St. Catharines are the only LAMs who transmit combined sewer flows to Niagara Region. Within the Niagara Falls wastewater system (servicing the City of Niagara Falls), overflows in habitable areas include those discharging to the Niagara River:

- Bender Hill Sewage Pumping Station;
- Central Sewage Pumping Station;
- Muddy Run Sewage Pumping Station;
- Seneca St. Sewage Pumping Station.

Table 38 provides a 5-year overview of reportable overflow events per year at these four specified sites within the Niagara Falls wastewater system.

Table 38: Annual overflows in habitable areas – Wastewater systems servicing the City of Niagara Falls

| Year | Facility | # Incidents | Volume (ML) |
|------|---|-------------|-------------|
| 2016 | Niagara Falls WWTP – selected overflows | 6 | 0.250 |
| 2017 | Niagara Falls WWTP – selected overflows | 21 | 1.969 |
| 2018 | Niagara Falls WWTP – selected overflows | 13 | 8.516 |
| 2019 | Niagara Falls WWTP – selected overflows | 35 | 67.470 |
| 2020 | Niagara Falls WWTP – selected overflows | 21 | 27.168 |

Table 39 provides a 5-year overview of reportable overflow events per year in the Port Dalhousie and Port Weller wastewater systems (servicing the City of St. Catharines and

portions of the City of Thorold). In these two wastewater systems, all overflows are considered to be installed in habitable areas.

Table 39: Annual overflows in habitable areas – Wastewater systems servicing the City of St. Catharines

| Year | Facility | # Incidents | Yearly volume (ML) |
|------|---------------------|-------------|--------------------|
| 2016 | Port Dalhousie WWTP | 16 | 94.67 |
| 2016 | Port Weller WWTP | 14 | 68.68 |
| 2017 | Port Dalhousie WWTP | 36 | 572.45 |
| 2017 | Port Weller WWTP | 39 | 723.29 |
| 2018 | Port Dalhousie WWTP | 28 | 422.94 |
| 2018 | Port Weller WWTP | 33 | 371.55 |
| 2019 | Port Dalhousie WWTP | 34 | 222.09 |
| 2019 | Port Weller WWTP | 39 | 311.80 |
| 2020 | Port Dalhousie WWTP | 14 | 91.21 |
| 2020 | Port Weller WWTP | 17 | 140.59 |

There are no combined sewer overflows in habitable areas within the Welland wastewater system (servicing the City of Welland and the Town of Pelham).

Reliability: inflow and infiltration of stormwater into sanitary sewers

Inflow and infiltration (I/I) both introduce unwanted wastewater flows into a sanitary sewer system, increasing the risk of overflows to the environment, treatment plant process upsets, treatment bypasses, and/or basement flooding.

The Region collaborates with LAMs to identify and address areas with I/I. Flow monitoring activities and sewer CCTV inspections help to identify areas of the collection systems that are experiencing I/I issues so that rehabilitation and repair work can be planned at these sites.

Reliability: treated wastewater effluent discharge

Effluent objectives and compliance limits are established at both federal and provincial levels to support protection of recipient waters. All of the Region's wastewater treatment plants provide secondary wastewater treatment (or equivalent). Effluent is disinfected on a seasonal basis at all treatment plants, with the exception of the

Stevensville/Douglastown Lagoon (whose effluent is not disinfected) and the Seaway WWTP (whose effluent is disinfected year-round). The Region monitors the quality of effluent at each treatment plant to ensure that it meets all quality and compliance limits as prescribed in applicable regulations or in system-specific Environmental Compliance Approvals.

11.3.2 Technical levels of service

The wastewater industry is highly regulated, with relevant legislation enacted at the federal, provincial, and regional/municipal levels. With this in mind, it is reasonable to say that selected compliance requirements offer “built-in” technical LOSs for Wastewater. Table 37 describes the technical levels of service as required by O. Reg. 588/17.

11.3.3 Regulatory

Wastewater strives to maintain compliance with all legislative and regulatory requirements. Major legislation relevant to Wastewater includes but is not limited to:

- Sewage works:
 - Ontario Water Resources Act, R.S.O. 1990, and associated regulations, particularly O. Reg. 129/04, “Licensing of Sewage Works Operators”
 - Environmental Protection Act, R.S.O. 1990, and associated regulations, particularly O. Reg. 675/98, “Classification and Exemption of Spills and Reporting of Discharges”
- Wastewater effluent discharge:
 - Fisheries Act, R.S.C., 1985, and associated regulations, particularly the Wastewater Systems Effluent Regulations (SOR/2012-139)
- Biosolids management:
 - Nutrient Management Act, 2002
- Pollution control:
 - Canadian Environmental Protection Act, 1999, specifically, requirements around pollution control plans and National Pollutant Release Inventory reporting
- System-specific instruments:
 - Environmental Compliance Approvals

The fundamental purpose of the Ontario Water Resources Act is to “provide for the conservation, protection and management of Ontario’s waters and for their efficient and sustainable use, in order to promote Ontario’s long-term environmental, social and economic well-being”. This purpose is supported by the Fisheries Act, whose purpose is

to “provide a framework for the conservation and protection of fish and fish habitat, including by preventing pollution”.

11.3.4 Backup capacity and/or equipment redundancy

Asset performance is also considered under the lenses of redundancy and capacity. The condition and performance of an asset are often examined more closely in situations where there is no redundancy built into the system to allow for continued service delivery in the event of that asset’s failure. Installing redundant assets (e.g., twinning a watermain or sewer main) provides additional capacity that can be relied upon to ensure continued provision of service. Within the scope of its Water and Wastewater Quality Management Systems, Wastewater is required to complete routine risk assessments for each of its wastewater systems; capacity and redundancy concerns are explicitly considered in these assessments.

11.3.5 Physical condition of assets

Wastewater assesses the condition of its vertical assets through a “capital validation” process where Operations and Maintenance teams provide information about asset condition and performance. Through this process, Wastewater examines processes at each facility and assigns a condition rating for each process. A standard condition scale of 1-5 is used to assign these ratings, where 1 indicates that the asset is in a “new or like-new condition” and 5 indicates that “full rehabilitation or replacement is required”. Outside of Wastewater’s capital validation process, the Region’s corporate Asset Management Office uses Weibull functions to generate estimated remaining service lives for vertical Wastewater assets.

Wastewater assesses the condition of its linear assets through several means. Weibull functions are applied in the Wastewater GIS to provide an indication of remaining service life for pipe segments and other linear assets, and the remaining service life is then coupled with pipe break history to generate a condition score using the same 1-5 rating system as described above. Specific to wastewater, conventional sanitary gravity sewers are inspected on a three-year cycle, and the outputs from this inspection program are used to inform linear infrastructure rehabilitation and replacement programs. Wastewater has not established a “target” score for condition ratings; rather, Wastewater’s goal at this time is simply to maintain its assets in a serviceable condition.

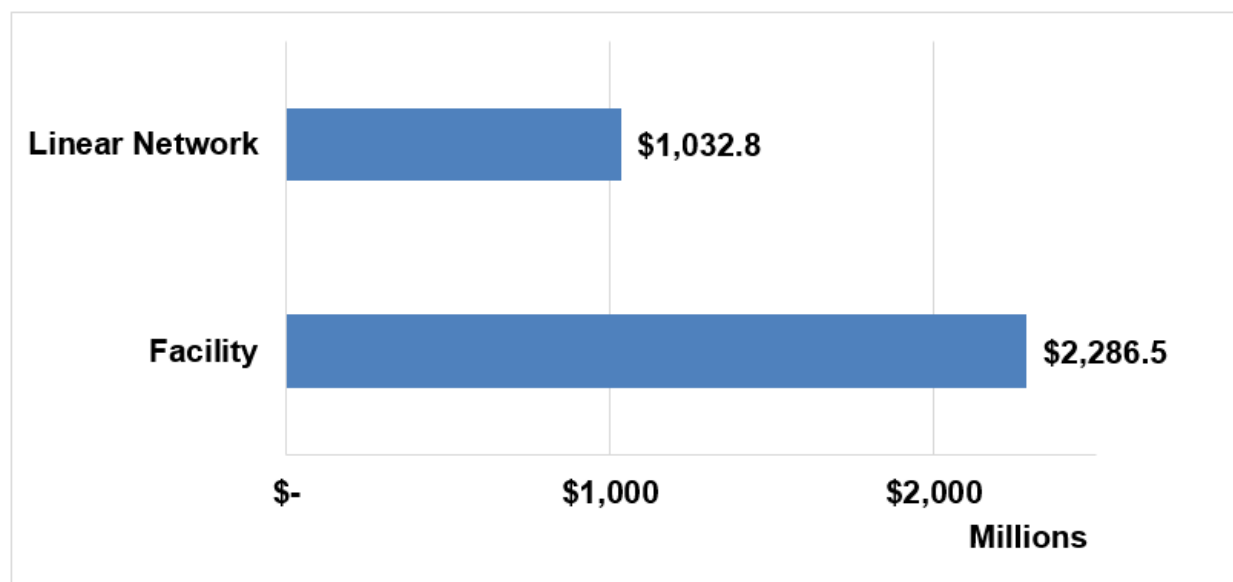
11.4 Wastewater state of infrastructure

11.4.1 Wastewater asset inventory and replacement cost

The assets required to support the services provided by wastewater include facility and linear network assets. Replacement costs for wastewater assets were estimated by

indexing current replacement values, identifying market pricing, and/or preparing cost models. The assets required to support the services provided by Wastewater are estimated to cost \$3,319.3 million to replace, as summarized in Figure 13.

Figure 13: Wastewater inventory and replacement cost



11.4.2 Wastewater asset age distribution

Wastewater assets, on average, are half way through their UEL; these averages reflect a wide range of in-service dates. Wastewater has made significant capital investments in recent years, and numerous upgrades to treatment plants, pumping stations, and linear assets are either in progress or completed. Significant future investments are also forecasted within the ten-year horizon. The average age and estimated service life of Wastewater assets, weighted by replacement value, is summarized by asset category in Figure 14 and Table 40.

Figure 14: Wastewater average age by asset category

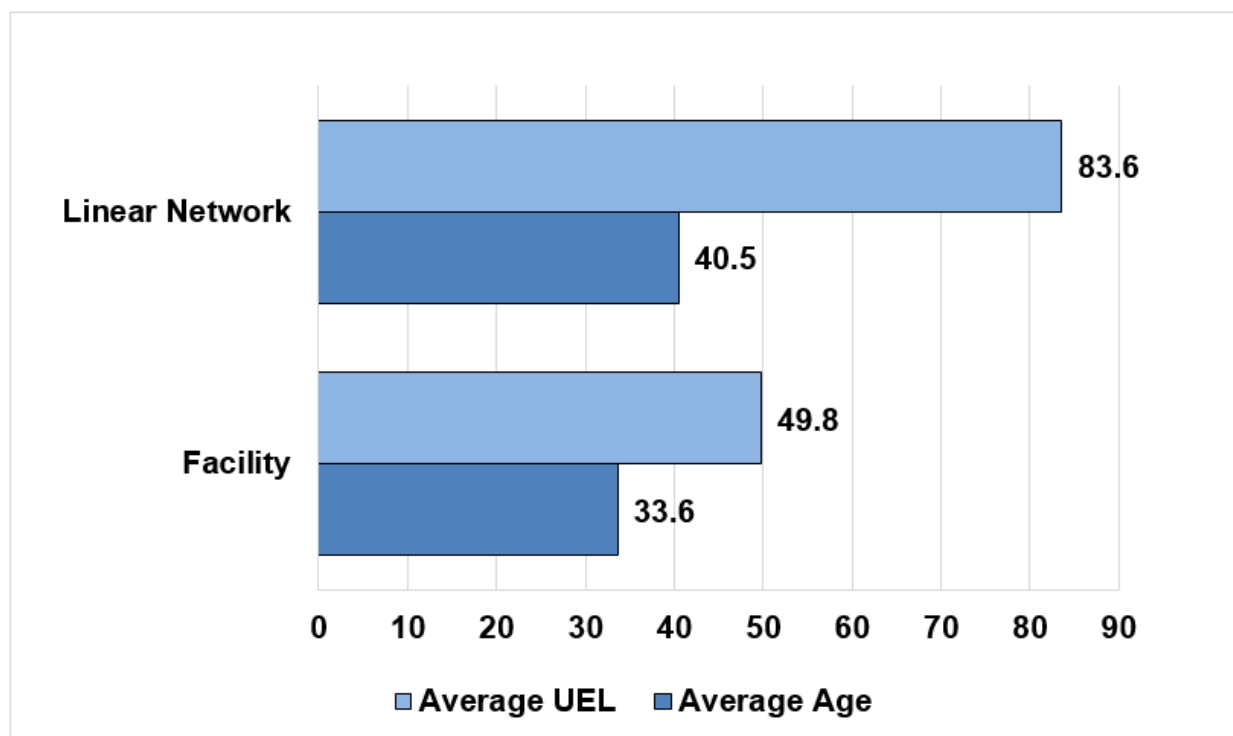


Table 40: Wastewater average age by asset category

| Asset Category | Average Age | Average UEL | Average Remaining Life |
|----------------|-------------|-------------|------------------------|
| Facility | 33.6 | 49.8 | 16.2 |
| Linear Network | 40.5 | 83.6 | 43.1 |
| Total | 35.7 | 60.3 | 24.6 |

11.4.3 Wastewater asset condition

At present, much of the condition data for discrete Wastewater assets is collected through informal visual assessment of asset condition, observed changes in asset or process performance, or other subjective means. Formal condition assessments are occasionally completed, but these are typically reserved for situations where there are known gaps in asset condition or performance, with the outputs being used to scope capital work. A tiered condition assessment approach is being developed so that cost-effective technologies are used on assets where condition data is the most relevant. Condition ratings for sanitary forcemains are typically based on age and break history. The condition of sanitary gravity mains is assessed through the Region's CCTV

inspection program; the structural grade is rated on a scale from 1-5, which translates directly to a 'probability of failure' score for the asset.

Wastewater assets are rated as fair, with 72% of assets rated as fair or better. The average condition of Wastewater assets, weighted by replacement value, is summarized by asset category in Figure 15 and Table 41.

Figure 15: Wastewater asset condition as % of value

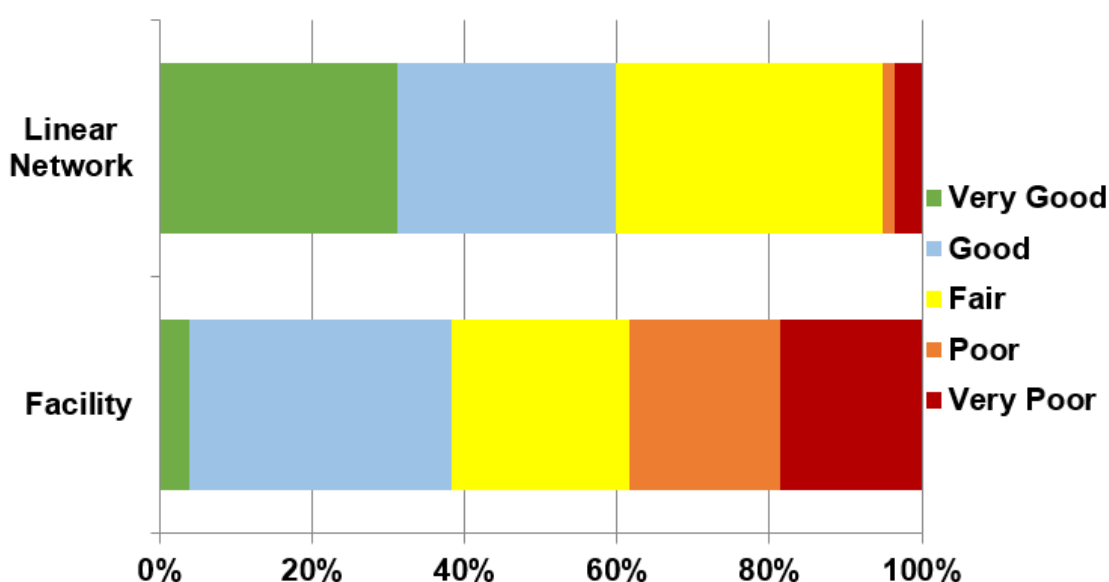


Table 41: Wastewater asset condition as % of value

| Colour | Condition rating | Facility | Linear Network | Total |
|--------|------------------|----------|----------------|-------|
| | Very good | 3.8% | 31.1% | 12.3% |
| | Good | 34.5% | 28.7% | 32.7% |
| | Fair | 23.3% | 35.1% | 27.0% |
| | Poor | 19.7% | 1.5% | 14.0% |
| | Very poor | 18.7% | 3.6% | 14.0% |

11.4.4 Wastewater risk

Wastewater conducts annual risk assessments for all 11 of its wastewater systems under the scope of its Quality Management System (QMS). These assessments include

examination of both asset-based and process-based risks, and equipment reliability and redundancy are explicitly considered. Outputs of the risk assessments are fed into the capital planning process via the initiation of capital needs requests for each high-scoring asset risk. Wastewater continues to work on strengthening linkages between QMS risk assessment outputs, condition assessment information, and capital planning.

Table 42 is a standardized risk matrix that represents assets with their current replacement cost according to the risk of asset failure.

Table 42: Wastewater risk distribution

| COF | Very low | Low | Moderate | High | Very high |
|-----------|----------|-------|----------|---------|-----------|
| POF | | | | | |
| Very high | \$- | \$- | \$- | \$- | \$- |
| High | \$- | \$- | \$- | \$1,405 | \$- |
| Moderate | \$- | \$771 | \$- | \$882 | \$- |
| Low | \$- | \$262 | \$- | \$- | \$- |
| Very low | \$- | \$- | \$- | \$- | \$- |

POF = Probability of failure

COF = Consequence of failure

Table 43 represents the percentage of total asset replacement cost according to the risk of asset failure.

Table 43: Wastewater risk exposure summary

| Colour | Risk category | Asset value (\$ million) | % of assets |
|--------|----------------|--------------------------|---------------|
| VL | Very low (VL) | \$0.0 | 0.0% |
| L | Low (L) | \$262.0 | 7.9% |
| M | Moderate (M) | \$770.8 | 23.2% |
| H | High (H) | \$2,286.5 | 68.9% |
| VH | Very high (VH) | \$0.0 | 0.0% |
| | Total | \$3,319.3 | 100.0% |

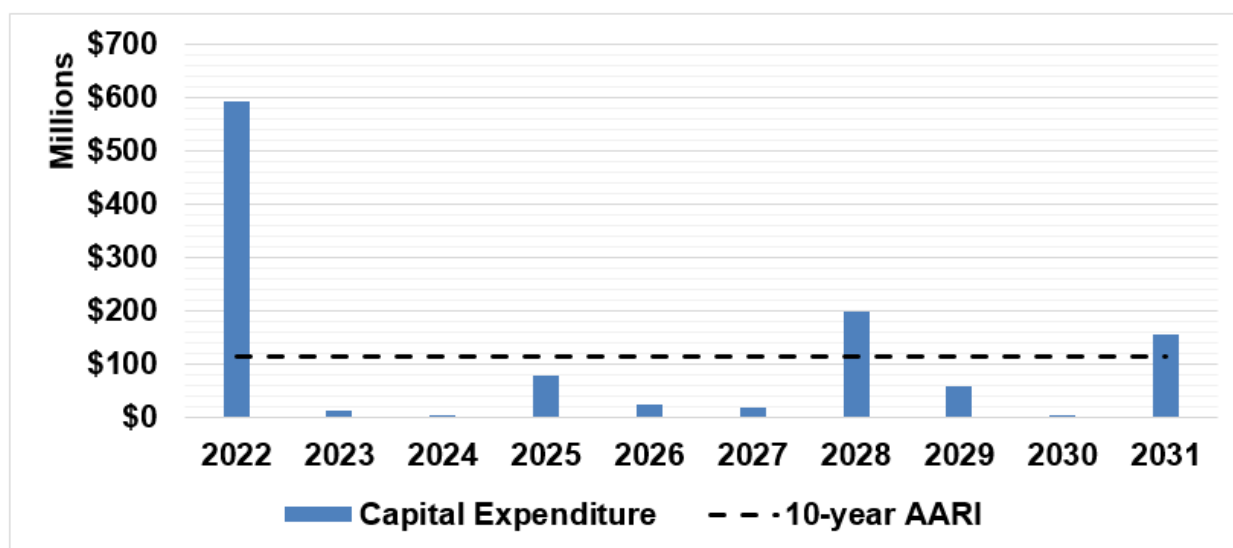
11.5 Lifecycle strategies

Wastewater preserves assets through maintenance and renewal (i.e. rehabilitation and replacement) activities and investments. Maintenance and renewal activities are timed to reduce the risk of service failure from deterioration in asset condition and to minimize the total cost of ownership. Sufficient investment, doing the right thing to the right asset at the right time for the right reason, is crucial.

11.6 Financial strategy

Figure 16 presents the AARI necessary to support existing assets and current levels of service for Wastewater of \$113.7 M in the 10-year forecast. This includes both annual requirements for the 10-year period, as well as addressing the identified capital spending backlog of \$589.6 M during the same period. For comparison, the 50-year AARI is forecast at \$96.8 million as the backlog is spread over a longer period.

Figure 16: Wastewater AARI and capital expenditure



11.6.1 Wastewater financial indicators

The cost of service delivery for Water includes operating expenses, capital expenditures and revenues. A summary of the 2022 operating budget for Wastewater is presented in Table 44.

Table 44: Wastewater summary of costs to deliver services

| Area of expenditure | 2022 budget (in millions) |
|---------------------------|----------------------------|
| Staffing | \$10.8 |
| Utilities | \$7.8 |
| Operating & maintenance | \$5.5 |
| Program specific | \$43.7 |
| Capital reserve transfers | \$18.6 |
| Debt charges | \$14.2 |

11.7 Wastewater 2017 Development Charge Background Study projects

Table 45 is an extraction of the growth projects identified in the 2017 Development Charge Background Study (2017 DCBS).

Table 45: Wastewater infrastructure costs in the DC calculation

| Increased service needs attributable to anticipated development | Timing | Gross capital cost estimate (\$ million) | Net cost funded by Region (\$ million) | Other funding sources (\$ million) | Potential DC cost recovery (\$ million) |
|---|-----------|--|--|------------------------------------|---|
| Forcemain | 2017-2021 | \$2,981.0 | \$298.1 | \$0.0 | \$2,682.9 |
| Forcemain | 2022-2031 | \$52,703.0 | \$14,295.4 | \$0.0 | \$38,407.6 |
| Forcemain | 2032-2041 | \$467.0 | \$93.4 | \$0.0 | \$373.6 |
| Pumping | 2017-2021 | \$16,172.0 | \$4,423.1 | \$0.0 | \$11,748.9 |
| Pumping | 2022-2031 | \$36,747.0 | \$9,537.5 | \$0.0 | \$27,209.5 |
| Pumping | 2032-2041 | \$15,663.0 | \$3,912.5 | \$0.0 | \$11,750.5 |
| Sewer | 2017-2021 | \$1,450.0 | \$0.0 | \$0.0 | \$1,450.0 |
| Sewer | 2022-2031 | \$48,640.0 | \$7,607.8 | \$0.0 | \$41,032.2 |
| Treatment | 2022-2301 | \$171,895.0 | \$99,461.5 | \$0.0 | \$72,433.5 |

12 Waste Management

12.1 Introduction

Waste Management services include providing the planning, management and operations of residential and commercial curbside waste, recycling and organics collection programs. WMS's mission is to deliver services to protect the environment and contribute to the economic prosperity of Niagara. The Region processes 75,000 tonnes of garbage, 39,000 tonnes of recyclables and 35,000 tons of organics annually.

Assets utilized to provide the services include:

- 2 landfills.
- 1 cell capacity.
- 1 recycling centre.
- 3 household hazardous / residential drop-off depots.
- 14 vehicles.
- 126 equipment.

Provincial objectives for other services, and related legislation, are primary drivers that guide and direct delivery of WMS services in Niagara Region. Council, through reporting updates and the Region's Corporate Strategy and Priorities, also provide direction for the delivery of service. Other legislation and documents that guide service delivery include the following:

- Waste Management Masterplan
- Niagara Region's 2016-2021 Blue Box Program Plan
- Bio-solids Management Master Plan Study
- Niagara Source Protection Plan

12.2 WMS demand drivers

Demand drivers are the underlying factors that direct change in the demand for the service. Drivers and their influence help define and measure the changing requirements for services, and the activities and assets required to support those services. Most of the drivers for WMS result in changes to operational requirements rather than changes to the assets utilized, with the estimated significance of impact on service summarized in Table 46.

Table 46: WMS demand drivers

| Demand driver | Divisional significance |
|-----------------------------------|--------------------------------|
| Population change | Moderate |
| Development trends | Moderate |
| Legislation and higher government | Moderate-high |
| Social issues and trends | Low |
| Pandemic | Low |
| Technology changes | Low |
| Other service provider changes | Moderate |
| Asset management | High |

The new WMS Long-term Strategic Plan (LTSP), currently in process, will provide a long-term (25-year) projection of the demand and production requirements, as well as the infrastructure necessary to support the requirements.

Municipalities with population in excess of 5,000 people must have a blue box recycling program per Bill 101-94. There is an expected transition that will transfer the responsibility for recycling packaging materials from the consumer back to producers. The impact on this change and the services being delivered by WMS are currently being evaluated.

12.2.1 Planned asset portfolio growth and enhancements

The expected growth in the population of Niagara will place significant pressure on the capacity of existing assets and create demand for new assets. The Region has updated various master plans that outline current service levels and associated existing assets, recommend future service levels and associated assets, and identify the actions required to move from the current to future state including requirements for new, expanded and enhanced assets.

Table 47 lists forecasted capital projects for WMS that are required to address these growth or enhancement needs. For additional information on growth related projects, please see section 12.7.

Table 47: WMS forecast asset portfolio growth and enhancement projects

| Asset class | Growth or enhancement forecasted |
|--|--|
| Facility – Bridge St., NR-12 and Humberstone | Improvements to active drop off depots |
| Facility – Walker | Expansion to organics processing facility |
| Facility | Provision for additional facilities |
| Vehicles | Additional vehicles and associated equipment to support operations |
| Equipment | Additional equipment and containers to support operations |

12.3 WMS levels of service

Table 48 summarizes information on customer and technical measure for levels of service (LOS) that relate to the operation, maintenance and renewal of assets for the sustainment of Fleet's current LOS.

Table 48: WMS LOS summary

| Customer LOS | Technical LOS | Performance (2019) |
|-----------------------------------|--|---------------------------|
| Waste is recycled when possible | Percentage of residential solid waste diverted | 55.7% |
| Waste is disposed of economically | Solid waste average operating cost per tonne | \$159.50 |

12.3.1 Legislated levels of service

Regulations govern many aspects of service delivery at the program level, and much of it is very technical in nature. Some examples of regulations and their impact on WMS are as follows:

- Waste Diversion Transition Act 2016
 - Waste Diversion Transition Act is a provincial legislation. The purposes of this act are to promote the reduction, reuse and recycling of waste; providing for the operation of waste diversion programs; and promote the orderly winding up of waste diversion programs and industry funding organizations in order to allow responsibility for waste to be governed under the Resource Recovery and Circular Economy Act, 2016 or otherwise.

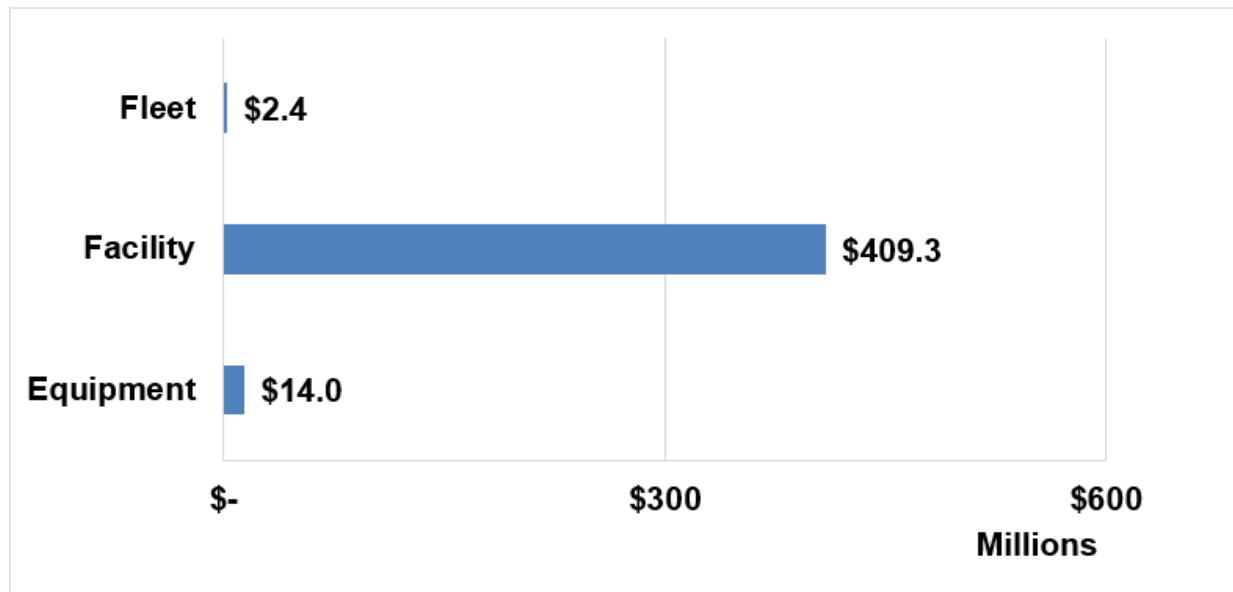
- **Resource Recovery and Circular Economy Act 2016**
 - Resource Recovery and Circular Economy Act is a provincial legislation. The purpose of this Act is to identify the provincial interest in resource recovery and waste reduction to provide overarching government direction. The act establishes full producer responsibility by making producers environmentally accountable and financially responsible for recovering resources and reducing waste associated with their products and packaging. The act also establishes the resource productivity and recovery authority to operate the resource productivity and recovery registry (i.e. data clearinghouse) and oversee producer performance by conducting compliance and enforcement activities. In implementing this Act, end-of-life materials are considered as resources rather than waste. This approach results in fewer raw materials being used and the production of long-lasting and reusable goods, thus bringing more opportunities to businesses and providing an incentive for future investment.
- **Waste-Free Ontario Act 2016**
 - Waste-Free Ontario Act is a provincial legislation. This Act has been created to enact the details within the Resource Recovery & Circular Economy Act and the Waste Diversion Transition Act. These acts are fundamentally connected and target similar goals in order to protect the natural environment by reducing the quantity of waste generated. The Waste Free Ontario act provides further detail into the responsibility of businesses that design, produce and market products or packaging for sale in Ontario, including that of convenience packaging and waste generated from the transportation of goods.

12.4 WMS state of infrastructure

12.4.1 WMS asset inventory and replacement cost

The assets required to support the services provided by WMS include equipment, facility, and fleet assets. Facility assets include the material recycling centre, active landfills and closed landfills, as well as material drop-off depots. A notable component which contributes to the valuation is the cell capacity. The cell capacity is captured as a facility asset and is valued at \$291 million. The estimated cost to replace the assets is \$425.7 million, as summarized in Figure 17.

Figure 17: WMS inventory and replacement cost



12.4.2 WMS asset age distribution

WMS assets are approximately half way through their useful expected life (UEL). The average age and estimated service life of WMS assets, weighted by replacement value, is summarized by asset category in Figure 18 and Table 49.

Figure 18: WMS average age by asset category

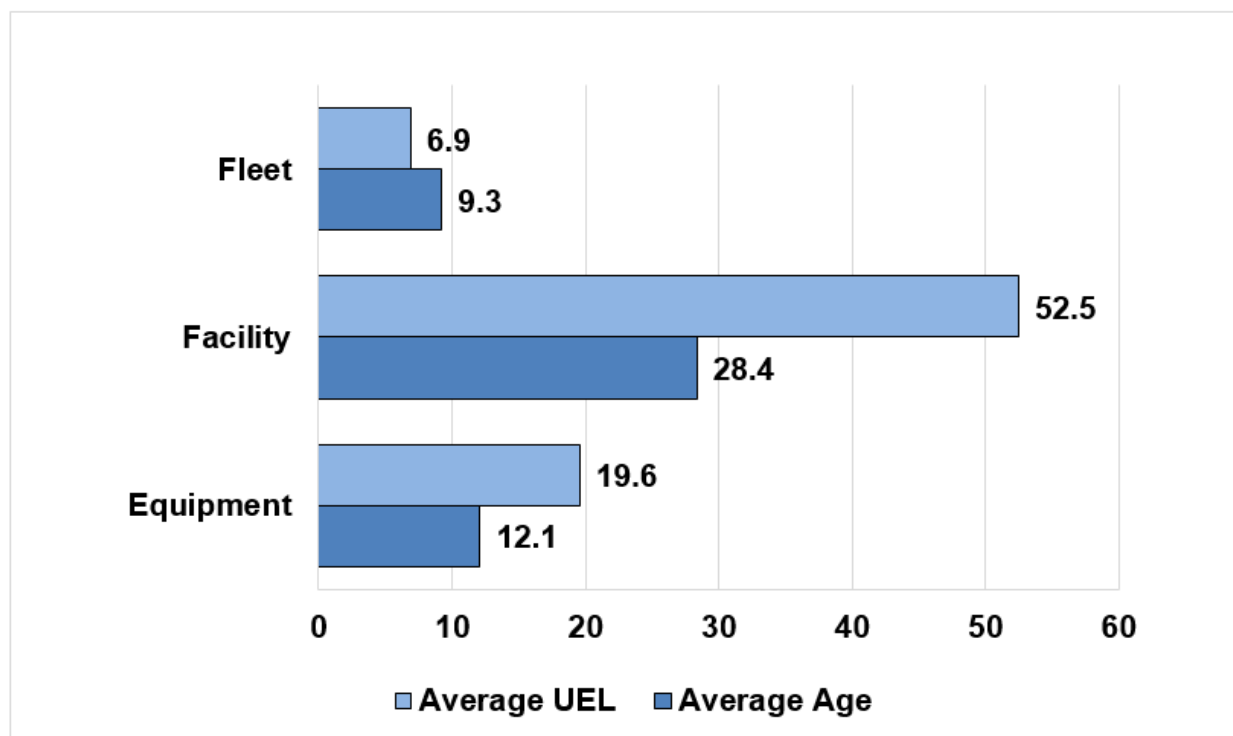


Table 49: WMS average age by asset category

| Asset Category | Average Age | Average UEL | Average Remaining Life |
|----------------|-------------|-------------|------------------------|
| Equipment | 12.1 | 19.6 | 7.5 |
| Facility | 28.4 | 52.5 | 24.1 |
| Fleet | 9.3 | 6.9 | (2.4) |
| All | 26.3 | 48.3 | 21.9 |

12.4.3 WMS asset condition

Condition for WMS assets is based on an aged-based model to provide an estimate of current condition in the absence of condition information. WMS assets are rated as very good, with 82% of assets rated as very good or better. The cell capacity which is rated as very good is a significant driver to this overall score. Removing it would result in a lower score. Condition of WMS assets, weighted by replacement value, is summarized by asset category in Figure 19 and Table 50.

Figure 19: WMS asset condition as % of value

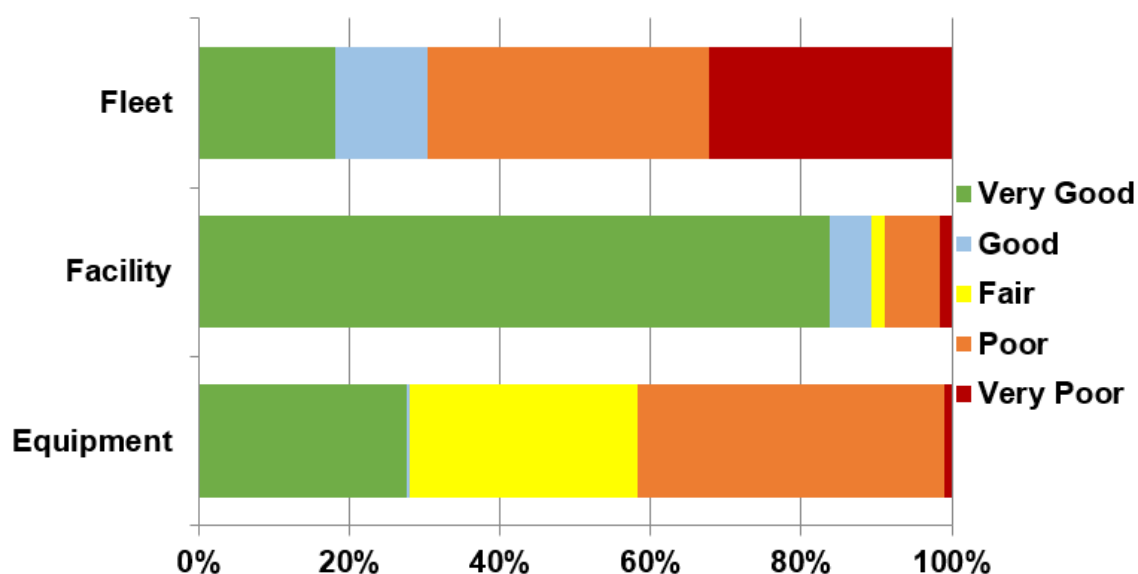


Table 50: WMS asset condition as % of value

| Colour | Condition rating | Facility | Fleet | Equipment | Total |
|--------|------------------|----------|-------|-----------|-------|
| | Very good | 83.7% | 18.0% | 27.7% | 81.5% |
| | Good | 5.5% | 12.3% | 0.4% | 5.5% |
| | Fair | 1.9% | 0.0% | 30.2% | 2.8% |
| | Poor | 7.3% | 37.4% | 40.6% | 8.6% |
| | Very poor | 1.6% | 32.3% | 1.1% | 1.6% |

12.4.4 WMS risk

Table 51 is a standardized risk matrix that represents assets with their current replacement cost according to the risk of asset failure.

Table 51: WMS risk distribution

| COF | Very low | Low | Moderate | High | Very high |
|------------------|----------|-----|----------|------|-----------|
| POF | | | | | |
| Very high | \$- | \$- | \$- | \$- | \$- |
| High | \$2 | \$- | \$- | \$- | \$52 |
| Moderate | \$- | \$- | \$- | \$- | \$81 |
| Low | \$- | \$- | \$- | \$- | \$- |
| Very low | \$- | \$- | \$- | \$- | \$291 |

POF = Probability of failure

COF = Consequence of failure

Table 52 represents the percentage of total asset replacement cost according to the risk of asset failure.

Table 52: WMS risk exposure summary

| Colour | Risk category | Asset value (\$ million) | % of assets |
|--------|----------------|--------------------------|---------------|
| VL | Very low (VL) | \$0.0 | 0.0% |
| L | Low (L) | \$0.0 | 0.0% |
| M | Moderate (M) | \$2.4 | 0.6% |
| H | High (H) | \$409.3 | 96.1% |
| VH | Very high (VH) | \$14.0 | 3.3% |
| | Total | \$425.7 | 100.0% |

12.5 Lifecycle strategies

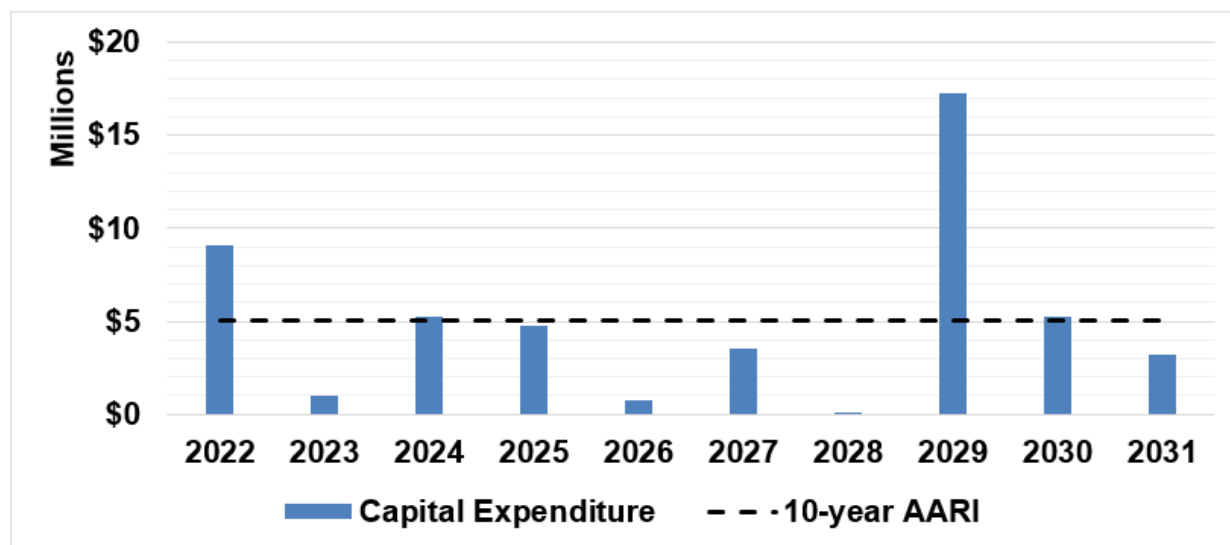
The LAS for WMS is to replace at the end of UEL, which is informed by industry practice and when available. Master planning considers the replacement of cell capacity.

12.6 Financial strategy

Figure 20 presents the AARI necessary to support existing assets and current levels of service for WMS of \$5.0 M in the 10-year forecast. This includes both annual requirements for the 10-year period, as well as addressing the identified capital spending backlog of \$8.6 M during the same period. For comparison, the 50-year AARI

is forecast at \$10.6 million as a result of the construction of a new landfill site is forecast in the 50-year period.

Figure 20: WMS AARI and capital expenditure



12.6.1 WMS cost to deliver service

The cost of service delivery for WMS includes operating expenses, capital expenditures and revenues. A summary of the 2022 operating budget for WMS is presented in Table 53.

Table 53: WMS summary of costs to deliver services

| Area of expenditure | 2022 budget (in millions) |
|---------------------------|----------------------------|
| Staffing | \$4.0 |
| Utilities | \$0.7 |
| Operating & maintenance | \$4.9 |
| Program specific | \$58.0 |
| Capital reserve transfers | \$4.4 |
| Debt charges | \$0.1 |

12.7 WMS 2022 Development Charge Background Study projects

Table 54 is an extraction of the growth projects identified in the 2022 Development Charge Background Study (2022 DCBS).

Table 54: WMS infrastructure costs in the DC calculation

| Increased service needs attributable to anticipated development | Timing | Gross capital cost estimate (\$ million) | Net cost funded by Region (\$ million) | Other funding sources (\$ million) | Potential DC cost recovery (\$ million) |
|--|---------------|---|---|---|--|
| Bridge Street Public Drop Off Depot Improvement | 2023-2026 | \$1.6 | \$0.5 | \$0.0 | \$1.1 |
| NR-12 - Drop-Off Depot Improvements (dump pad, access improvements and one rehab of one bunker currently out of service) | 2023-2026 | \$0.4 | \$0.3 | \$0.0 | \$0.1 |
| Humberstone - Drop-Off Depot Improvements (incl. grading and functional improvements to the Depot) | 2023 | \$0.4 | \$0.0 | \$0.0 | \$0.4 |
| Waste Management Long-term Strategic Plan | 2023-2025 | \$1.5 | \$1.1 | \$0.0 | \$0.4 |
| Walker Organics Facility Expansion | 2022-2029 | \$3.5 | \$0.0 | \$0.0 | \$3.5 |
| Provision for Additional Facilities | 2022-2031 | \$7.0 | \$0.0 | \$0.0 | \$7.0 |

| Increased service needs attributable to anticipated development | Timing | Gross capital cost estimate (\$ million) | Net cost funded by Region (\$ million) | Other funding sources (\$ million) | Potential DC cost recovery (\$ million) |
|--|---------------|---|---|---|--|
| Provision for Vehicles and Equipment | 2022-2031 | \$2.0 | \$0.0 | \$0.0 | \$2.0 |
| Provision for Additional Equipment | 2022-2031 | \$2.0 | \$0.0 | \$0.0 | \$2.0 |
| Provision for Additional Containers | 2022-2031 | \$1.0 | \$0.0 | \$0.0 | \$1.0 |

13 Transportation

13.1 Introduction

Transportation services include responsibility for the stewardship of all related assets within the road right-of-way (ROW), including roads, bridges, culverts, storm-water, traffic signals and luminaires.

Assets utilized to provide the services include:

- 1,733 lane kilometers of arterial roads.
- 89,085 square meters of bridges.
- 1,785 cross culverts and 6,720 driveway culverts.
- 1,276 guiderails.
- 713 retaining walls.
- 13 barriers.
- 110 kilometers of storm-water sewers.
- 288 traffic signals
- 18,655 signs, including regulatory and non-regulatory signs.
- 6,295 luminaires.
- 20,146 trees.

The AMP enables Transportation to develop a forecast of spending requirements, which must be integrated with both current and future needs. The AMP needs to include the direction established by Transportation strategies, plans and objectives, as well as those established for the entire Region. The AMP will both utilize and influence many of the Corporate and business unit processes and documents that outline the direction for the enhancement or expansion of services.

Provincial objectives for other services, and related legislation, are primary drivers that guide and direct delivery of Transportation services in Niagara Region. Council, through reporting updates and the Region's Corporate Strategy and Priorities, also provide direction for the delivery of service. Other legislation and documents that guide service delivery include the following:

- Transportation Master Plan (TMP)
- Niagara Region Complete Streets Design Guidelines June 2017
- Niagara Region Guidelines for Transportation Impact Studies 2012
- Strategic Cycling Network Development Technical Paper 2017

13.2 Transportation demand drivers

Demand drivers are the underlying factors that direct change in the demand for the service. Drivers and their influence help define and measure the changing requirements for services, and the activities and assets required to support those services. Most of the drivers for Transportation result in changes to operational requirements rather than changes to the assets utilized, with the estimated significance of impact on service summarized in Table 55.

Table 55: Transportation demand drivers

| Demand driver | Divisional significance |
|-----------------------------------|--------------------------------|
| Population change | Moderate |
| Development trends | Moderate |
| Legislation and higher government | Moderate-high |
| Customer expectations | Moderate |
| Climate change | Moderate |
| Operational efficiency | Moderate |
| Asset management | High |

The forthcoming release of the Transportation Master Plan (TMP) will strive to link with components of the Region's Official Plan (update in progress) and strategic financial investments, in order to address new transportation requirements and maintain levels of service. The forecasts included in the TMP are incorporated in the 2022 Development Charge Background Study, which is expected to be presented to Council for approval in mid-2022.

13.2.1 Planned asset portfolio growth and enhancements

The expected growth in the population of Niagara will place significant pressure on the capacity of existing assets and create demand for new assets. The Region has updated various master plans that outline current service levels and associated existing assets, recommend future service levels and associated assets, and identify the actions required to move from the current to future state including requirements for new, expanded and enhanced assets.

Table 56 lists forecast capital projects in excess of \$20 million for Transportation that are required to address these growth or enhancement needs. For additional information on growth related projects, please see section 13.7.

Table 56: Transportation forecast asset portfolio growth and enhancement projects

| Asset class | Growth or enhancement forecasted |
|--------------------|--|
| Bridges | Carlton St. extension and new bridge |
| Roads | Casablanca Blvd. capacity improvements |
| Roads | Creek Rd. capacity improvements |
| Roads | Garrison Rd. capacity improvements |
| Roads | Hwy 406 and Third St. Louth interchange |
| Roads | Lundy's Lane capacity improvements |
| Roads | Merritt Rd. capacity improvements |
| Roads | Montrose Rd. capacity improvements |
| Roads | Netherby Rd. capacity improvements |
| Roads | New West St. Catharines grade separation |
| Roads | Niagara Escarpment Crossing – new road construction |
| Roads | Niagara Stone Rd. capacity improvements |
| Roads | Ontario St. capacity improvements |
| Roads | Rice Rd. capacity improvements |
| Roads | Sodom Rd. capacity improvements |
| Roads | South Niagara East West arterial – new road construction |
| Roads | Stanley Ave. capacity improvements |
| Roads | Twenty Mile Rd. capacity improvements |
| Luminaires | Annual enhancement program |
| Signals | Annual enhancement program |
| Intersections | Annual enhancement program |

13.3 Transportation levels of service

Table 57 summarizes information on customer and technical measure for levels of service (LOS) that relate to the operation, maintenance and renewal of assets for the sustainment of Transportation's current LOS.

Table 57: Transportation LOS summary

| Customer LOS | Technical LOS | Performance |
|--|---|---|
| Description of road network. * | Number of lane-kilometers of each of arterial roads, collector roads and local roads as a proportion of square kilometers of land area of the municipality. ** | Total lane km = 1,733 km of arterial roads. Roads occupy 20.9 km ² for a total portion of 1.12% |
| Description or images that illustrate the different levels of road class pavement condition. * | <ol style="list-style-type: none"> For paved roads in the municipality, the average pavement condition index (PCI) value. For unpaved roads in the municipality, the average surface condition (e.g. excellent, good, fair or poor). ** | <ol style="list-style-type: none"> Average PCI = 68 N/A – no unpaved roads |
| Description of the traffic that is supported by municipal bridges (e.g., heavy transport vehicles, motor vehicles, emergency vehicles, pedestrians, cyclists). * | Percentage of bridges in the municipality with loading or dimensional restrictions. ** | 2% of bridges have loading restrictions. |
| <ol style="list-style-type: none"> Description or images of the condition of bridges and how this would affect use of the bridges. * Description or images of the condition of culverts and how this would affect use of the culverts. * | <ol style="list-style-type: none"> For bridges in the municipality, the average bridge condition index (BCI) value. ** For structural culverts in the municipality, the average bridge condition index value. ** | <ol style="list-style-type: none"> Average Bridge BCI = 69 Average Culvert BCI=70 |

| Customer LOS | Technical LOS | Performance |
|---|--|---|
| Description, which may include maps, of the user groups or areas of the municipality that are protected from flooding, including the extent of the protection provided by the municipal stormwater management system. * | <ol style="list-style-type: none"> 1. Percentage of properties in municipality resilient to a 100-year storm. ** 2. Percentage of the municipal stormwater management system resilient to a 5-year storm. ** | <ol style="list-style-type: none"> 1. Zero (0)% for 100-year storm event 2. 100% 5-year storm event |

* Refer to detailed description of customer LOS in Section 13.3.1

** LOS measures required by O. Reg. 588/17

13.3.1 Customer level of service

Roads - scope: Description of road network and connectivity

The Region manages a series of roads that, in combination with provincial and local roads, creates a transportation network for the safe and efficient movement of people and goods into and within the Region and neighbouring municipalities.

There are eight [8] provincial highways within the Region, including the Queen Elizabeth Way, Highway 405, Highway 406, Highway 420, Highway 3, Highway 58 and 58A and Highway 140. Provincial highways are regulated by MTO, and development and access in close proximity to these highways are subject to provincial permitting and approval. At the local municipal level, each of the 12 area municipalities operates and maintains its own network of roads with some connecting to the Region's roads.

Roads - quality: Description of pavement condition

Pavement condition is maintained through regular maintenance and renewals. Condition is assessed regularly during routine patrols and a fulsome assessment through radar technology every three years. Data collected includes the condition of the road surface such as type, extent and severity of distresses (e.g. cracking and rutting) and smoothness or ride comfort of the road. An overall Pavement Condition Index (PCI) is calculated on an annual basis and used as input into annual road renewal and rehabilitation programs.

Bridges and culverts - scope: Description of traffic supported by bridges

All traffic is supported by regional bridges and culverts, in some cases load restrictions are enacted. Where bridge load restrictions are in place, an application process exists to manage any proposed instance of overweight travel. Where a load restriction would be exceeded, the travel is re-routed to ensure integrity of the structure.

Bridges and culverts - quality: Description of bridges and culverts condition

In accordance with O. Reg. 104/97 Standards for Bridges, the Region conducts detailed inspections of all of its bridges every two years. All inspections are supervised by a trained, professional engineer following the guidelines in Ontario's Structure Inspection Manual (OSIM) which sets standards for the visual inspection and condition rating of bridges and their elements. The inspector assesses each bridge element and records the amount of the element in each of four condition states: Excellent, Good, Fair, and Poor. The inspector also records suspected performance deficiencies and recommends maintenance and renewal activities, with costs. Where structures are identified for follow up, a strength evaluation of the structure is conducted to determine the load carrying capacity remains in accordance with the requirements as stated in the Canadian Highway Bridge Design Code.

Stormwater - scope: Description of flooding protection

The Region's stormwater system is designed to protect regional Right of Way (RoW), stormwater infrastructure is modelled to protect against the 5-year storm event. Climate change has and will increase the intensity and frequency of storms and subsequently the demand for flood protection. The Region is evaluating the network to understand implications of a 100-year storm event.

13.3.2 Legislated levels of service

Regulations govern many aspects of service delivery at the program level, and much of it is very technical in nature. Some examples of regulations and their impact on Transportation are as follows:

- Highway Traffic Act
 - This is an Ontario regulation describing the rules of operating vehicles on public roads including types of operators, drivers and loads.
- Drainage Act R.S.O 1990
 - The Drainage Act is a provincial legislation assigning the municipality with responsibility for maintaining the drainage works after construction.

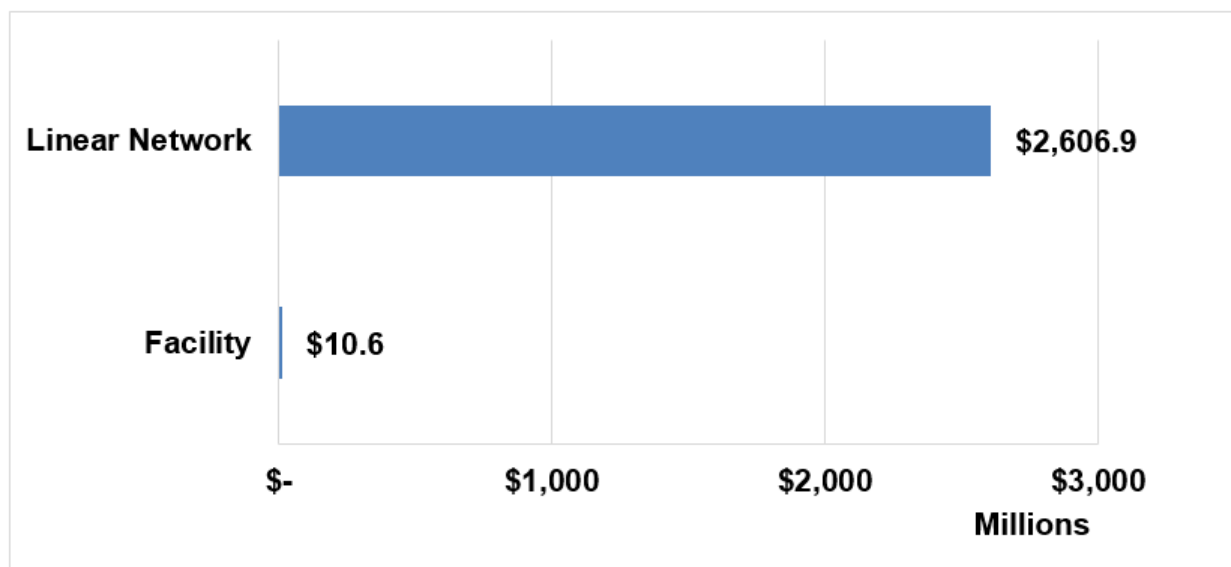
- Minimum Maintenance Standards for Municipal Highways – O. Reg. 239/02 (previous O. Reg. 366/18)
 - This Act establishes the minimum maintenance standards including inspection frequency and repair of municipal highways and the assets that support them.
- Standards For Bridges O. Reg. 104/97 (previous O. Reg. 472/10)
 - The Act requires that all provincial and municipal bridges be inspected every two years under the direction of a professional engineer using the Ministry's Ontario Structure Inspection Manual (Inspection Manual).

13.4 Transportation state of infrastructure

13.4.1 Transportation asset inventory and replacement cost

The assets required to support the services provided by Transportation include linear network and facility assets. Linear network includes significant pavement assets, as well as bridges, culverts, traffic signals, guiderails, retaining walls, storm water assets, luminaires and signs. The estimated cost to replace the assets is \$2,617.5 million, as summarized in Figure 21.

Figure 21: Transportation inventory and replacement cost



13.4.2 Transportation asset age distribution

Transportation assets are generally in the last quarter of their useful expected life (UEL). Since linear network assets are such a large value of the service their age is a significant driver. The average age and estimated service life of Transportation assets,

weighted by replacement value, is summarized by asset category in Figure 22 and Table 58.

Figure 22: Transportation average age by asset category

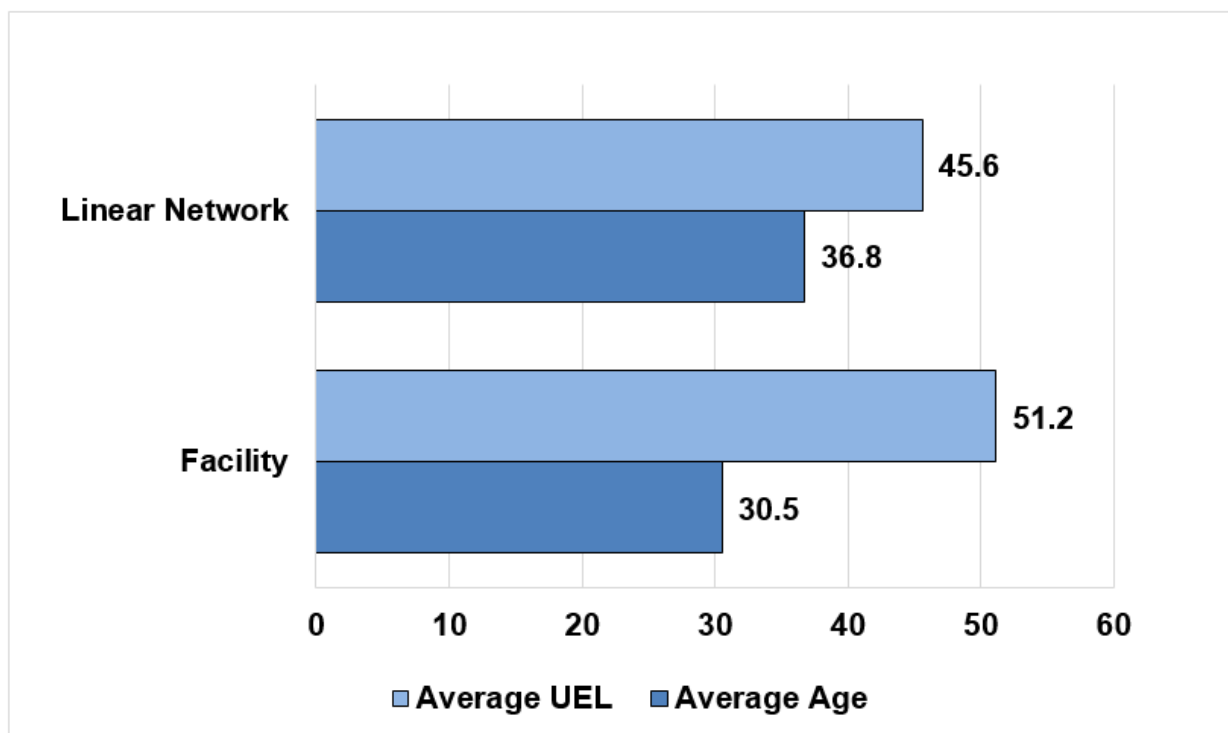


Table 58: Transportation average age by asset category

| Asset Category | Average Age | Average UEL | Average Remaining Life |
|----------------|-------------|-------------|------------------------|
| Facility | 30.5 | 51.2 | 20.6 |
| Linear Network | 36.8 | 45.6 | 8.8 |
| All | 36.7 | 45.6 | 8.9 |

13.4.3 Transportation asset condition

Condition for Transportation assets is based on an aged-based model to provide an estimate of current condition in the absence of condition information. Transportation assets are rated as poor, with 52% of assets rated as poor or better. Condition of Transportation assets, weighted by replacement value, is summarized by asset category in Figure 23 and Table 59.

Figure 23: Transportation asset condition as % of value

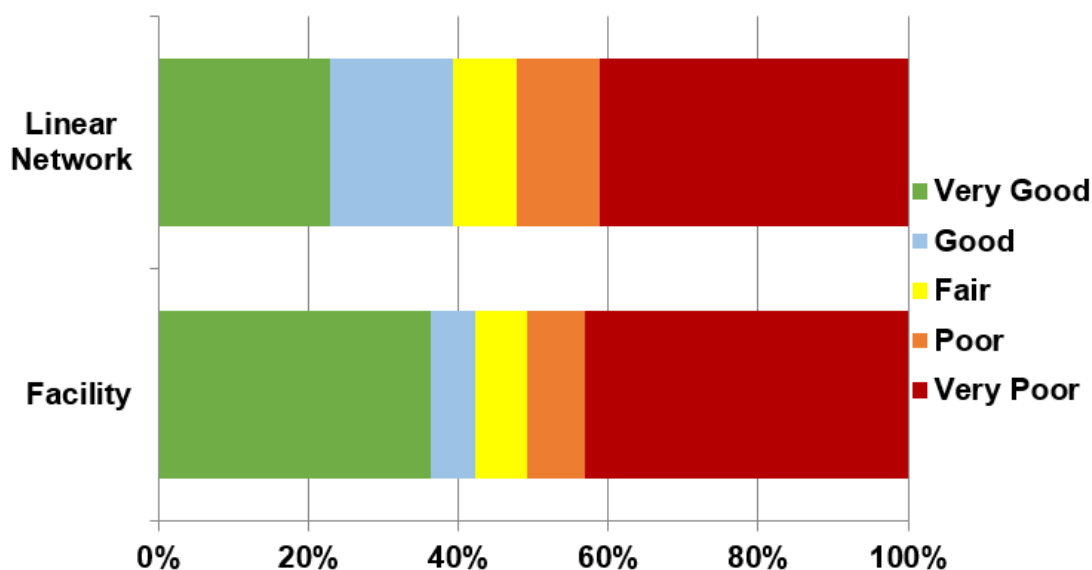


Table 59: Transportation asset condition as % of value

| Colour | Condition rating | Facility | Linear Network | Total |
|--------|------------------|----------|----------------|-------|
| | Very good | 36.4% | 22.9% | 23.0% |
| | Good | 5.8% | 16.4% | 16.3% |
| | Fair | 6.9% | 8.5% | 8.5% |
| | Poor | 7.7% | 11.1% | 11.1% |
| | Very poor | 43.2% | 41.1% | 41.2% |

13.4.4 Transportation risk

Table 60 is a standardized risk matrix that represents assets with their current replacement cost according to the risk of asset failure.

Table 60: Transportation risk distribution

| COF | Very low | Low | Moderate | High | Very high |
|-----------|----------|-------|----------|---------|-----------|
| POF | | | | | |
| Very high | \$1 | \$4 | \$- | \$- | \$- |
| High | \$- | \$2 | \$- | \$2,076 | \$- |
| Moderate | \$103 | \$- | \$46 | \$144 | \$- |
| Low | \$76 | \$117 | \$19 | \$- | \$- |
| Very low | \$- | \$30 | \$- | \$- | \$- |

POF = Probability of failure

COF = Consequence of failure

Table 61 represents the percentage of total asset replacement cost according to the risk of asset failure.

Table 61: Transportation risk exposure summary

| Colour | Risk category | Asset value (\$ million) | % of assets |
|--------|----------------|--------------------------|---------------|
| VL | Very low (VL) | \$106.1 | 4.1% |
| L | Low (L) | \$219.9 | 8.4% |
| M | Moderate (M) | \$21.8 | 0.8% |
| H | High (H) | \$2,269.7 | 86.7% |
| VH | Very high (VH) | \$0.0 | 0.0% |
| | Total | \$2,617.5 | 100.0% |

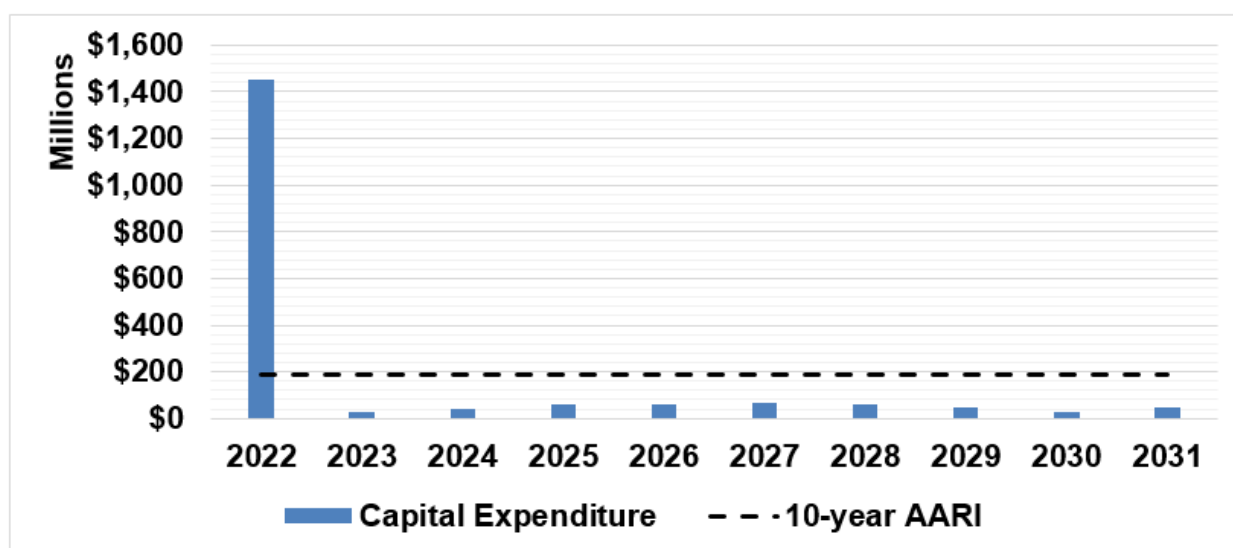
13.5 Lifecycle strategies

Transportation's LAS for roads, bridges and culverts, and some signal components is to apply a % of replacement value for repairs and rehabilitation at a specified point in time. For example, a section of paved urban arterial road, which has a useful expected life (UEL) of 45 years, Transportation anticipates spending approximately 18% of the replacement cost resurfacing the road at 15 and 30 years. For other assets such as fleet, guiderails and illumination, Transportation's LAS is to replace at the end of UEL.

13.6 Financial strategy

Figure 24 presents the AARI necessary to support existing assets and current levels of service for Transportation of \$189.0 M in the 10-year forecast. This includes both annual requirements for the 10-year period, as well as addressing the identified capital spending backlog of \$1,422.4 M during the same period. For comparison, the 50-year AARI is forecast at \$109.6 million as the backlog is spread over a longer period.

Figure 24: Transportation AARI and capital expenditure



13.6.1 Transportation cost to deliver service

The cost of service delivery for Transportation includes operating expenses, capital expenditures and revenues. A summary of the 2022 operating budget for Transportation is presented in Table 62.

Table 62: Transportation summary of costs to deliver services

| Area of expenditure | 2022 budget (in millions) |
|---------------------------|----------------------------|
| Staffing | \$15.0 |
| Utilities | \$0.7 |
| Operating & maintenance | \$7.2 |
| Program specific | \$20.1 |
| Capital reserve transfers | \$11.8 |
| Debt charges | \$19.2 |

13.7 Transportation 2022 Development Charge Background Study projects

Table 63 is a summary of the growth projects identified in the 2022 Development Charge Background Study (2022 DCBS) based on the underlying assets and expected timing of the projects.

Table 63: Transportation infrastructure costs in the DC calculation

| Increased service needs attributable to anticipated development | Timing | Gross capital cost estimate (\$ million) | Net cost funded by Region (\$ million) | Other funding sources (\$ million) | Potential DC cost recovery (\$ million) |
|--|---------------|---|---|---|--|
| Active transport | 2022-2026 | \$12.2 | \$9.1 | \$0.0 | \$3.1 |
| Active transport | 2022-2031 | \$11.7 | \$8.8 | \$0.0 | \$2.9 |
| Active transport | 2027-2036 | \$12.2 | \$9.1 | \$0.0 | \$3.1 |
| Annual programs | 2022-2041 | \$459.5 | \$392.3 | \$0.0 | \$67.2 |
| New bridge | 2032-2041 | \$112.5 | \$11.2 | \$0.0 | \$101.3 |
| Bridge reconstruction | 2022-2031 | \$91.4 | \$74.4 | \$0.5 | \$16.5 |
| Culvert reconstruction | 2022-2031 | \$3.7 | \$2.9 | \$0.0 | \$0.8 |
| Intersection improvement | 2022-2026 | \$44.0 | \$2.5 | \$0.0 | \$41.5 |
| Intersection improvement | 2027-2041 | \$31.5 | \$15.7 | \$0.0 | \$15.8 |
| Capacity Improvements | 2022-2031 | \$970.0 | \$405.3 | \$3.3 | \$561.4 |
| Capacity Improvements | 2031-2035 | \$22.5 | \$8.0 | \$0.0 | \$14.5 |
| Capacity Improvements | 2036-2041 | \$43.4 | \$28.2 | \$0.0 | \$15.2 |
| Studies | 2022-2031 | \$4.2 | \$0.2 | \$0.0 | \$4.0 |
| Studies | 2022-2041 | \$13.1 | \$1.3 | \$0.0 | \$11.8 |

14 Transit

14.1 Introduction

Transit services includes leading various transit related initiatives in partnership with local municipal partners. Some of these initiatives include Inter-municipal transit, Niagara Regional Transit, Niagara Specialized Transit, and the GO implementation office.

This AMP reports assets originally purchased by the Region under the current service structure for Transit.

Assets utilized to provide the services include:

- 32 buses.

The new Niagara Transit Commission will include additional transit assets of the local area municipalities. However, this data is not available at the time of writing this report.

Provincial objectives for other services, and related legislation, are primary drivers that guide and direct delivery of Transit services in Niagara Region. Council, through reporting updates and the Region's Corporate Strategy and Priorities, also provide direction for the delivery of service. Other legislation and documents that guide service delivery include the following:

- Niagara Region Transit Governance Study
- Niagara Region Transportation Master Plan
- Niagara Region Transportation Master Plan – Transit strategy technical paper
- Niagara Transit Service Delivery and Governance Strategy
- Niagara Specialized Transit Study 2020
- Inter-Municipal Transit Service Implementation Strategy

14.2 Transit demand drivers

Demand drivers are the underlying factors that direct change in the demand for the service. Drivers and their influence help define and measure the changing requirements for services, and the activities and assets required to support those services. Most of the drivers for Transit result in changes to operational requirements and assets required to support the service. The estimated significance of impact on service is summarized in Table 64.

Table 64: Transit demand drivers

| Demand driver | Divisional significance |
|-----------------------------------|--------------------------------|
| Population change | High |
| Legislation and higher government | Moderate |
| Social issues and trends | Moderate |
| Customer expectations | Low |
| Economic factors | Low |
| Pandemic | High |
| Other service provider changes | Moderate |
| Asset management | High |

14.2.1 Planned asset portfolio growth and enhancements

The expected growth in the population of Niagara will place significant pressure on the capacity of existing assets and create demand for new assets. The Region has updated various master plans that outline current service levels and associated existing assets, recommend future service levels and associated assets, and identify the actions required to move from the current to future state including requirements for new, expanded and enhanced assets.

Asset portfolio growth is expected and will be managed through the Transit Commission. As part of the commission implementation, staff will be hired and assets will be procured as needed. The asset management of the new commission and its assets will be assessed more thoroughly in subsequent plans.

14.3 Transit levels of service

Table 65 summarizes information on customer and technical measure for levels of service (LOS) that relate to the operation, maintenance and renewal of assets for the sustainment of Transit's current LOS.

Table 65: Transit LOS summary

| Customer LOS | Technical LOS | Performance |
|----------------------|----------------------|--------------------|
| Accessible ridership | Number of boarding's | 1,065,000 |

14.3.1 Legislated levels of service

Regulations govern many aspects of service delivery at the program level, and much of it is very technical in nature. Some examples of regulations and their impact on Transit are as follows:

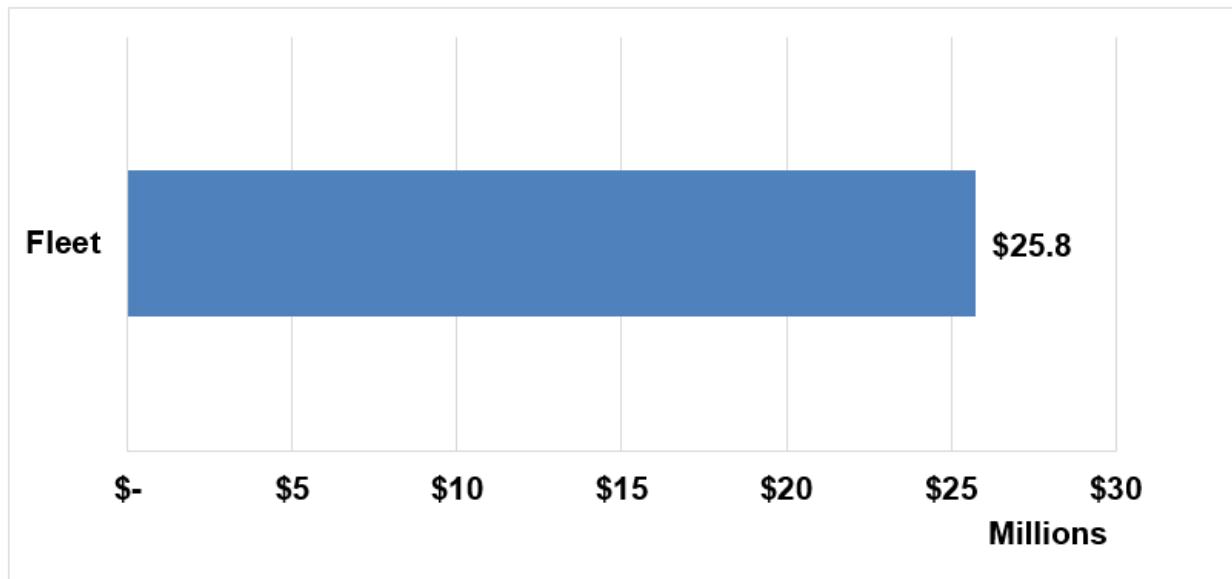
- Environmental Protection Act R.S.O 1990
 - The purpose of this Act is to provide for the protection and conservation of the natural environment. The Act makes provisions for the improved control of pollution to the air, water and land by regulating the management of waste and the control of emissions.
- Highway Traffic Act
 - This is an Ontario regulation describing the rules of operating vehicles on public roads including types of operators, drivers and loads.
- O. Reg. 424/97: Commercial motor vehicle operators' information
 - The Ministry of Transportation has developed an annual renewal program whereby Commercial Vehicles Operators Registration (CVOR) holders are required to update their operating information on an annual basis.

14.4 Transit state of infrastructure

14.4.1 Transit asset inventory and replacement cost

The assets required to support the services provided by Transit only include fleet assets purchased by the Region under the current management structure. The estimated cost to replace the assets is \$25.8 million, as summarized in Figure 25.

Figure 25: Transit inventory and replacement cost



14.4.2 Transit asset age distribution

Transit assets are approximately half way through useful expected life (UEL). The average age and estimated service life of Transit assets, weighted by replacement value, is summarized by asset category in Figure 26 and Table 66.

Figure 26: Transit average age by asset category

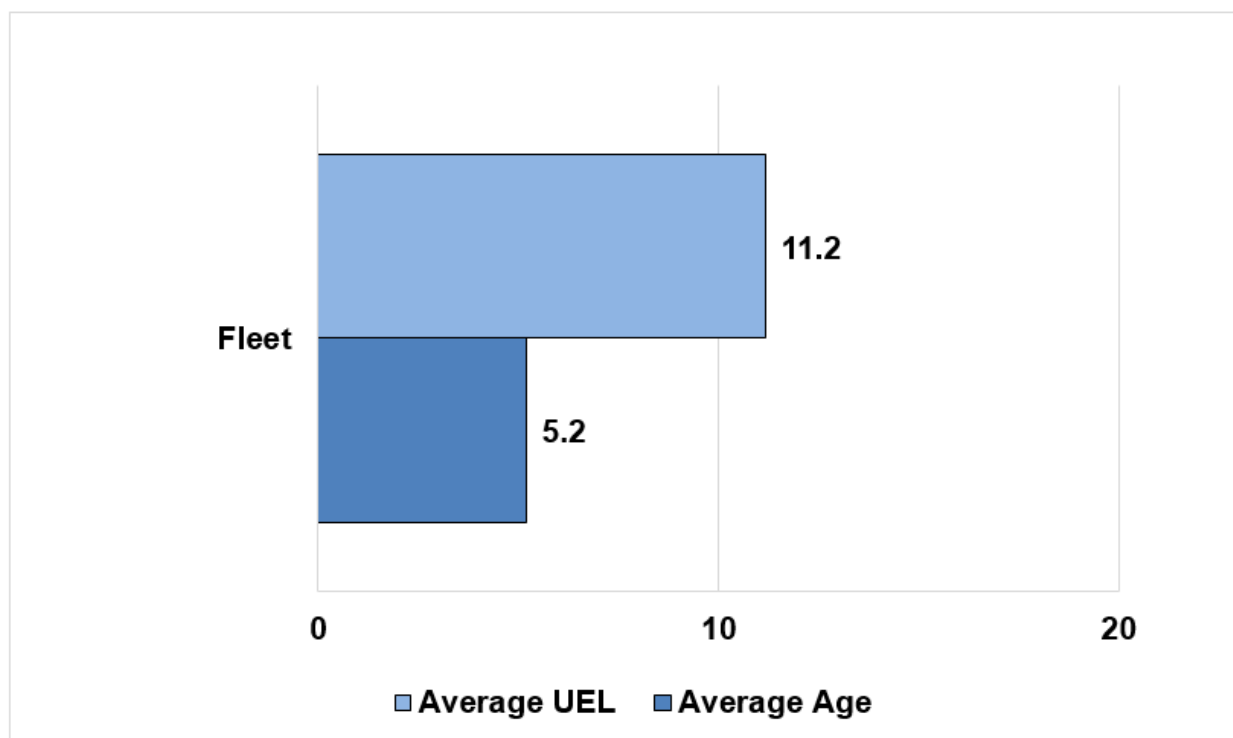


Table 66: Transit average age by asset category

| Asset Category | Average Age | Average UEL | Average Remaining Life |
|----------------|-------------|-------------|------------------------|
| Fleet | 5.2 | 11.2 | 6.0 |

14.4.3 Transit asset condition

Condition for Transit assets is based on age or mileage. 'Very poor' assets for fleet based on age do not necessarily indicate an imminent failure, but are indicative of assets that are beyond their expected lifecycle and past the time-based renewal period. Transit assets are rated as very good, with 68% of assets rated as very good or better. Condition of Transit assets, weighted by replacement value, is summarized by asset category in Figure 27 and Table 67.

Figure 27: Transit asset condition as % of value

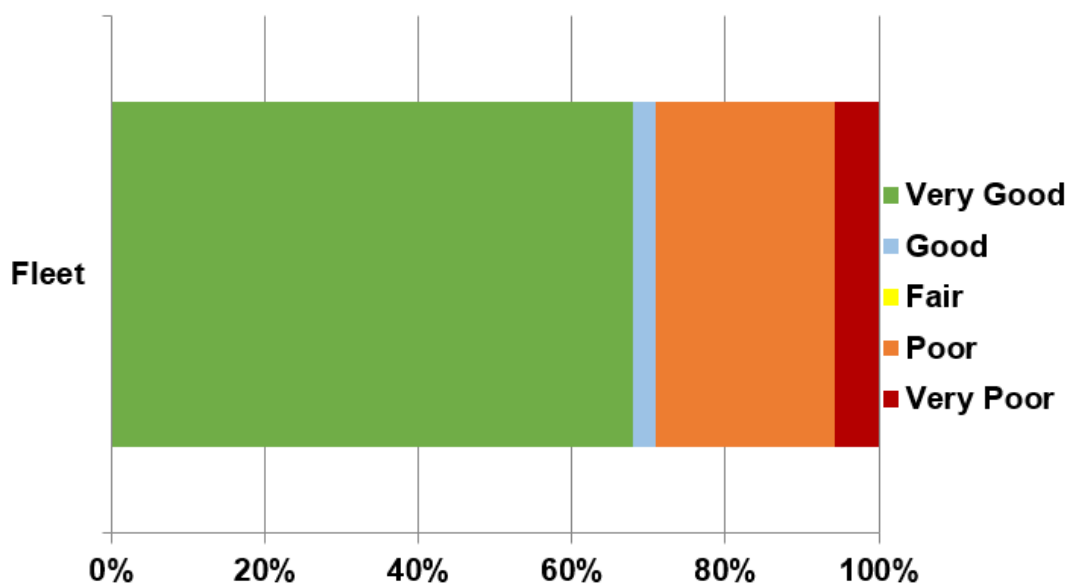


Table 67: Transit asset condition as % of value

| Colour | Condition rating | Fleet | Total |
|--------|------------------|-------|-------|
| | Very good | 68.0% | 68.0% |
| | Good | 2.9% | 2.9% |
| | Fair | 0.0% | 0.0% |
| | Poor | 23.3% | 23.3% |
| | Very poor | 5.8% | 5.8% |

14.4.4 Transit risk

Table 68 is a standardized risk matrix that represents assets with their current replacement cost according to the risk of asset failure.

Table 68: Transit risk distribution

| COF | Very low | Low | Moderate | High | Very high |
|-----------|----------|------|----------|------|-----------|
| POF | | | | | |
| Very high | \$- | \$- | \$- | \$- | \$- |
| High | \$- | \$- | \$- | \$- | \$- |
| Moderate | \$- | \$20 | \$- | \$- | \$- |
| Low | \$- | \$- | \$- | \$- | \$- |
| Very low | \$- | \$6 | \$- | \$- | \$- |

POF = Probability of failure

COF = Consequence of failure

Table 69 represents the percentage of total asset replacement cost according to the risk of asset failure.

Table 69: Transit risk exposure summary

| Colour | Risk category | Asset value (\$ million) | % of assets |
|--------|----------------|--------------------------|---------------|
| VL | Very low (VL) | \$5.5 | 21.4% |
| L | Low (L) | \$0.0 | 0.0% |
| M | Moderate (M) | \$20.3 | 78.6% |
| H | High (H) | \$0.0 | 0.0% |
| VH | Very high (VH) | \$0.0 | 0.0% |
| | Total | \$25.8 | 100.0% |

14.5 Lifecycle strategies

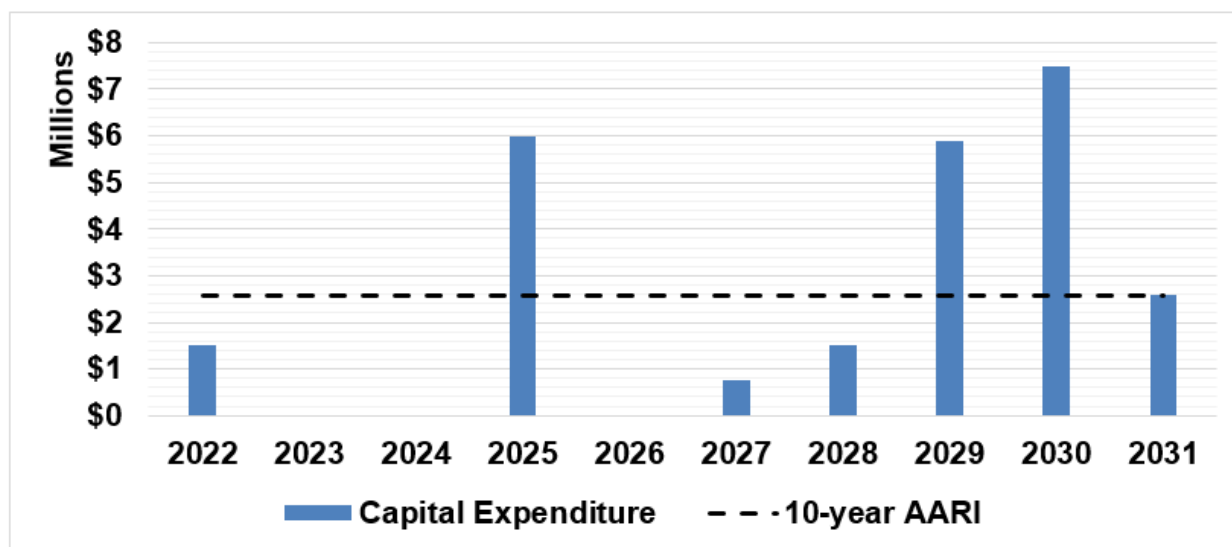
The LAS for Transit is to replace at the end of UEL, which is informed by manufacturer recommendations and studies when available. In some cases a major refurbishment is able to be completed on busses, which can extend the life for another several years. This strategy is still under development and has not yet been implemented for all busses.

14.6 Financial strategy

Figure 28 presents the AARI necessary to support existing assets and current levels of service for Transit of \$2.6 million in the 10-year forecast. This includes both annual requirements for the 10-year period, as well as addressing the identified capital

spending backlog of \$1.5 million during the same period. For comparison, the 50-year AARI is forecast at \$2.4 million.

Figure 28: Transit AARI and capital expenditure



14.6.1 Transit cost to deliver service

The cost of service delivery for Transit includes operating expenses, capital expenditures and revenues. A summary of the 2022 operating budget for Transit is presented in Table 70.

Table 70: Transit summary of costs to deliver services

| Area of expenditure | 2022 budget (in millions) |
|---------------------------|----------------------------|
| Staffing | \$0.4 |
| Utilities | \$0.0 |
| Operating & maintenance | \$0.8 |
| Program specific | \$21.7 |
| Capital reserve transfers | \$0.7 |
| Debt charges | \$1.3 |

15 Fleet

15.1 Introduction

Fleet services include providing a full range of vehicle and equipment services for internal Regional divisions including maintenance and repair, marketing and disposal, and acquisition. Fleet manages fleet assets for all services with the exception of Emergency Medical Services and Niagara Regional Police Services.

Assets reported in this service include:

- 1 Fleet Service Centre
- 585 vehicles

Provincial objectives for other services, and related legislation, are primary drivers that guide and direct delivery of fleet services in Niagara Region. Council, through reporting updates and the Region's Corporate Strategy and Priorities, also provide direction for the delivery of service. Other legislation and documents that guide service delivery include the following:

- Environmental Protection Act R.S.O. 1990
- Highway Traffic Act
- O. Reg. 424/97: Commercial motor vehicle operators' information

15.2 Fleet demand drivers

Demand drivers are the underlying factors that direct change in the demand for the service. Drivers and their influence help define and measure the changing requirements for services, and the activities and assets required to support those services. Most of the drivers for Fleet result in changes to operational requirements rather than changes to the assets utilized, with the estimated significance of impact on service summarized in Table 71.

Table 71: Fleet demand drivers

| Demand driver | Divisional significance |
|----------------------------------|--------------------------------|
| Legislation | High |
| Population change | Moderate-high |
| Socio-economic issues and trends | Moderate |
| Customer expectations | Low |
| Technology | Moderate |

| Demand driver | Divisional significance |
|----------------|-------------------------|
| Climate change | Low |

15.2.1 Planned asset portfolio growth and enhancements

The expected growth in the population of Niagara will place significant pressure on the capacity of existing assets and create demand for new assets. The Region has updated various master plans that outline current service levels and associated existing assets, recommend future service levels and associated assets, and identify the actions required to move from the current to future state including requirements for new, expanded and enhanced assets.

15.3 Fleet levels of service

Table 72 summarizes information on customer and technical measure for levels of service (LOS) that relate to the operation, maintenance and renewal of assets for the sustainment of Fleet's current LOS.

Table 72: Fleet LOS summary

| Customer LOS | Technical LOS | Performance |
|--|---|-------------|
| Facilities are maintained to an appropriate standard, are safe and accessible. | Facility condition index (% of deferred maintenance of overall facility replacement cost) | 4.0% |

15.3.1 Legislated levels of service

Regulations govern many aspects of service delivery at the program level, and much of it is very technical in nature. Some examples of regulations and their impact on Fleet are as follows:

- Environmental Protection Act R.S.O. 1990
 - The purpose of this Act is to provide for the protection and conservation of the natural environment. The Act makes provisions for the improved control of pollution to the air, water and land by regulating the management of waste and the control of emissions.
- Highway Traffic Act
 - This is an Ontario regulation describing the rules of operating vehicles on public roads including types of operators, drivers and loads.
- O. Reg. 424/97: Commercial motor vehicle operators' information

- The Ministry of Transportation has developed an annual renewal program whereby Commercial Vehicles Operators Registration (CVOR) holders are required to update their operating information on an annual basis.

15.4 Fleet state of infrastructure

15.4.1 Fleet asset inventory and replacement cost

The assets include facilities and fleet. The assets reported here are those required by fleet to manage the Region's fleet, as well as fleet assets that support individual services. The estimated cost to replace the assets is \$39.6 million, as summarized in Figure 29.

Figure 29: Fleet inventory and replacement cost



15.4.2 Fleet asset age distribution

Fleet assets on average are in the last half of their useful expected life (UEL). The average age and estimated service life of Fleet assets, weighted by replacement value, is summarized by asset category in Figure 30 and Table 73.

Figure 30: Fleet average age by asset category

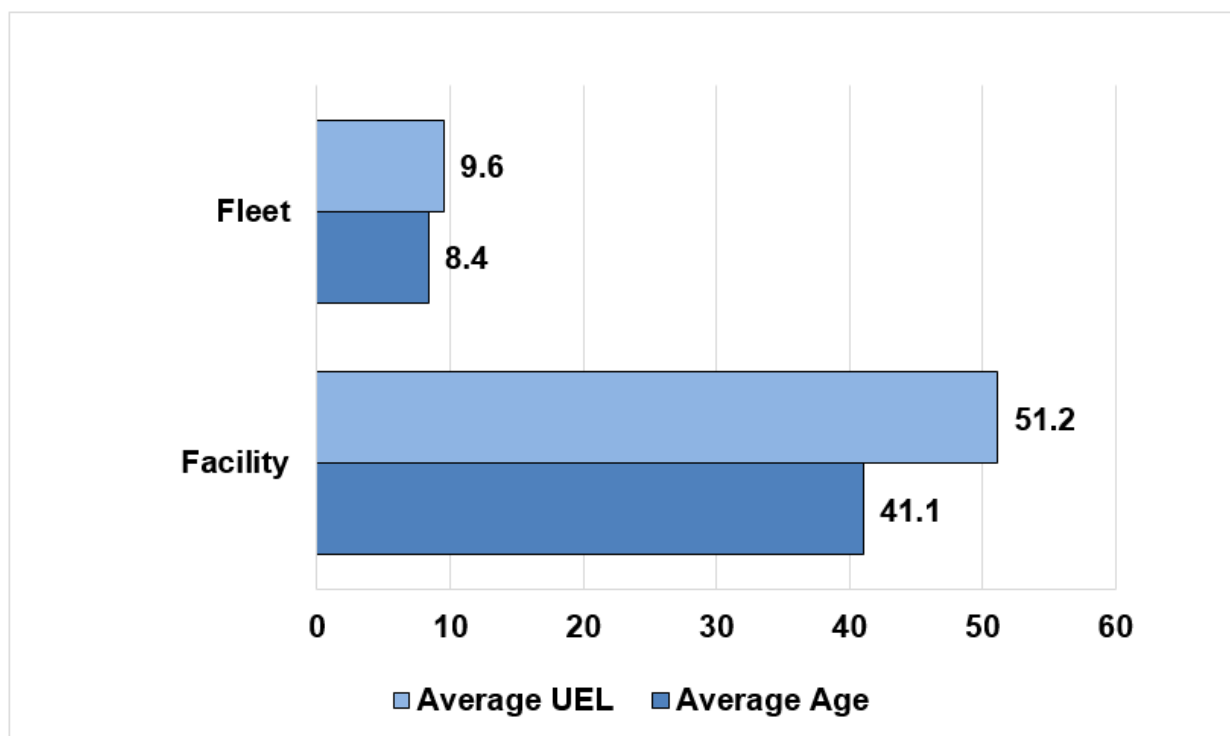


Table 73: Fleet average age by asset category

| Asset Category | Average Age | Average UEL | Average Remaining Life |
|----------------|-------------|-------------|------------------------|
| Facility | 41.1 | 51.2 | 10.1 |
| Fleet | 8.4 | 9.6 | 1.2 |

15.4.3 Fleet asset condition

Condition for Fleet assets is based on age or mileage. ‘Very poor’ assets for fleet based on age do necessarily indicate an imminent failure, but are indicative of assets that are beyond their expected lifecycle and past the time-based worse period. Fleet assets are rated as poor, with 61% of assets rated as poor or better. Condition of Fleet assets, weighted by replacement value, is summarized by asset category in Figure 31 and Table 74.

Figure 31: Fleet asset condition as % of value

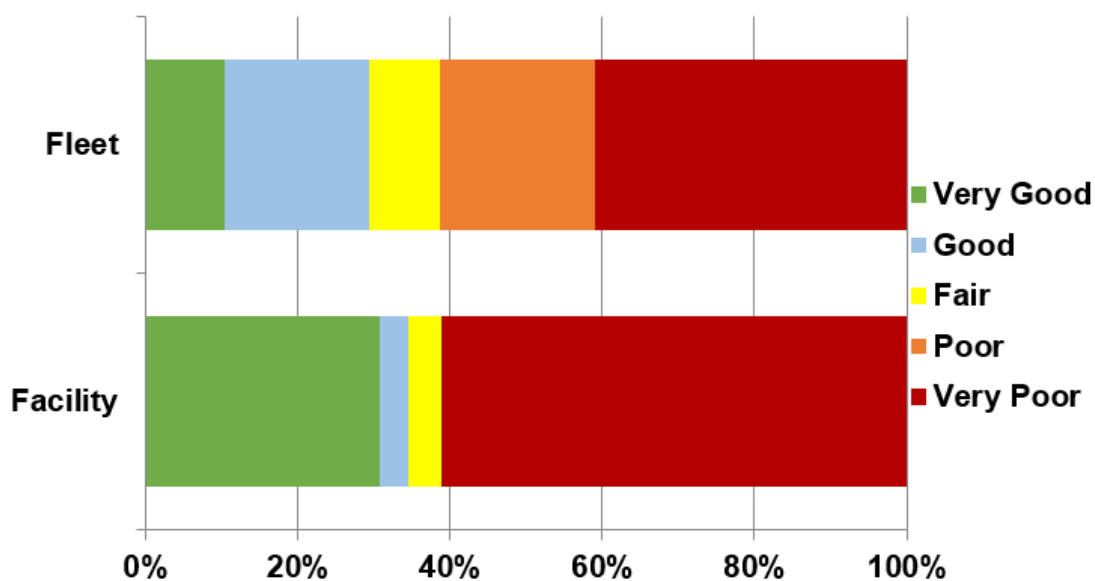


Table 74: Fleet asset condition as % of value

| Colour | Condition rating | Facility | Fleet | Total |
|--------|------------------|----------|-------|-------|
| | Very good | 30.8% | 10.4% | 17.6% |
| | Good | 3.8% | 18.9% | 13.6% |
| | Fair | 4.2% | 9.4% | 7.6% |
| | Poor | 0.0% | 20.3% | 13.1% |
| | Very poor | 61.2% | 41.0% | 48.1% |

15.4.4 Fleet risk

Table 75 is a standardized risk matrix that represents assets with their current replacement cost according to the risk of asset failure.

Table 75: Fleet risk distribution

| COF | Very low | Low | Moderate | High | Very high |
|-----------|----------|------|----------|------|-----------|
| POF | | | | | |
| Very high | \$2 | \$10 | \$- | \$- | \$- |
| High | \$22 | \$- | \$- | \$- | \$- |
| Moderate | \$- | \$- | \$- | \$- | \$- |
| Low | \$- | \$- | \$- | \$- | \$- |
| Very low | \$- | \$5 | \$- | \$- | \$- |

POF = Probability of failure

COF = Consequence of failure

Table 76 represents the percentage of total asset replacement cost according to the risk of asset failure.

Table 76: Fleet risk exposure summary

| Colour | Risk category | Asset value (\$ million) | % of assets |
|--------|----------------|--------------------------|---------------|
| VL | Very low (VL) | \$4.8 | 12.2% |
| L | Low (L) | \$0.0 | 0.0% |
| M | Moderate (M) | \$24.4 | 61.8% |
| H | High (H) | \$10.3 | 26.0% |
| VH | Very high (VH) | \$0.0 | 0.0% |
| | Total | \$39.6 | 100.0% |

15.5 Lifecycle strategies

The lifecycle asset strategy for Fleet is to replace at the end of UEL, which is informed by manufacturer recommendations and studies when available. Fleet aims to perform preventative maintenance on vehicles and equipment in order to ensure they perform well up until the end of their UEL.

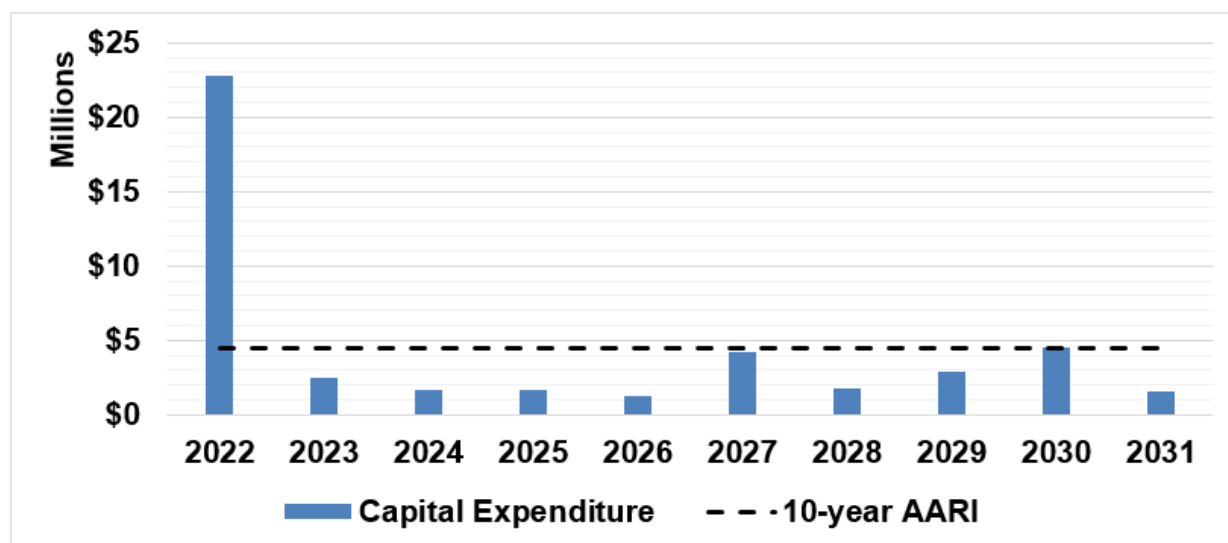
For facilities managed by the corporate Facilities service, risks relating to building infrastructure failure are mitigated through inspection and maintenance programs, which provide the necessary data to ensure that the work required to achieve the established

LOS is identified. Renewal of assets is driven by BCAs, facility operator review on site, annual site walk-through inspections, and input from program department.

15.6 Financial strategy

Figure 32 presents the AARI necessary to support existing assets and current levels of service for Fleet of \$4.5M in the 10-year forecast. This includes both annual requirements for the 10-year period, as well as addressing the identified capital spending backlog of \$20.3M during the same period. For comparison, the 50-year AARI is forecast at \$4.5 million as the backlog is spread over a longer period.

Figure 32: Fleet AARI and capital expenditure



15.6.1 Fleet cost to deliver service

The cost of service delivery for Fleet includes operating expenses, capital expenditures and revenues. A summary of the 2022 operating budget for Fleet is presented in Table 77.

Table 77: Fleet summary of costs to deliver services

| Area of expenditure | 2022 budget (in millions) |
|-------------------------|----------------------------|
| Staffing | \$1.9 |
| Utilities | \$0.0 |
| Operating & maintenance | \$2.3 |
| Program specific | \$2.8 |

| Area of expenditure | 2022 budget (in millions) |
|----------------------------|-----------------------------------|
| Capital reserve transfers | \$2.6 |
| Debt charges | \$0.0 |

16 Seniors Services

16.1 Introduction

Seniors Services provides a variety of long-term healthcare services for residents in the Region's long-term care homes and for clients with healthcare needs and/or functional limitations who still live in the community, as well as those who attend adult day programs delivered through one of the long-term care homes or supportive housing facilities. Seniors Services provides services to over 1,300 residents annually in the Region's long term care homes and through a variety of community-based programs.

Assets utilized to provide the services include:

- 9 Long-term Care facilities.
- 2043 equipment, including beds, resident care equipment and medical equipment.

Provincial objectives for Seniors Services, and related legislation, are primary drivers that guide and direct delivery of Seniors Services in Niagara Region. Council, through reporting updates and the Region's Corporate Strategy and Priorities, also provide direction for the delivery of service. Other legislation and documents that guide service delivery include the following:

- Seniors Services 2020-2023 Strategic Plan
- Long-term Care Home Renewal Strategy
- AD04-002 – Quality Improvement – Quality Improvement Program (which includes the Strategic plan, Operational Plan and Quality Improvement Plan)

16.2 Seniors Services demand drivers

Demand drivers are the underlying factors that direct change in the demand for the service. Drivers and their influence help define and measure the changing requirements for services, and the activities and assets required to support those services. The drivers for Seniors Services result in changes to operational requirements and the assets required to support the service. The estimated significance of impact on service summarized in Table 78.

Table 78: Seniors Services demand drivers

| Demand driver | Divisional significance |
|-----------------------------|-------------------------|
| Population and demographics | High |
| Legislation | High |

| Demand driver | Divisional significance |
|-------------------------------------|--------------------------------|
| Organizational goals and objectives | High |
| Pandemic | High |
| Operational efficiency | Moderate-high |
| Customer expectations | High |
| Other service providers | Moderate |

The demand for change in service is managed through several means, including demand studies and optimization exercise. Some of these business improvement studies are listed below:

- Collaboration on a Built Environment Research in LTC
- Seniors Facilities MMS Maintenance Care Project
- Dietary Department Efficiency Study
- Essential Laundry Continuous Improvement Review
- Region of Niagara Long-Term Care Home Redevelopment March 2018 (alternative service delivery)

16.2.1 Planned asset portfolio growth and enhancements

The expected growth in the population of Niagara will place significant pressure on the capacity of existing assets and create demand for new assets. The Region has updated various master plans that outline current service levels and associated existing assets, recommend future service levels and associated assets, and identify the actions required to move from the current to future state including requirements for new, expanded and enhanced assets.

Table 79 lists forecasted capital projects for Seniors Services that are required to address these growth or enhancement needs. For additional information on growth related projects, please see section 25.7.

Table 79: Seniors Services forecast asset portfolio growth and enhancement projects

| Asset class | Growth or enhancement forecasted |
|---------------------------|---|
| Long-term care facilities | Three of the Region's long-term care homes (Linhaven, Gilmore Lodge and Upper Canada Lodge) have been identified for redevelopment under the Long-term Care Home Renewal Strategy in support of meeting the Ministry of Health and Long-Term Care current design standards by the end of December 2024. The framework for the redevelopment is based on input from a range of stakeholders, including other service providers (not-for-profit, for-profit providers as well as other municipal providers), government partners and residents of Niagara and includes a comprehensive review of alternative service delivery models. |

16.3 Seniors Services levels of service

Table 80 summarizes information on customer and technical measure for levels of service (LOS) that relate to the operation, maintenance and renewal of assets for the sustainment of Seniors Services' current LOS.

Table 80: Seniors Services LOS summary

| Customer LOS | Technical LOS | Performance |
|--|---|---------------------------------------|
| Facilities are maintained to an appropriate standard, are safe and accessible. | Facility condition index (% of deferred maintenance of overall facility replacement cost) | 3.7% |
| Residents may live with dignity and in security, safety and comfort, and have their physical, psychological, social, spiritual and cultural needs adequately met | Accreditation Canada Program | Accreditation with Exemplary Standing |
| Residents may live with dignity and in security, safety and comfort, and have their physical, psychological, social, spiritual and cultural needs adequately met | Municipal Benchmarking Network Canada (MBNC) | 92% Satisfaction (2020) |

16.3.1 Legislated levels of service

Regulations govern many aspects of service delivery at the program level, and much of it is very technical in nature. Some examples of regulations and their impact on Seniors Services are as follows:

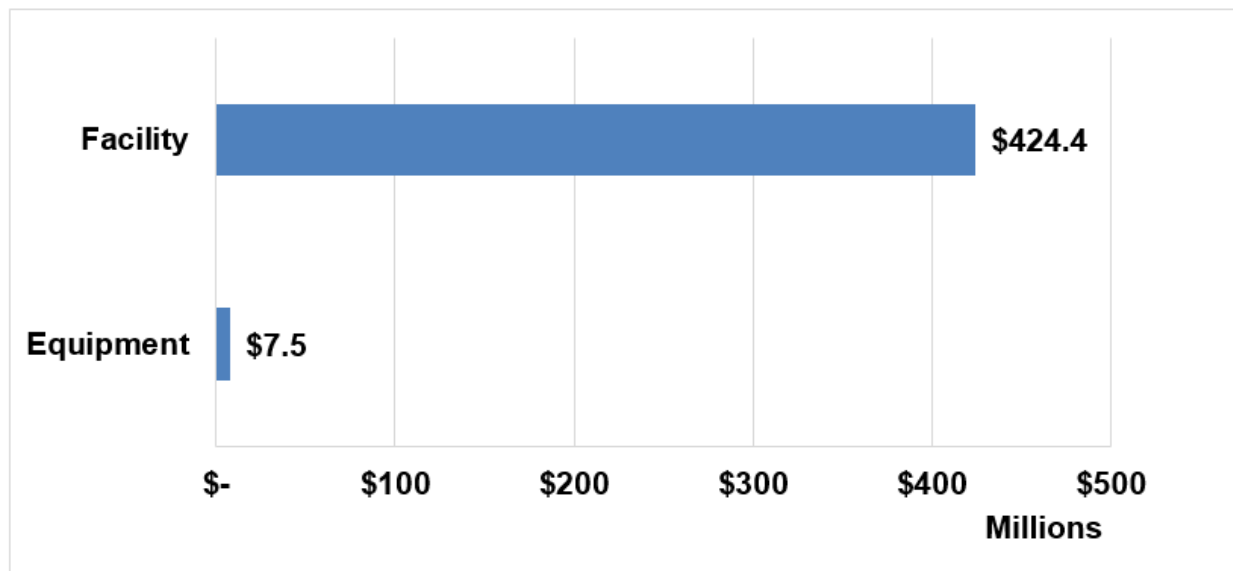
- O. Long-Term Care Homes Act, 2007, S.O. 2007, c. 8
 - Legislation describing the provision of Long Term Care Service and the characteristics of such a place, i.e., place where residents may live with dignity and in security, safety and comfort, and have their physical, psychological, social, spiritual and cultural needs adequately met.

16.4 Seniors Services state of infrastructure

16.4.1 Seniors Services asset inventory and replacement cost

The assets required to support the services provided by Seniors Services include facilities and equipment. The estimated cost to replace the assets is \$431.9 million, as summarized in Figure 33.

Figure 33: Seniors Services inventory and replacement cost



16.4.2 Seniors Services asset age distribution

Seniors Services assets on average are generally half way through of their useful expected life (UEL). Once the redevelopments of Lihaven and Gilmore Lodge and Upper Canada Lodge are complete a significant portion of the asset portfolio will be new. This will change overall portfolio age with respect to UEL, by making the average age a smaller portion of the average UEL. Equipment assets are generally closer to the end of their UEL than facility assets, but the relative small value of \$7.5 million does not affect the average significantly. The average age and estimated service life of Seniors Services assets, weighted by replacement value, is summarized by asset category in Figure 34 and Table 81.

Figure 34: Seniors Services average age by asset category

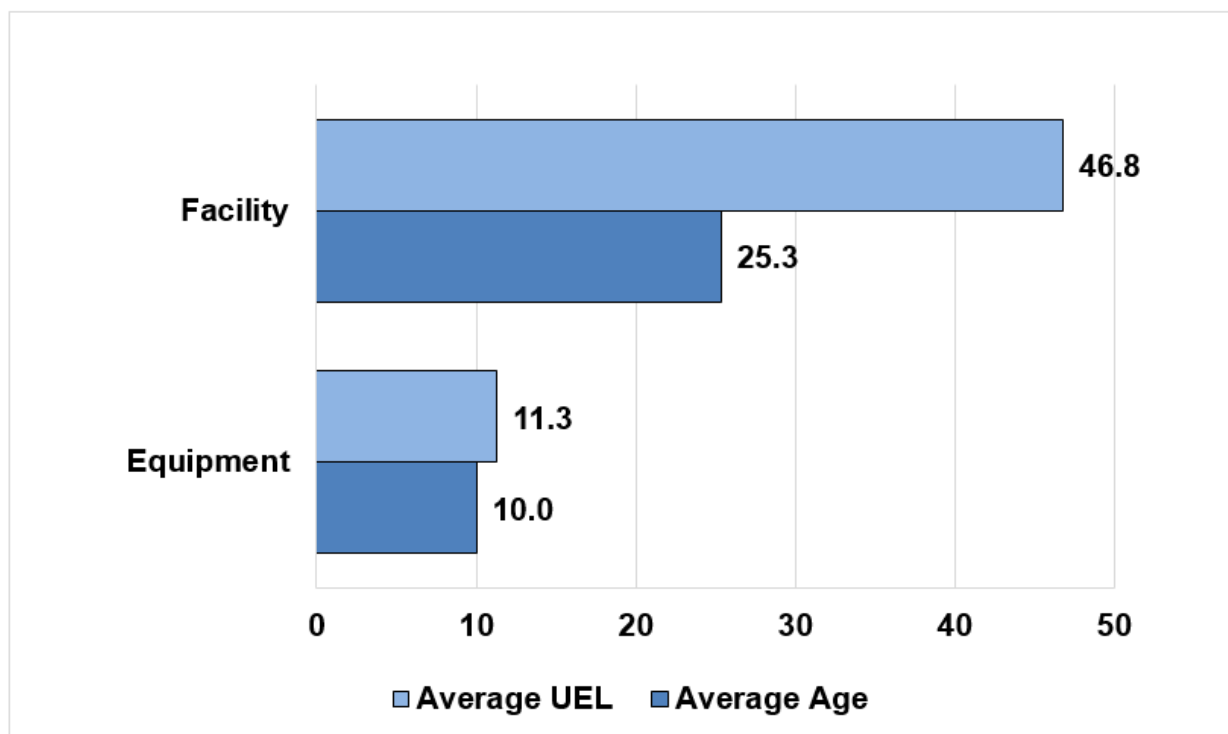


Table 81: Seniors Services average age by asset category

| Asset Category | Average Age | Average UEL | Average Remaining Life |
|----------------|-------------|-------------|------------------------|
| Equipment | 10.0 | 11.3 | 1.3 |
| Facility | 25.3 | 46.8 | 21.5 |
| All | 25.1 | 46.2 | 21.1 |

16.4.3 Seniors Services asset condition

Condition for Seniors Services is based on an aged-based model to provide an estimate of current condition in the absence of condition information. The Seniors Services portfolio of assets is rated in fair condition, with 61% of the assets rated as fair or better. The condition of Seniors Services assets, weighted by replacement value, is summarized by asset category in Figure 35 and Table 82.

Figure 35: Seniors Services asset condition as % of value

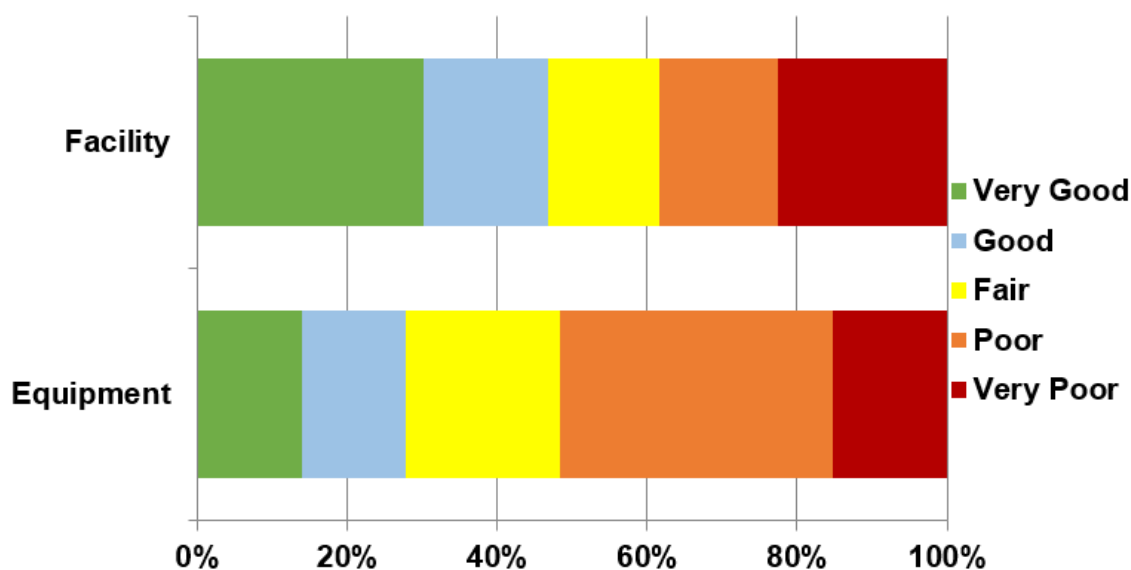


Table 82: Seniors Services asset condition as % of value

| Colour | Condition rating | Facility | Equipment | Total |
|--------|------------------|----------|-----------|-------|
| | Very good | 30.2% | 13.9% | 29.9% |
| | Good | 16.7% | 13.8% | 16.6% |
| | Fair | 14.7% | 20.7% | 14.8% |
| | Poor | 15.8% | 36.3% | 16.2% |
| | Very poor | 22.6% | 15.3% | 22.5% |

16.4.4 Seniors Services risk

Table 83 is a standardized risk matrix that represents assets with their current replacement cost according to the risk of asset failure.

Table 83: Seniors Services risk distribution

| COF | Very low | Low | Moderate | High | Very high |
|-----------|----------|-------|----------|------|-----------|
| POF | | | | | |
| Very high | \$- | \$- | \$- | \$- | \$- |
| High | \$86 | \$143 | \$8 | \$- | \$- |
| Moderate | \$- | \$2 | \$55 | \$- | \$- |
| Low | \$- | \$0 | \$138 | \$- | \$- |
| Very low | \$- | \$- | \$- | \$- | \$- |

POF = Probability of failure

COF = Consequence of failure

Table 84 represents the percentage of total asset replacement cost according to the risk of asset failure.

Table 84: Seniors Services risk exposure summary

| Colour | Risk category | Asset value (\$ million) | % of assets |
|--------|----------------|--------------------------|---------------|
| VL | Very low (VL) | \$0.0 | 0.0% |
| L | Low (L) | \$0.1 | 0.0% |
| M | Moderate (M) | \$368.8 | 85.4% |
| H | High (H) | \$63.0 | 14.6% |
| VH | Very high (VH) | \$0.0 | 0.0% |
| | Total | \$431.9 | 100.0% |

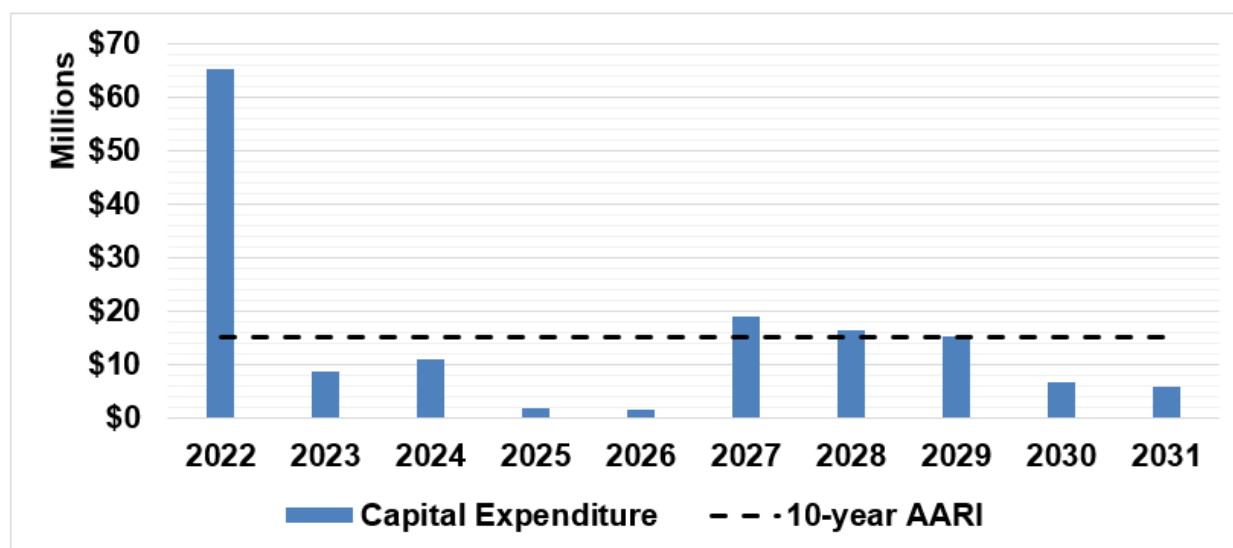
16.5 Lifecycle strategies

The LAS for Seniors Services is generally to replace components at end of UEL. Risks relating to building infrastructure failure are mitigated through inspection and maintenance programs, which provide the necessary data to ensure that the work required to achieve the established LOS is identified. Renewal of assets is driven by BCAs, facility operator review on site, annual site walk-through inspections, and input from staff.

16.6 Financial strategy

Figure 36 presents the AARI necessary to support existing assets and current levels of service for Seniors Services of \$15.1 M in the 10-year forecast. This includes both annual requirements for the 10-year period, as well as addressing the identified capital spending backlog of \$40.8M during the same period. For comparison, the 50-year AARI is forecast at \$14.5 million.

Figure 36: Seniors Services AARI and capital expenditure



16.6.1 Seniors Services financial indicators

The cost of service delivery for Seniors Services includes operating expenses, capital expenditures and revenues. A summary of the 2022 operating budget for Seniors Services is presented in Table 85.

Table 85: Seniors Services summary of costs to deliver services

| Area of expenditure | 2022 budget (in millions) |
|---------------------------|----------------------------|
| Staffing | \$89.8 |
| Utilities | \$2.0 |
| Operating & maintenance | \$3.5 |
| Program specific | \$13.7 |
| Capital reserve transfers | \$2.4 |
| Debt charges | \$7.8 |

16.7 Seniors Services 2022 Development Charge Background Study projects

Table 86 is an extraction of the growth projects identified in the 2022 Development Charge Background Study (2022 DCBS).

Table 86: Seniors Services infrastructure costs in the DC calculation

| Increased service needs attributable to anticipated development | Timing | Gross capital cost estimate (\$ million) | Net cost funded by Region (\$ million) | Other funding sources (\$ million) | Potential DC cost recovery (\$ million) |
|--|---------------|---|---|---|--|
| Provision for Future Long-term Care Home Redevelopment | 2028-2031 | \$27.5 | \$0.0 | \$0.0 | \$27.5 |

17 Community Housing

17.1 Introduction

Niagara Housing Services (Community Housing) administers the Region's Community Housing program. Community Housing owns and operates approximately 3000 units and has legislative oversight of an additional 4,000 private sector or non-profit units. Community Housing strives to be a leader and promotes affordable housing opportunities in Niagara, is a community partner who works collaboratively with stakeholders, and ensures equitable and fair access to affordable housing. Community Housing customers are adults, seniors and families in lower income brackets seeking to rent affordable housing units throughout the Region.

Assets utilized to provide the services include:

- 9 high-rise residential buildings.
- 20 low-rise residential buildings.
- 12 townhouses.
- 20 single/semi houses.

Provincial objectives for Community Housing services, and related legislation, are primary drivers that guide and direct delivery of Housing services in Niagara Region. Council, through reporting updates and the Region's Corporate Strategy and Priorities, also provide direction for the delivery of service. Other legislation and documents that guide service delivery include the following:

- Canada Mortgage and Housing Corporation (CMHC)
- Social Housing Agreement (SHA)
- Ministry of Municipal affairs and Housing – Community housing renewal strategy
- Niagara Region Housing and Homelessness action plan
- Housing Master Plan (HMP) 2021
- Housing Services Act (HSA) 2011
- Residential Tenancies Act 2006
- Social Housing Reform Act 2000
- Bill 204, Helping Tenants and Small Businesses Act, 2020. (2021 Rent Freeze)
- O. REG. 517/06: Maintenance Standards

17.2 Community Housing demand drivers

Demand drivers are the underlying factors that direct change in the demand for the service. Drivers and their influence help define and measure the changing requirements for services, and the activities and assets required to support those services. The drivers for Community Housing result in changes to operational requirements as well as changes to the assets utilized. The estimated significance of impact on service summarized in Table 87: Community Housing demand drivers.

Table 87: Community Housing demand drivers

| Demand driver | Divisional significance |
|-----------------------------------|--------------------------------|
| Population and demographics | Moderate |
| Legislation and higher government | Moderate |
| Social issues and trends | Low |
| Customer expectations | Low |
| Economic factors | Low |
| Pandemic | Moderate |
| Operational efficiency | Low |
| Other service provider changes | Moderate |
| Asset management | High |

The demand for change in service is managed through several means, one of which is the 2013 Homelessness and Housing Action Plan (HHAP), another is the 2022 Community Housing Plan (CHMP). These documents identify demand for the service and project needs into the future. The plans identify operational improvements through collaborating with other stakeholders in the space, while ensuring alignment with the Regional strategic plan.

17.2.1 Planned asset portfolio growth and enhancements

The expected growth in the population of Niagara will place significant pressure on the capacity of existing assets and create demand for new assets. The Region has updated various master plans that outline current service levels and associated existing assets, recommend future service levels and associated assets, and identify the actions required to move from the current to future state including requirements for new, expanded and enhanced assets.

Table 88 lists forecasted capital projects for Community Housing that are required to address these growth or enhancement needs. For additional information on growth related projects, please see section 17.7.

Table 88: Community Housing forecast asset portfolio growth and enhancement projects

| Asset class | Growth or enhancement forecasted |
|---------------------|--|
| Facility – Low rise | 43 unit new build in Welland. Four story building with a budget of \$13.6 M. |
| Facility – Low rise | 18 unit new build in Fort Erie. Three story building with a budget of \$6.0 M. |

17.3 Community Housing levels of service

Table 89 summarizes information on customer and technical measure for levels of service (LOS) that relate to the operation, maintenance and renewal of assets for the sustainment of Community Housing's current LOS.

Table 89: Community Housing LOS summary

| Customer LOS | Technical LOS | Performance |
|--|---|---|
| Facilities are maintained to an appropriate standard, are safe and accessible. | Facility condition index (% of deferred maintenance of overall facility replacement cost) | 5.8% |
| Accessible affordable housing | Number of social housing units per 1,000 households | In 2018 Niagara Region reported 36 versus the group median of 38 |
| Accessible affordable housing | Percent of social housing waiting list placed annually | In 2018 Niagara Region reported 9.2%, down from 15.6% in 2016, versus the group median of 8.8%, down from 13.8% in 2016 |

17.3.1 Legislated levels of service

Regulations govern many aspects of service delivery at the program level, and much of it is very technical in nature. Some examples of regulations and their impact on Community Housing are as follows:

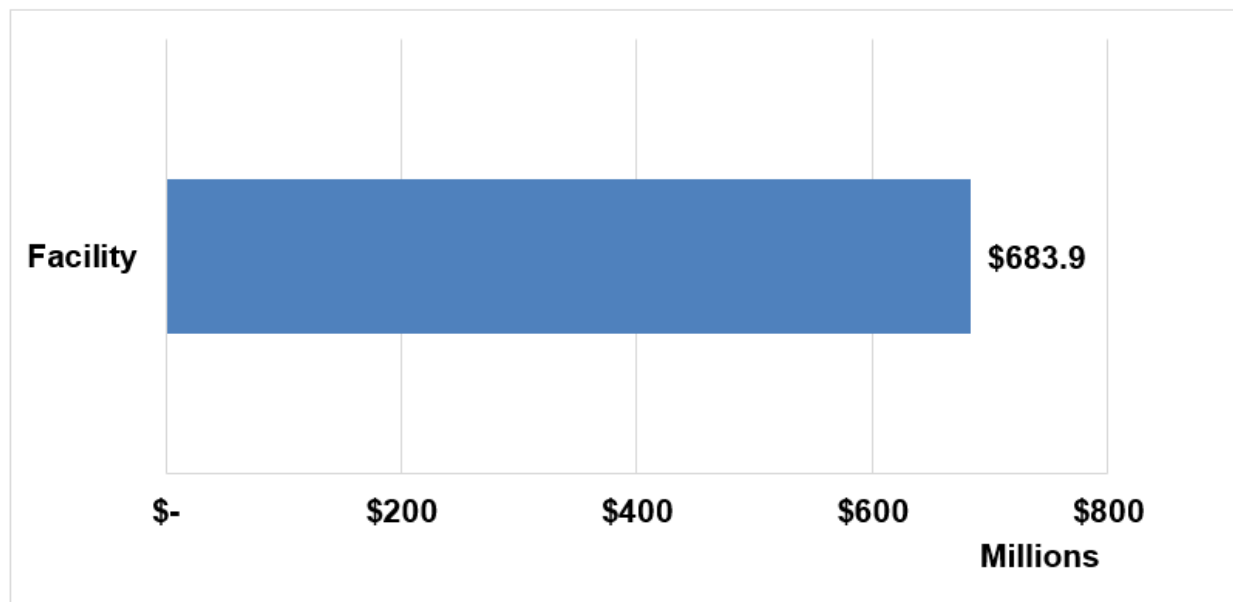
- O. Reg. 517/06: Maintenance Standards
 - Mandates the standard to which facilities are maintained i.e. the minimum condition.
- The Housing Services Act (HSA)
 - This is a Provincial legislation containing ten parts. The purpose of this Act is to provide for community based planning and delivery of housing and homelessness services with general provincial oversight and policy direction.
- Residential Tenancies Act 2006
 - Outlines roles and responsibilities of landlords and tenants, the act allows for the following. To provide protection for residential tenants from unlawful rent increases and unlawful evictions. To establish a framework for the regulation of residential rents. To balance the rights and responsibilities of residential landlords and tenants. To provide for the adjudication of disputes and for other processes to informally resolve disputes.
- Building code
 - The Building Code Act is an Ontario regulation that describes the requirements for built facilities.

17.4 Community Housing state of infrastructure

17.4.1 Community Housing asset inventory and replacement cost

The assets required to support the services provided by Community Housing include facilities categorized as high rise, low rise, townhouse and single/semi communities. The estimated cost to replace the assets is \$683.9 million, as summarized in Figure 37.

Figure 37: Community Housing inventory and replacement cost



17.4.2 Community Housing asset age distribution

Community Housing assets on average are in the first half of their useful expected life (UEL). The average age and estimated service life of Community Housing assets, weighted by replacement value, is summarized by asset category in Figure 38 and Table 90.

Figure 38: Community Housing average age by asset category

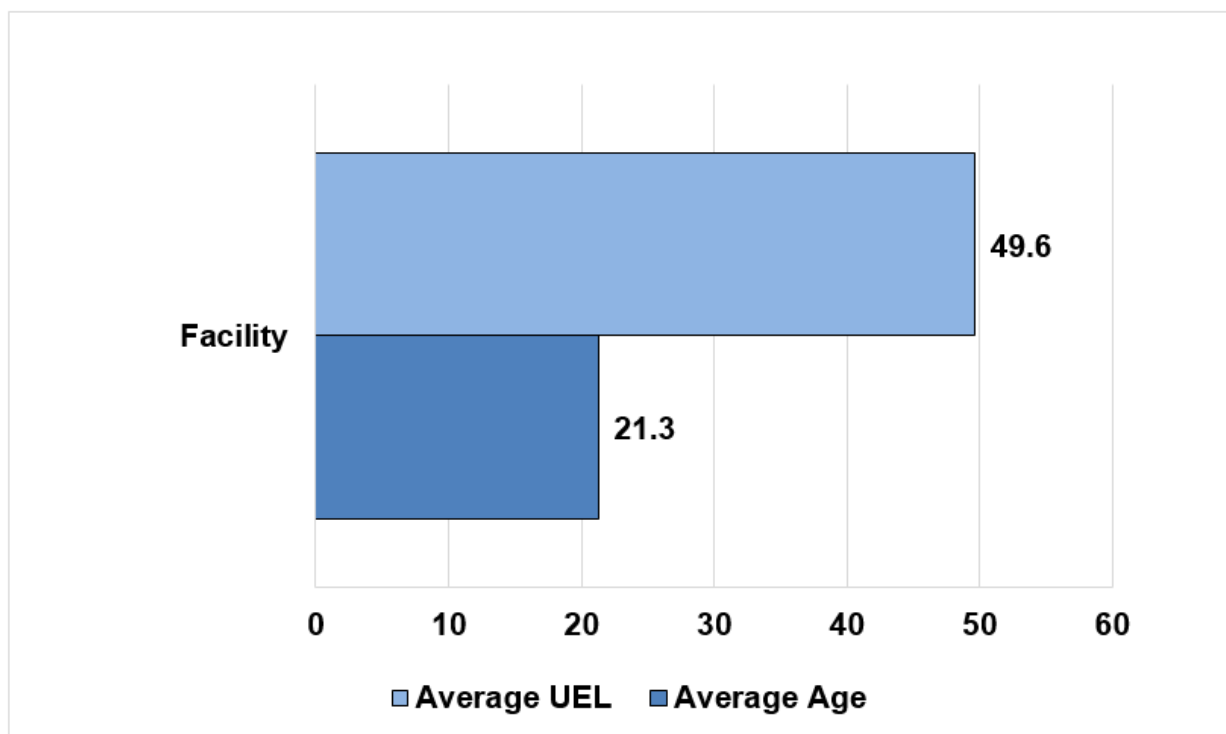


Table 90: Community Housing average age by asset category

| Asset Category | Average Age | Average UEL | Average Remaining Life |
|----------------|-------------|-------------|------------------------|
| Facility | 21.3 | 49.6 | 28.4 |

17.4.3 Community Housing asset condition

Condition for Community Housing is based on an aged-based model to provide an estimate of current condition in the absence of condition information. The Community Housing portfolio of assets is rated in good condition, with 79% of the assets rated as good or better. The condition of Community Housing assets, weighted by replacement value, is summarized by asset category in Figure 39 and Table 91.

Figure 39: Community Housing asset condition as % of value

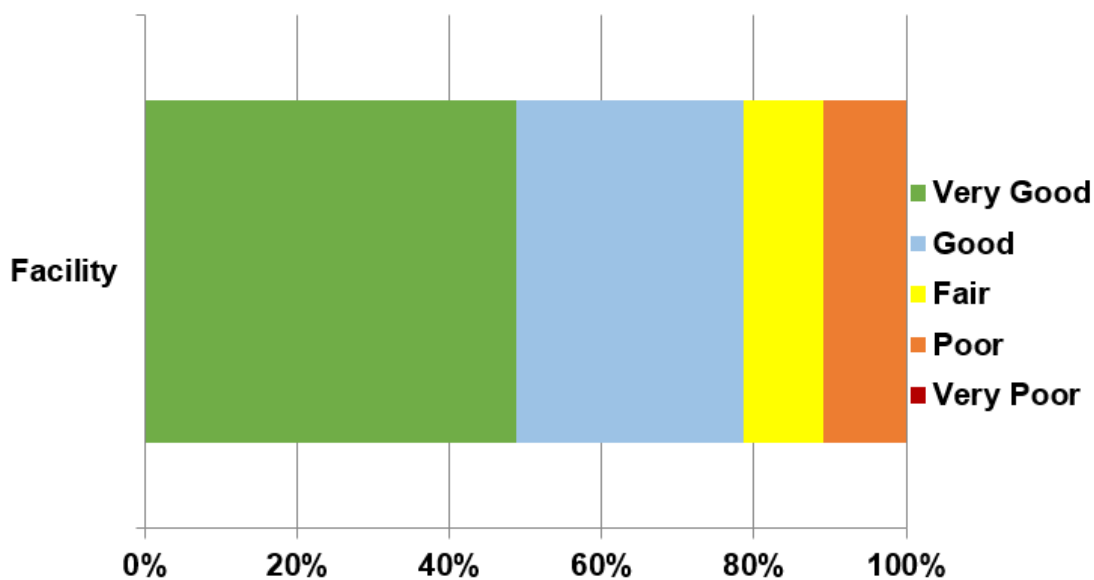


Table 91: Community Housing asset condition as % of value

| Colour | Condition rating | Facility | Total |
|--------|------------------|----------|-------|
| | Very good | 48.7% | 48.7% |
| | Good | 29.9% | 29.9% |
| | Fair | 10.5% | 10.5% |
| | Poor | 10.9% | 10.9% |
| | Very poor | 0.0% | 0.0% |

17.4.4 Community Housing risk

Table 92 is a standardized risk matrix that represents assets with their current replacement cost according to the risk of asset failure.

Table 92: Community Housing risk distribution

| COF | Very low | Low | Moderate | High | Very high |
|-----------|----------|-------|----------|------|-----------|
| POF | | | | | |
| Very high | \$- | \$- | \$- | \$- | \$- |
| High | \$- | \$- | \$- | \$- | \$- |
| Moderate | \$- | \$173 | \$28 | \$- | \$- |
| Low | \$157 | \$- | \$325 | \$- | \$- |
| Very low | \$- | \$- | \$- | \$- | \$- |

POF = Probability of failure

COF = Consequence of failure

Table 93 represents the percentage of total asset replacement cost according to the risk of asset failure.

Table 93: Community Housing risk exposure summary

| Colour | Risk category | Asset value (\$ million) | % of assets |
|--------|----------------|--------------------------|---------------|
| VL | Very low (VL) | \$157.3 | 23.0% |
| L | Low (L) | \$0.0 | 0.0% |
| M | Moderate (M) | \$498.1 | 72.8% |
| H | High (H) | \$28.5 | 4.2% |
| VH | Very high (VH) | \$0.0 | 0.0% |
| | Total | \$683.9 | 100.0% |

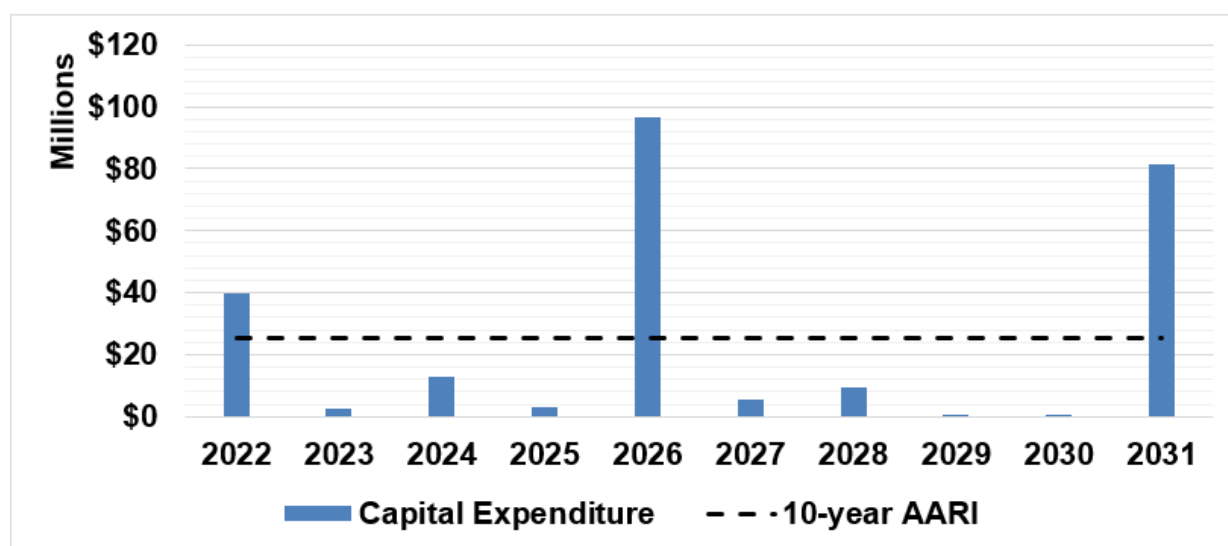
17.5 Lifecycle strategies

The LAS for Community Housing is generally to replace components at end of UEL. Risks relating to building infrastructure failure are mitigated through inspection and maintenance programs, which provide the necessary data to ensure that the work required to achieve the established LOS is identified. Renewal of assets is driven by BCAs, facility operator review on site, annual site walk-through inspections, and input from staff.

17.6 Financial strategy

Figure 40 presents the AARI necessary to support existing assets and current levels of service for Housing of \$25.2 M in the 10-year forecast. This includes both annual requirements for the 10-year period, as well as addressing the identified capital spending backlog of \$39.6 M during the same period. For comparison, the 50-year AARI is forecast at \$25.8 million.

Figure 40: Housing AARI and capital expenditure



17.6.1 Community Housing financial indicators

The cost of service delivery for Community Housing includes operating expenses, capital expenditures and revenues. A summary of the 2022 operating budget for Community Housing is presented in Table 94.

Table 94: Community Housing summary of costs to deliver services

| Area of expenditure | 2022 budget (in millions) |
|---------------------------|----------------------------|
| Staffing | \$5.8 |
| Utilities | \$5.1 |
| Operating & maintenance | \$6.3 |
| Program specific | \$43.6 |
| Capital reserve transfers | \$3.9 |
| Debt charges | \$6.9 |

17.7 Community Housing 2022 Development Charge Background Study projects

Table 95 is an extraction of the growth projects identified in the 2022 Development Charge Background Study (2022 DCBS).

Table 95: Community Housing infrastructure costs in the DC calculation

| Increased service needs attributable to anticipated development | Timing | Gross capital cost estimate (\$ million) | Net cost funded by Region (\$ million) | Other funding sources (\$ million) | Potential DC cost recovery (\$ million) |
|--|---------------|---|---|---|--|
| Provision for Additional Units | 2022-2026 | \$36.0 | \$0.0 | \$0.0 | \$36.0 |
| 12 St. Davids & 52 Ormond | 2022-2025 | \$1.3 | \$0.0 | \$0.0 | \$1.3 |
| Niagara Falls Library Location (20 new bridge units) | 2022 | \$3.6 | \$0.0 | \$0.0 | \$3.6 |
| Apartments at POA Location (42 apartment units) | 2022-2023 | \$14.5 | \$0.0 | \$10.5 | \$4.0 |
| 745 Crest Rd. Fort Erie | 2022 | \$6.5 | \$0.0 | \$0.0 | \$6.5 |

18 Children's Services

18.1 Introduction

Children's Services provides for the overall planning and management of services to children from birth to 12 years of age and their families. The Ministry of Education, under the Child Care and Early Years Act, designated the Region as a Service System Manager for Children's Services.

Assets utilized to provide the services include:

- 4 Region-owned day-care facilities.

Provincial objectives, and related legislation are primary drivers that guide and direct planning and delivery of Children's Services in Niagara Region. Council, through reporting updates and the Region's Corporate Strategy and Priorities, also provide direction for the delivery of this service. Other legislation and documents that guide service delivery include the following:

- Ontario Works Act, 1997, S.O. 1997, c.25, Sched. A

18.2 Children's Services demand drivers

Demand drivers are the underlying factors that direct change in the demand for the service. Drivers and their influence help define and measure the changing requirements for services, and the activities and assets required to support those services. Most of the drivers for Children's Services result in changes to operational requirements rather than changes to the assets utilized, with the estimated significance of impact on service summarized in Table 96.

Table 96: Children's Services demand drivers

| Demand driver | Divisional significance |
|-----------------------------------|--------------------------------|
| Population and demographics | Moderate |
| Development trends | Moderate |
| Legislation and higher government | High |
| Customer expectations | Low |
| Economic factors | Low |
| Pandemic | High |

18.2.1 Planned asset portfolio growth and enhancements

The expected growth in the population of Niagara will place significant pressure on the capacity of existing assets and create demand for new assets. The Region has updated various master plans that outline current service levels and associated existing assets, recommend future service levels and associated assets, and identify the actions required to move from the current to future state including requirements for new, expanded and enhanced assets. At this time, there is no specific growth planned for Children's Services.

18.3 Children's Services levels of service

Table 97 summarizes information on customer and technical measure for levels of service (LOS) that relate to the operation, maintenance and renewal of assets for the sustainment of Children's Services' current LOS.

Table 97: Children's Services LOS summary

| Customer LOS | Technical LOS | Performance |
|--|---|-------------|
| Facilities are maintained to an appropriate standard, are safe and accessible. | Facility condition index (% of deferred maintenance of overall facility replacement cost) | 5.4% |

18.3.1 Legislated levels of service

Regulations govern many aspects of service delivery at the program level, and much of it is very technical in nature. Some examples of regulations and their impact on Children's Services are as follows:

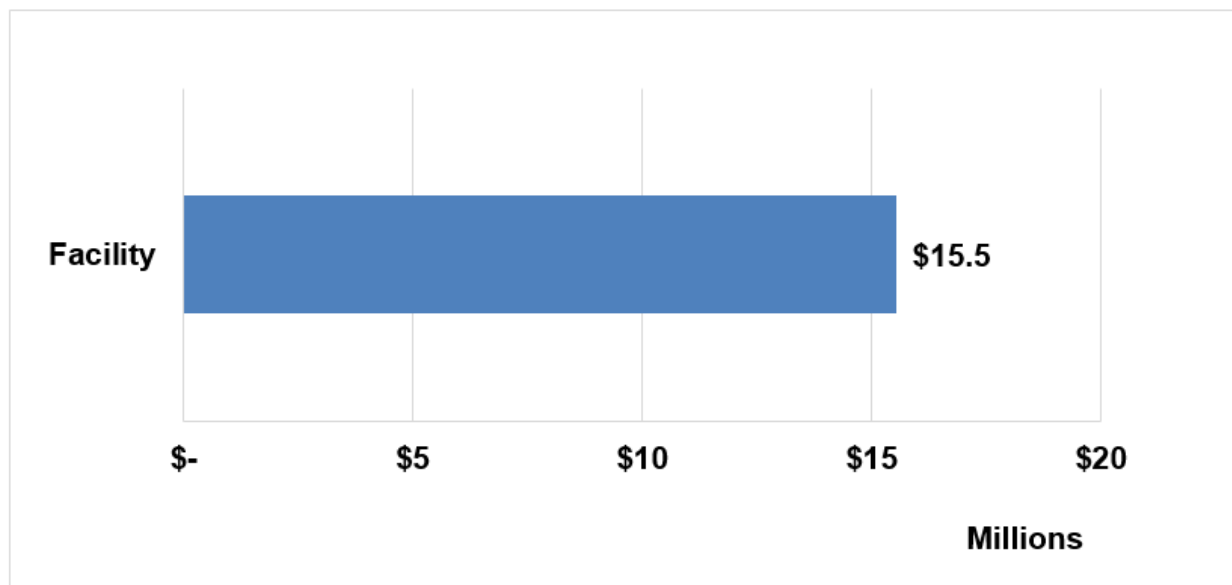
- The Child Care and Early Years Act, 2014 S.O. 2014 (the Act)
 - Focuses on requirements for operating or providing child care services. Beyond, the technical requirements the regulation and policies intends to strengthen the quality of child care programs and ensure positive outcomes in relation to children's learning, development, health and well-being.

18.4 Children's Services state of infrastructure

18.4.1 Children's Services asset inventory and replacement cost

The assets required to support the services provided by Children's Services include facilities. The estimated cost to replace the assets is \$15.5 million, as summarized in Figure 41.

Figure 41: Children’s Services inventory and replacement cost



18.4.2 Children’s Services asset age distribution

Children’s Services assets on average are in the first half of their useful expected life (UEL). The average age and estimated service life of Children’s Services assets, weighted by replacement value, is summarized by asset category in Figure 42 and Table 98.

Figure 42: Children's Services average age by asset category

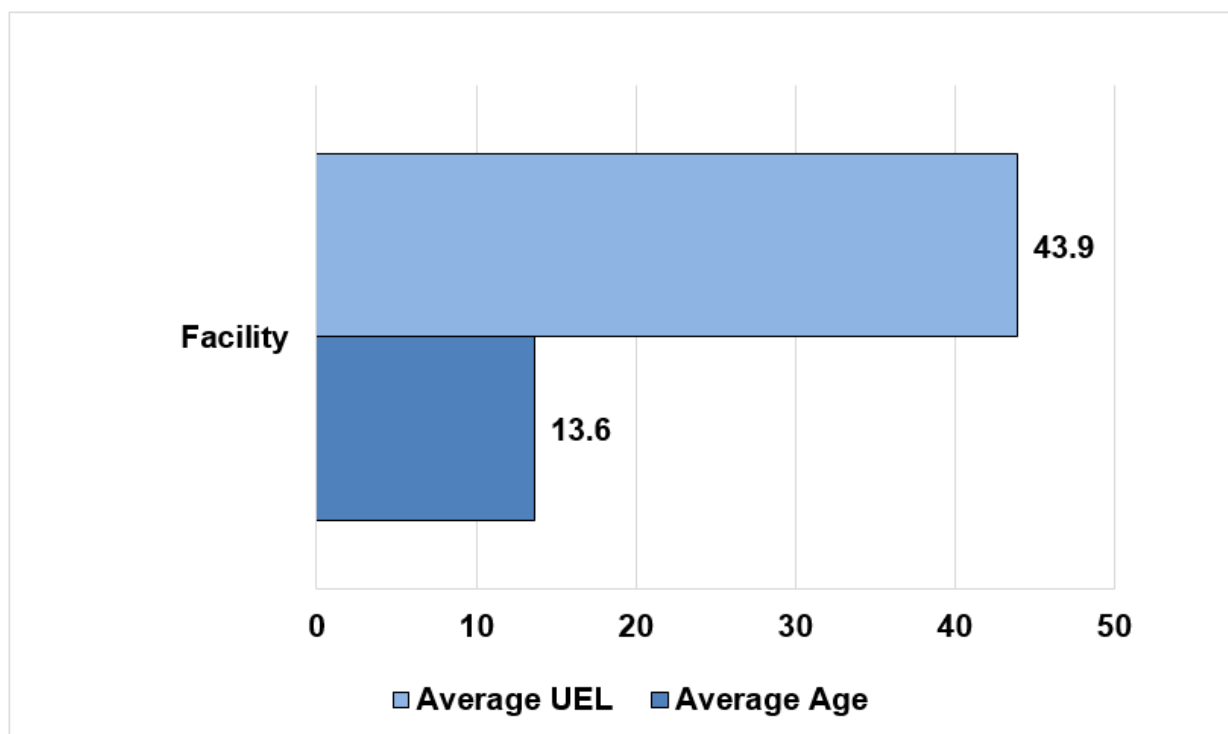


Table 98: Children's Services average age by asset category

| Asset Category | Average Age | Average UEL | Average Remaining Life |
|----------------|-------------|-------------|------------------------|
| Facility | 13.6 | 43.9 | 30.3 |

18.4.3 Children's Services asset condition

Condition for Children's Services assets is based on an aged-based model to provide an estimate of current condition in the absence of condition information. The Children's Services portfolio of assets is rated in very good condition, with 70% of the assets rated as very good or better. The condition of Children's Services assets weighted by replacement value, is summarized by asset category in Figure 43 and Table 99.

Figure 43: Children's Services asset condition as % of value

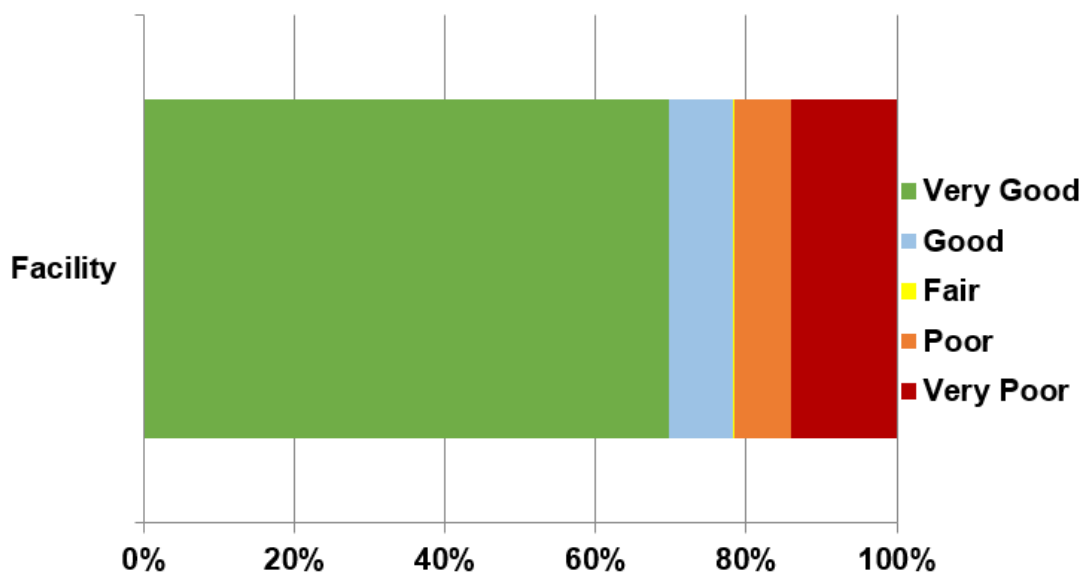


Table 99: Children's Services asset condition as % of value

| Colour | Condition rating | Facility | Total |
|--------|------------------|----------|-------|
| | Very good | 69.7% | 69.7% |
| | Good | 8.6% | 8.6% |
| | Fair | 0.2% | 0.2% |
| | Poor | 7.5% | 7.5% |
| | Very poor | 14.0% | 14.0% |

18.4.4 Children's Services risk

Table 100 is a standardized risk matrix that represents assets with their current replacement cost according to the risk of asset failure.

Table 100: Children's Services risk distribution

| COF | Very low | Low | Moderate | High | Very high |
|-----------|----------|-----|----------|------|-----------|
| POF | | | | | |
| Very high | \$- | \$- | \$- | \$- | \$- |
| High | \$- | \$- | \$- | \$- | \$- |
| Moderate | \$3 | \$9 | \$- | \$- | \$- |
| Low | \$- | \$- | \$- | \$- | \$- |
| Very low | \$- | \$3 | \$- | \$- | \$- |

POF = Probability of failure

COF = Consequence of failure

Table 101 represents the percentage of total asset replacement cost according to the risk of asset failure.

Table 101: Children's Services risk exposure summary

| Colour | Risk category | Asset value (\$ million) | % of assets |
|--------|----------------|--------------------------|---------------|
| VL | Very low (VL) | \$3.4 | 21.6% |
| L | Low (L) | \$3.4 | 21.6% |
| M | Moderate (M) | \$8.8 | 56.8% |
| H | High (H) | \$0.0 | 0.0% |
| VH | Very high (VH) | \$0.0 | 0.0% |
| | Total | \$15.5 | 100.0% |

18.5 Lifecycle strategies

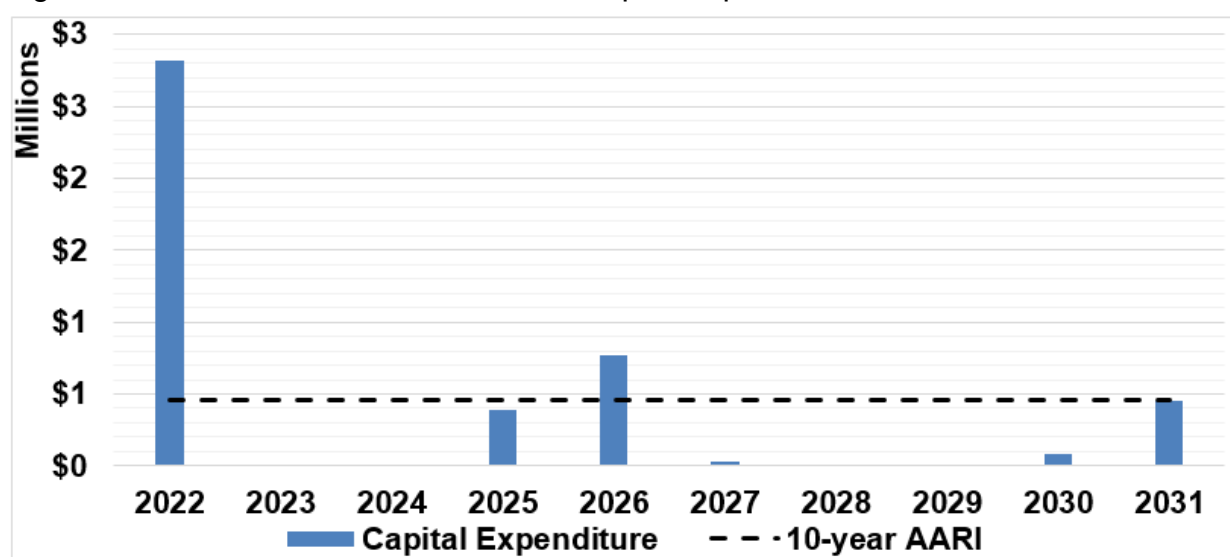
For facilities managed by the corporate Facilities service, risks relating to building infrastructure failure are mitigated through inspection and maintenance programs, which provide the necessary data to ensure that the work required to achieve the established LOS is identified. Renewal of assets is driven by BCAs, facility operator review on site, annual site walk-through inspections, and input from program department.

18.6 Financial strategy

Figure 44 presents the AARI necessary to support existing assets and current levels of service for Children's Services of \$0.5 M in the 10-year forecast. This includes both

annual requirements for the 10-year period, as well as addressing the identified capital spending backlog of \$2.7 M during the same period. For comparison, the 50-year AARI is forecast at \$0.6 million as the backlog is spread over a longer period.

Figure 44: Children's Services AARI and capital expenditure



18.6.1 Children's Services financial indicators

The cost of service delivery for Children's Services includes operating expenses, capital expenditures and revenues. A summary of the 2022 operating budget for Children's Services is presented in Table 102.

Table 102: Children's Services summary of costs to deliver services

| Area of expenditure | 2022 budget (in millions) |
|---------------------------|----------------------------|
| Staffing | \$8.5 |
| Utilities | \$0.1 |
| Operating & maintenance | \$0.1 |
| Program specific | \$49.6 |
| Capital reserve transfers | \$0.4 |
| Debt charges | \$0.1 |

19 Social Assistance and Employment Opportunities

19.1 Introduction

Social Assistance and Employment Opportunities (SAEO) provides management and oversight of the Region's social assistance and employment opportunities services, Ontario Works, on behalf of the Province.

Assets utilized to provide the services include:

- 2 Social Assistance and Employment offices.

Provincial objectives, and related legislation are primary drivers that guide and direct planning and delivery of SAEO services in Niagara Region. Council, through reporting updates and the Region's Corporate Strategy and Priorities, also provide direction for the delivery of this service. Other legislation and documents that guide service delivery include the following:

- Ontario Works Act, 1997, S.O. 1997, c.25, Sched. A

19.2 SAEO demand drivers

Demand drivers are the underlying factors that direct change in the demand for the service. Drivers and their influence help define and measure the changing requirements for services, and the activities and assets required to support those services. Most of the drivers for SAEO result in changes to operational requirements rather than changes to the assets utilized, with the estimated significance of impact on service summarized in Table 103.

Table 103: SAEO demand drivers

| Demand driver | Divisional significance |
|-----------------------------------|--------------------------------|
| Legislation and higher government | Moderate |
| Social issues and trends | Low |
| Customer expectations | Low |
| Economic factors | Low |
| Pandemic | Moderate |
| Operational efficiency | Low |
| Other Service provider changes | Moderate |

19.2.1 Planned asset portfolio growth and enhancements

The expected growth in the population of Niagara will place significant pressure on the capacity of existing assets and create demand for new assets. The Region has updated various master plans that outline current service levels and associated existing assets, recommend future service levels and associated assets, and identify the actions required to move from the current to future state including requirements for new, expanded and enhanced assets.

19.3 SAEO levels of service

Table 104 summarizes information on customer and technical measure for levels of service (LOS) that relate to the operation, maintenance and renewal of assets for the sustainment of SAEO's current LOS.

Table 104: SAEO LOS summary

| Customer LOS | Technical LOS | Performance |
|--|---|-------------|
| Facilities are maintained to an appropriate standard, are safe and accessible. | Facility condition index (% of deferred maintenance of overall facility replacement cost) | 3.4% |

19.3.1 Legislated levels of service

Regulations govern many aspects of service delivery at the program level, and much of it is very technical in nature. Some examples of regulations and their impact on SAEO are as follows:

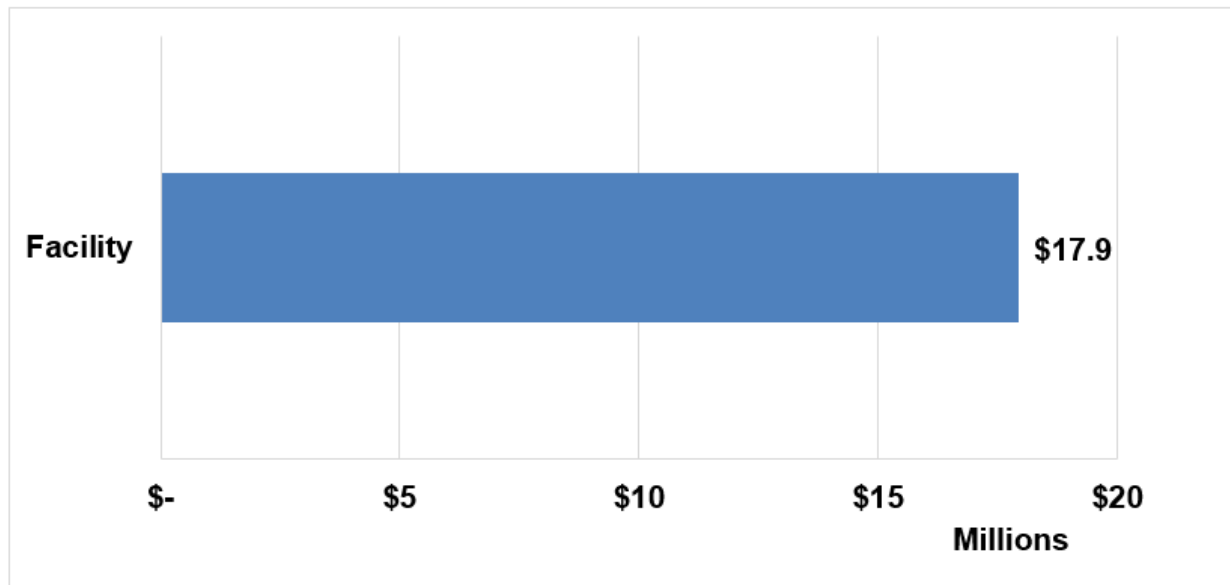
- Ontario Works Act, 1997, S.O. 1997, c.25, Sched. A
 - Regulatory requirements that dictate requirements of service provided. The guidelines established by the Province of Ontario determine the extent of services for the two components of income supports and other benefits to Ontario Works clients.

19.4 SAEO state of infrastructure

19.4.1 SAEO asset inventory and replacement cost

The assets required to support the services provided by SAEO include facilities. The estimated cost to replace the assets is \$17.9 million, as summarized in Figure 45.

Figure 45: SAEO inventory and replacement cost



19.4.2 SAEO asset age distribution

SAEO assets on average are generally half way through their useful expected life (UEL). The average age and estimated service life of SAEO assets, weighted by replacement value, is summarized by asset category in Figure 46 and Table 105.

Figure 46: SAEO average age by asset category

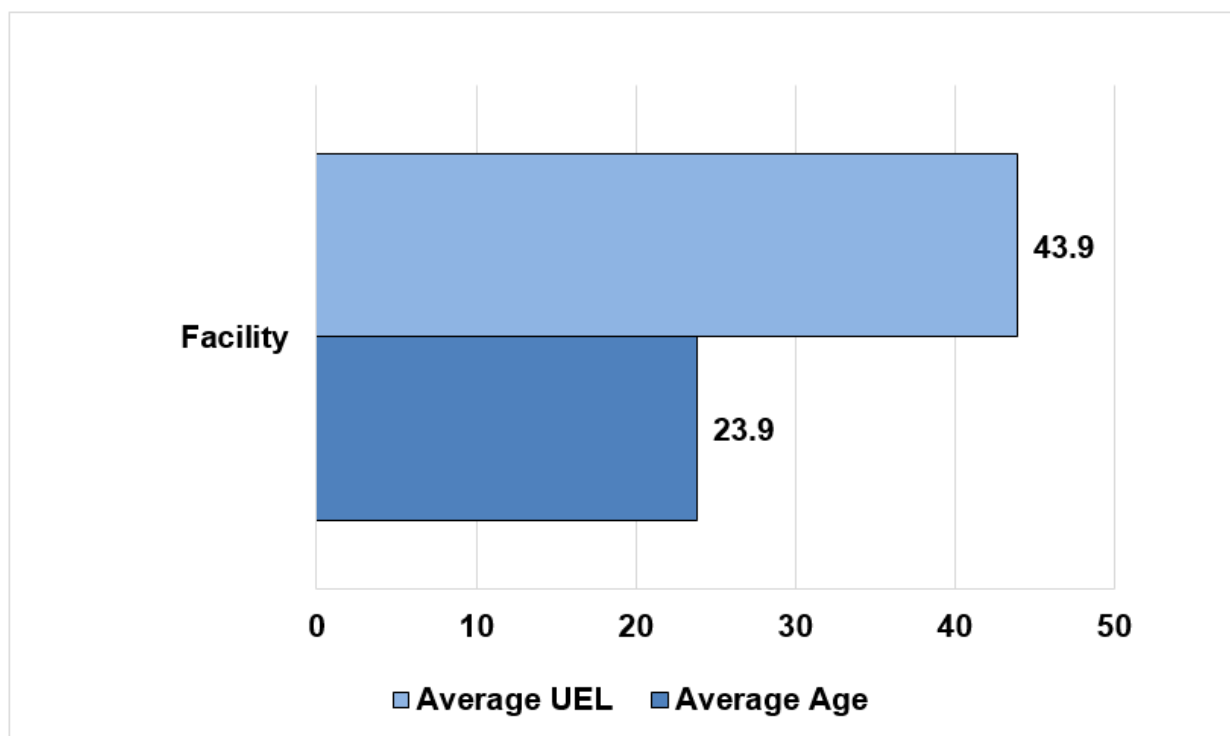


Table 105: SAEO average age by asset category

| Asset Category | Average Age | Average UEL | Average Remaining Life |
|----------------|-------------|-------------|------------------------|
| Facility | 23.9 | 43.9 | 20.1 |

19.4.3 SAEO asset condition

Condition for SAEO assets is based on an aged-based model to provide an estimate of current condition in the absence of condition information. The condition of SAEO assets is rated as fair, with 56% of assets rated as fair or better. The condition of SAEO assets weighted by replacement value, is summarized by asset category in Figure 47 and Table 106.

Figure 47: SAEO asset condition as % of value

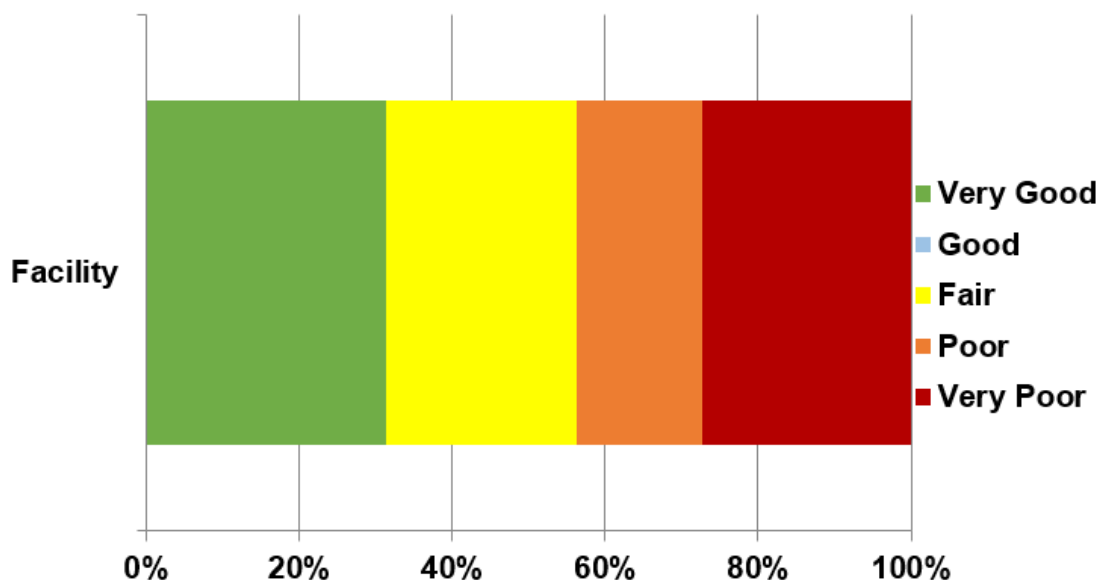


Table 106: SAEO asset condition as % of value

| Colour | Condition rating | Facility | Total |
|--------|------------------|----------|-------|
| | Very good | 31.4% | 31.4% |
| | Good | 0.0% | 0.0% |
| | Fair | 25.0% | 25.0% |
| | Poor | 16.3% | 16.3% |
| | Very poor | 27.3% | 27.3% |

19.4.4 SAEO risk

Table 107 is a standardized risk matrix that represents assets with their current replacement cost according to the risk of asset failure.

Table 107: SAEO risk distribution

| COF | Very low | Low | Moderate | High | Very high |
|-----------|----------|-----|----------|------|-----------|
| POF | | | | | |
| Very high | \$- | \$- | \$- | \$- | \$- |
| High | \$4 | \$8 | \$- | \$- | \$- |
| Moderate | \$- | \$- | \$2 | \$- | \$- |
| Low | \$- | \$- | \$- | \$- | \$- |
| Very low | \$- | \$- | \$4 | \$- | \$- |

POF = Probability of failure

COF = Consequence of failure

Table 108 represents the percentage of total asset replacement cost according to the risk of asset failure.

Table 108: SAEO risk exposure summary

| Colour | Risk category | Asset value (\$ million) | % of assets |
|--------|----------------|--------------------------|---------------|
| VL | Very low (VL) | \$0.0 | 0.0% |
| L | Low (L) | \$3.9 | 21.6% |
| M | Moderate (M) | \$12.1 | 67.6% |
| H | High (H) | \$1.9 | 10.9% |
| VH | Very high (VH) | \$0.0 | 0.0% |
| | Total | \$17.9 | 100.0% |

19.5 Lifecycle strategies

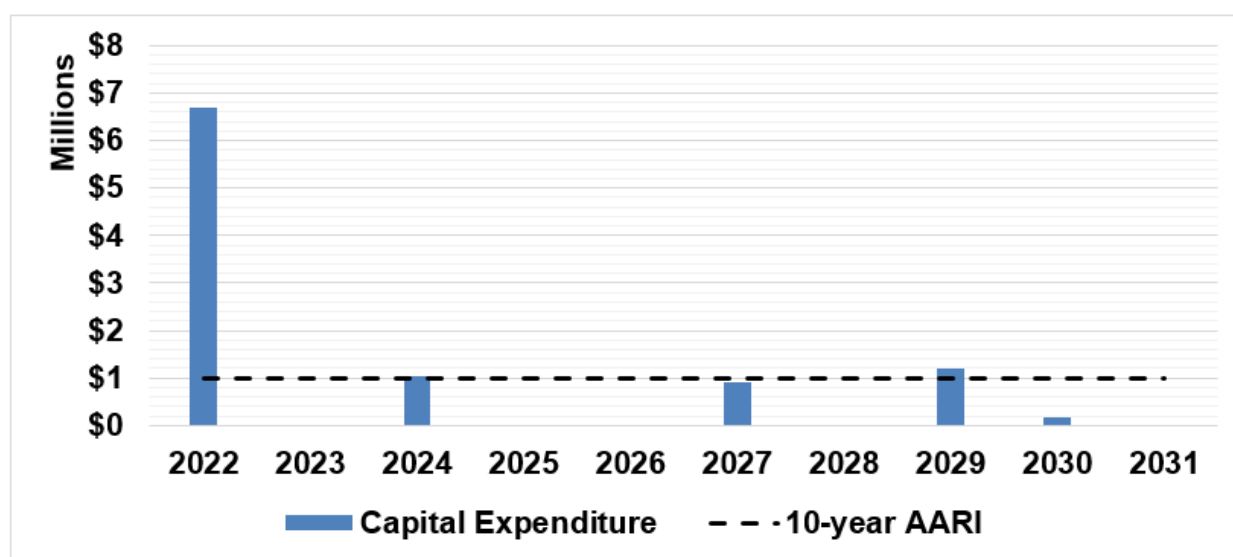
For facilities managed by the corporate Facilities service, risks relating to building infrastructure failure are mitigated through inspection and maintenance programs, which provide the necessary data to ensure that the work required to achieve the established LOS is identified. Renewal of assets is driven by BCAs, facility operator review on site, annual site walk-through inspections, and input from program department.

19.6 Financial strategy

Figure 48 presents the AARI necessary to support existing assets and current levels of service for SAEO of \$1.0 M in the 10-year forecast. This includes both annual

requirements for the 10-year period, as well as addressing the identified capital spending backlog of \$5.9 M during the same period. For comparison, the 50-year AARI is forecast at \$0.8 million as the backlog is spread over a longer period.

Figure 48: SAEO AARI and capital expenditure



19.6.1 SAEO financial indicators

The cost of service delivery for SAEO includes operating expenses, capital expenditures and revenues. A summary of the 2022 operating budget for SAEO is presented in Table 109.

Table 109: SAEO summary of costs to deliver services

| Area of expenditure | 2022 budget (in millions) |
|---------------------------|----------------------------|
| Staffing | \$17.2 |
| Utilities | \$0.2 |
| Operating & maintenance | \$6.3 |
| Program specific | \$103.6 |
| Capital reserve transfers | \$0.8 |
| Debt charges | \$0.0 |

20 Public Health

20.1 Introduction

Public Health (PH) is responsible for the overall coordination and delivery of the Region's service requirements as a Board of Health in Ontario.

Assets utilized to provide the services include:

- 1 Public Health Satellite Office.

Provincial objectives for public health services and related legislation are primary drivers that guide and direct delivery of PH. Council, through reporting updates and the Region's Corporate Strategy and Priorities provide direction for the delivery of service.

Other legislation and documents that guide service delivery include the following:

- Niagara Region Public Health's Interim Strategic Plan 2022-2023
- Niagara Prosperity Initiative
- Niagara Region Public Health and Emergency Services – Health Equity Strategic Plan 2018
- Logic Models

20.2 PH demand drivers

Demand drivers are the underlying factors that direct change in the demand for the service. Drivers and their influence help define and measure the changing requirements for services, and the activities and assets required to support those services. Most of the drivers for PH result in changes to operational requirements rather than changes to the assets utilized, with the estimated significance of impact on service summarized in Table 110.

Table 110: PH demand drivers

| Demand driver | Divisional significance |
|-----------------------------------|--------------------------------|
| Demographics | Moderate-high |
| Legislation and higher government | Moderate-high |
| Socio-economic issues and trends | High |
| Pandemic (COVID-19) | Moderate |
| Technology | Moderate |
| Asset management | High |

20.2.1 Planned asset portfolio growth and enhancements

The expected growth in the population of Niagara will place significant pressure on the capacity of existing assets and create demand for new assets. The Region has updated various master plans that outline current service levels and associated existing assets, recommend future service levels and associated assets, and identify the actions required to move from the current to future state including requirements for new, expanded and enhanced assets.

Table 111 lists forecasted capital projects for PH that are required to address these growth or enhancement needs. For additional information on growth related projects, please see section 20.7.

Table 111: PH forecast asset portfolio growth and enhancement projects

| Asset class | Growth or enhancement forecasted |
|-------------|----------------------------------|
| Facilities | Additional Public Health space |

20.3 PH levels of service

Table 112 summarizes information on customer and technical measure for levels of service (LOS) that relate to the operation, maintenance and renewal of assets for the sustainment of PH's current LOS.

Table 112: PH LOS summary

| Customer LOS | Technical LOS | Performance |
|--|---|-------------|
| Public Health services are accessible and provided in a clean and safe environment | Facility condition index (% of deferred maintenance of overall facility replacement cost) | 0.4% |

20.3.1 Legislated levels of service

Regulations govern many aspects of service delivery at the program level, and much of it is very technical in nature. Some examples of regulations and their impact on PH are as follows:

- Ontario Public Health Standard (OPHS)
 - Requirements for programs, services, and accountability for the provision of mandatory health programs and services by the Minister of Health and

Long-Term Care, pursuant to Section 7 of the Health Protection and Promotion Act.

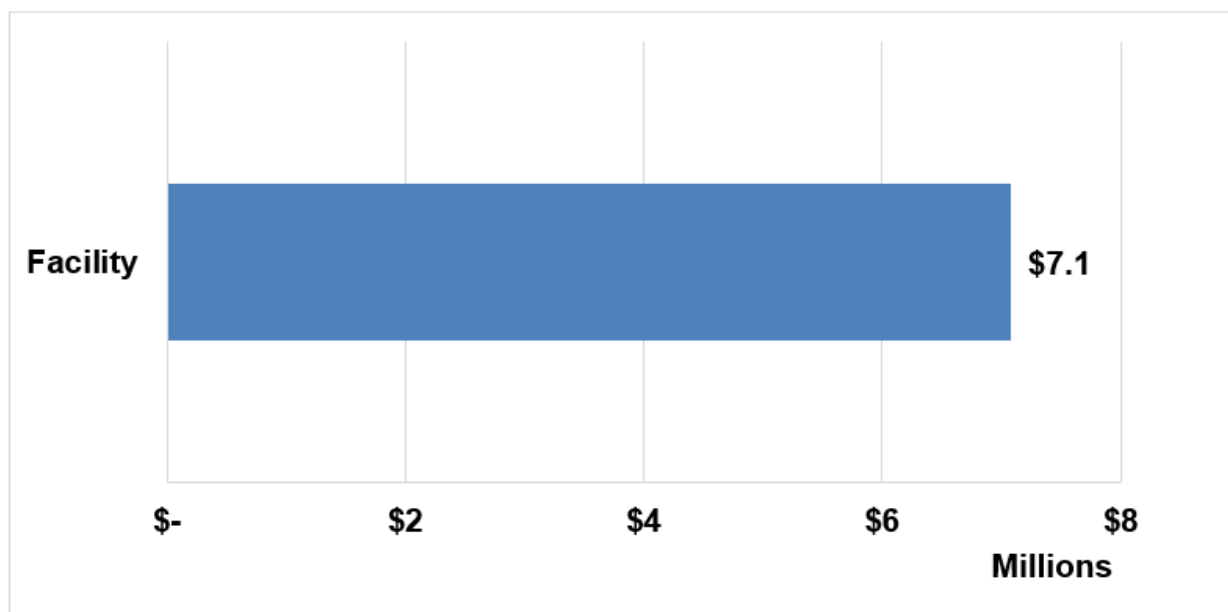
- Food Safety and Quality Act, 2001
 - Provincial statute to ensure food sold in Ontario is safe and suitable for human consumption and meets all standards set out in the Regulations.
- Health Protection and Promotion Act, R.S.O. 1990
 - Provincial statute that gives boards of health their legal mandate.
- Designation of Diseases, Reg. 135/18
 - Designates diseases of public health significance and classifies them into communicable or a virulent disease.

20.4 PH state of infrastructure

20.4.1 PH asset inventory and replacement cost

The assets required to support the services provided by PH include divisional facilities. The estimated cost to replace the assets is \$7.1 million, as summarized in Figure 49.

Figure 49: PH inventory and replacement cost



20.4.2 PH asset age distribution

The majority of PH assets are in the first half of their useful expected life (UEL). The average age and estimated service life of PH assets, weighted by replacement value, is summarized by asset category in Figure 50 and Table 113.

Figure 50: PH average age by asset category

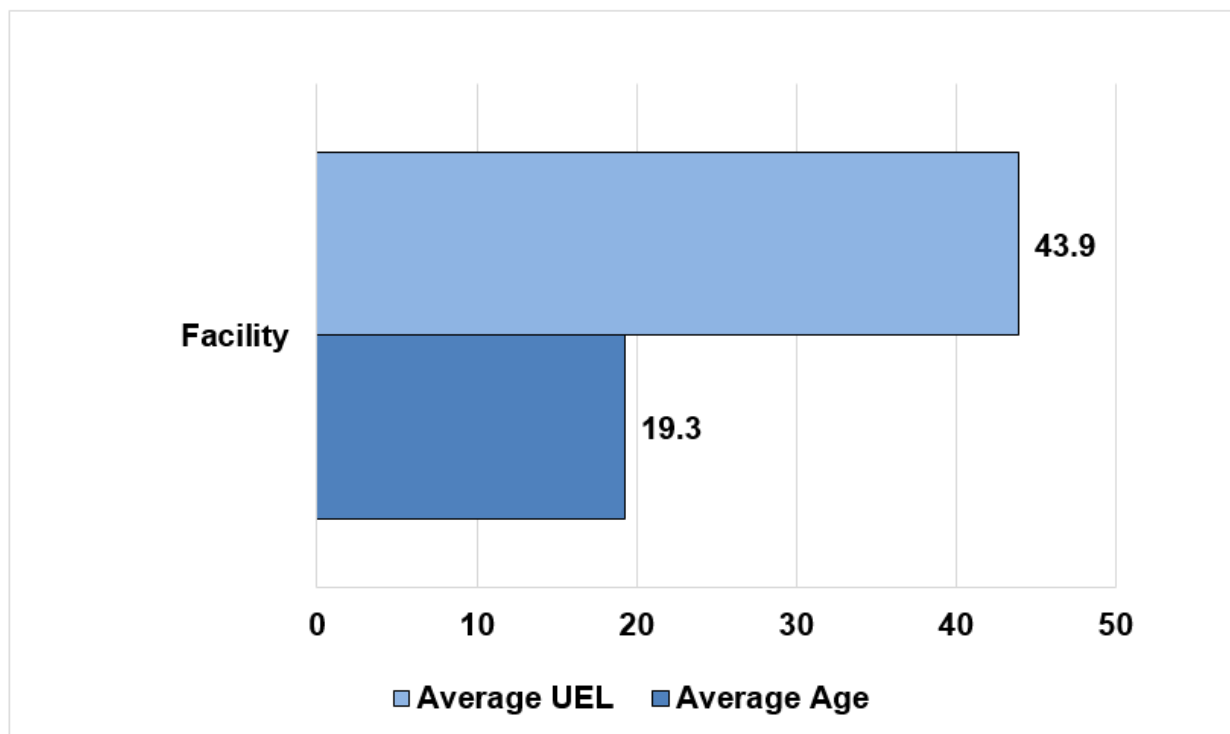


Table 113: PH average age by asset category

| Asset Category | Average Age | Average UEL | Average Remaining Life |
|----------------|-------------|-------------|------------------------|
| Facility | 19.3 | 43.9 | 24.7 |

20.4.3 PH asset condition

The PH asset condition is based on an aged-based model to provide an estimate of current condition in the absence of condition information. The PH portfolio of assets is rated in very good condition, with 70% of the assets rated as very good. The condition of PH assets, weighted by replacement value, is summarized by asset category in Figure 51 and Table 114.

Figure 51: PH asset condition as % of value

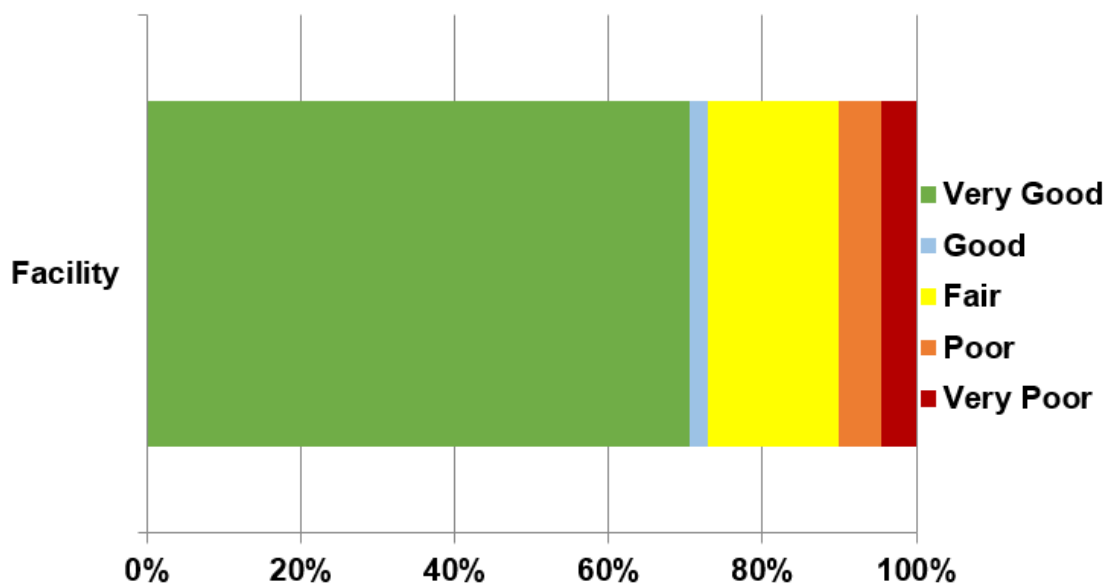


Table 114: PH asset condition as % of value

| Colour | Condition rating | Facility | Total |
|--------|------------------|----------|-------|
| | Very good | 70.5% | 70.5% |
| | Good | 2.5% | 2.5% |
| | Fair | 16.9% | 16.9% |
| | Poor | 5.5% | 5.5% |
| | Very poor | 4.6% | 4.6% |

20.4.4 PH risk

Table 115 is a standardized risk matrix that represents assets with their current replacement cost according to the risk of asset failure.

Table 115: PH risk distribution

| COF | Very low | Low | Moderate | High | Very high |
|-----------|----------|-----|----------|------|-----------|
| POF | | | | | |
| Very high | \$- | \$- | \$- | \$- | \$- |
| High | \$- | \$- | \$- | \$- | \$- |
| Moderate | \$2 | \$3 | \$- | \$- | \$- |
| Low | \$- | \$- | \$- | \$- | \$- |
| Very low | \$- | \$3 | \$- | \$- | \$- |

POF = Probability of failure

COF = Consequence of failure

Table 116 represents the percentage of total asset replacement cost according to the risk of asset failure.

Table 116: PH risk exposure summary

| Colour | Risk category | Asset value (\$ million) | % of assets |
|--------|----------------|--------------------------|---------------|
| VL | Very low (VL) | \$2.7 | 37.4% |
| L | Low (L) | \$1.5 | 21.7% |
| M | Moderate (M) | \$2.9 | 40.9% |
| H | High (H) | \$0.0 | 0.0% |
| VH | Very high (VH) | \$0.0 | 0.0% |
| | Total | \$7.1 | 100.0% |

20.5 Lifecycle strategies

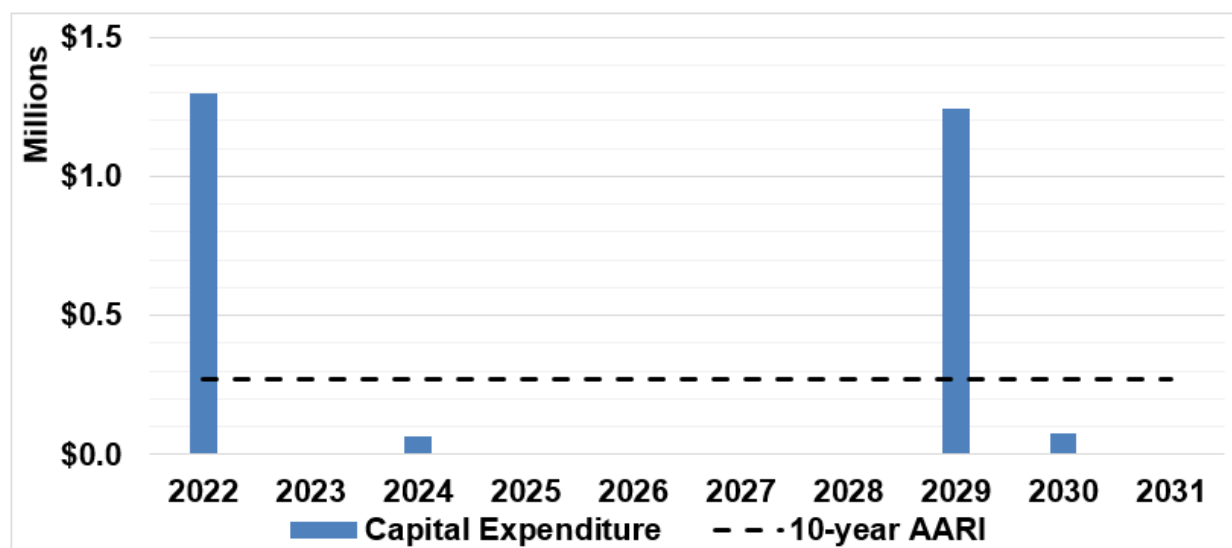
For facilities managed by the corporate Facilities service, risks relating to building infrastructure failure are mitigated through inspection and maintenance programs, which provide the necessary data to ensure that the work required to achieve the established LOS is identified. Renewal of assets is driven by BCAs, facility operator review on site, annual site walk-through inspections, and input from program department.

20.6 Financial strategy

Figure 52 presents the AARI necessary to support existing assets and current levels of service for PH of \$0.3 M in the 10-year forecast. This includes both annual requirements

for the 10-year period, as well as addressing the identified capital spending backlog of \$1.3M during the same period. For comparison, the 50-year AARI is forecast at \$.3 million.

Figure 52: PH AARI and capital expenditure



20.6.1 PH financial indicators

The cost of service delivery for PH includes operating expenses, capital expenditures and revenues. A summary of the 2022 operating budget for PH is presented in Table 117.

Table 117: PH summary of costs to deliver services

| Area of expenditure | 2022 budget (in millions) |
|---------------------------|----------------------------|
| Staffing | \$55.4 |
| Utilities | \$0.1 |
| Operating & maintenance | \$1.9 |
| Program specific | \$7.1 |
| Capital reserve transfers | \$1.3 |
| Debt charges | \$1.2 |

20.7 PH 2022 Development Charge Background Study projects

Table 118 is an extraction of the growth projects identified in the 2022 Development Charge Background Study (2022 DCBS).

Table 118: PH infrastructure costs in the DC calculation

| Increased service needs attributable to anticipated development | Timing | Gross capital cost estimate (\$ million) | Net cost funded by Region (\$ million) | Other funding sources (\$ million) | Potential DC cost recovery (\$ million) |
|--|---------------|---|---|---|--|
| Additional Public Health space | 2022-2031 | \$1.3 | \$0.0 | \$0.0 | \$1.3 |

21 Emergency Medical Services

21.1 Introduction

Niagara Emergency Medical Services (EMS) provides 24-hour evidence based emergency pre-hospital medical care and transportation to individuals experiencing injury or illness. EMS customers include all residents and visitors of the Niagara Region

Assets utilized to provide the services include:

- 13 ambulance bases
- 82 vehicles.
- 368 emergency medical equipment.

Provincial objectives for public health services, and related legislation are primary drivers that guide and direct delivery of EMS. Council, through reporting updates and the Region's Corporate Strategy and Priorities, also provide direction for the delivery of service. Other EMS specific documents that guide service delivery include the following:

- Niagara Region Public Health's Strategic Plan
- Regional Municipality of Niagara Emergency Medical Services Master Plan, March 2017
- Niagara Region Public Health and Emergency Services – Health Equity Strategic Plan 2018

21.2 EMS demand drivers

Demand drivers are the underlying factors that direct change in the demand for the service. Drivers and their influence help define and measure the changing requirements for services, and the activities and assets required to support those services. Most of the drivers for EMS result in changes to operational requirements rather than changes to the assets utilized, with the estimated significance of impact on service summarized in Table 119.

Table 119: EMS demand drivers

| Demand driver | Divisional significance |
|-----------------------------------|-------------------------|
| Demographics | Moderate |
| Legislation and higher government | Moderate-high |
| Socio-economic issues and trends | Moderate |
| Pandemic (COVID-19) | Moderate |

| Demand driver | Divisional significance |
|------------------------|--------------------------------|
| Operational efficiency | Moderate |
| Asset management | High |

The forthcoming release of the EMS Master Plan underway will provide a 25-year projection of service demand, and identify the capital needs required to support those demands.

21.2.1 Planned asset portfolio growth and enhancements

The expected growth in the population of Niagara will place significant pressure on the capacity of existing assets and create demand for new assets. The Region has updated various master plans that outline current service levels and associated existing assets, recommend future service levels and associated assets, and identify the actions required to move from the current to future state including requirements for new, expanded and enhanced assets.

Table 120 lists forecasted capital projects for EMS that are required to address these growth or enhancement needs. For additional information on growth related projects, please see section 21.7.

Table 120: EMS forecast asset portfolio growth and enhancement projects

| Asset class | Growth or enhancement forecasted |
|--------------------|--|
| Facility | EMS central hub and training |
| Fleet | Additional ambulances and supporting equipment |
| Fleet | Additional response units and supporting equipment |

21.3 EMS levels of service

Table 121 summarizes information on customer and technical measure for levels of service (LOS) that relate to the operation, maintenance and renewal of assets for the sustainment of EMS's current LOS.

Table 121: EMS LOS summary

| Customer LOS | Technical LOS | Performance |
|--|--|---|
| Facilities are maintained to an appropriate standard, are safe and accessible. | Facility condition index (% of deferred maintenance of overall facility replacement cost) | 4.3% |
| Service available broadly | Hours per day and days per week which service is available. Area in which service is available. | 24 / 7 availability of service. 1,850 square kilometers covered across 12 municipalities between Lake Ontario and Lake |

21.3.1 Legislated levels of service

Regulations govern many aspects of service delivery at the program level, and much of it is very technical in nature. Some examples of regulations and their impact on EMS are as follows:

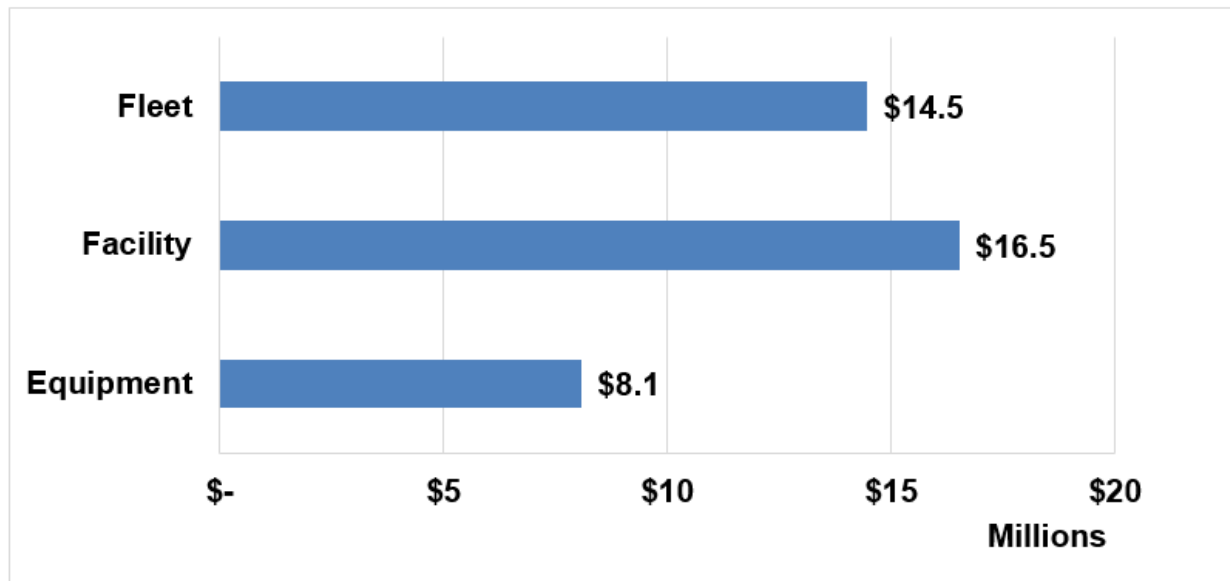
- Ambulance Act, R.S.O. 1990, c. A.19
 - Outlines the requirements for provision of ambulance service by the province and upper tier municipalities.

21.4 EMS state of infrastructure

21.4.1 EMS asset inventory and replacement cost

The assets required to support the services provided by EMS include divisional station facilities, fleet, and equipment. The estimated cost to replace the assets is \$39.1 million, as summarized in Figure 53.

Figure 53: EMS inventory and replacement cost



21.4.2 EMS asset age distribution

EMS assets on average are in the first half of their UEL. Generally, facility assets have used less of their UEL than fleet and equipment assets. This suggests that near term investment may be focused in fleet and equipment rather than facilities. The average age and estimated service life of EMS assets, weighted by replacement value, is summarized by asset category in Figure 54 and Table 122.

Figure 54: EMS average age by asset category

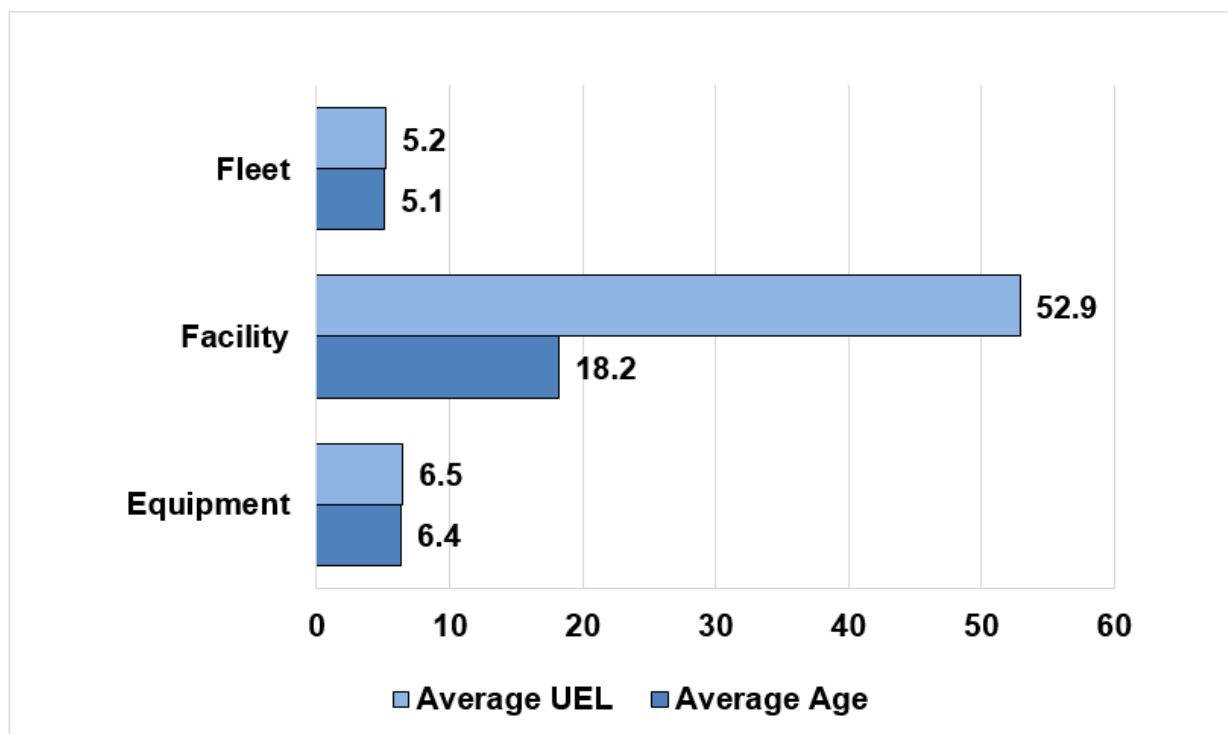


Table 122: EMS average age by asset category

| Asset Category | Average Age | Average UEL | Average Remaining Life |
|----------------|-------------|-------------|------------------------|
| Equipment | 6.4 | 6.5 | 0.1 |
| Facility | 18.2 | 52.9 | 34.7 |
| Fleet | 5.1 | 5.2 | 0.1 |
| All | 10.9 | 25.7 | 14.7 |

21.4.3 EMS asset condition

Condition for EMS assets is primarily based on age or mileage. 'Very poor' assets based on age do necessarily indicate an imminent failure, but are indicative of assets that are beyond their expected lifecycle and past the time-based renewal period. The remaining asset condition is based on an aged-based model to provide an estimate of current condition in the absence of condition information. The condition of EMS assets is rated as fair, with 50% of EMS assets rated as fair or better. The condition of EMS assets, weighted by replacement value, is summarized by asset category in Figure 55 and Table 123.

Figure 55: EMS asset condition as % of value

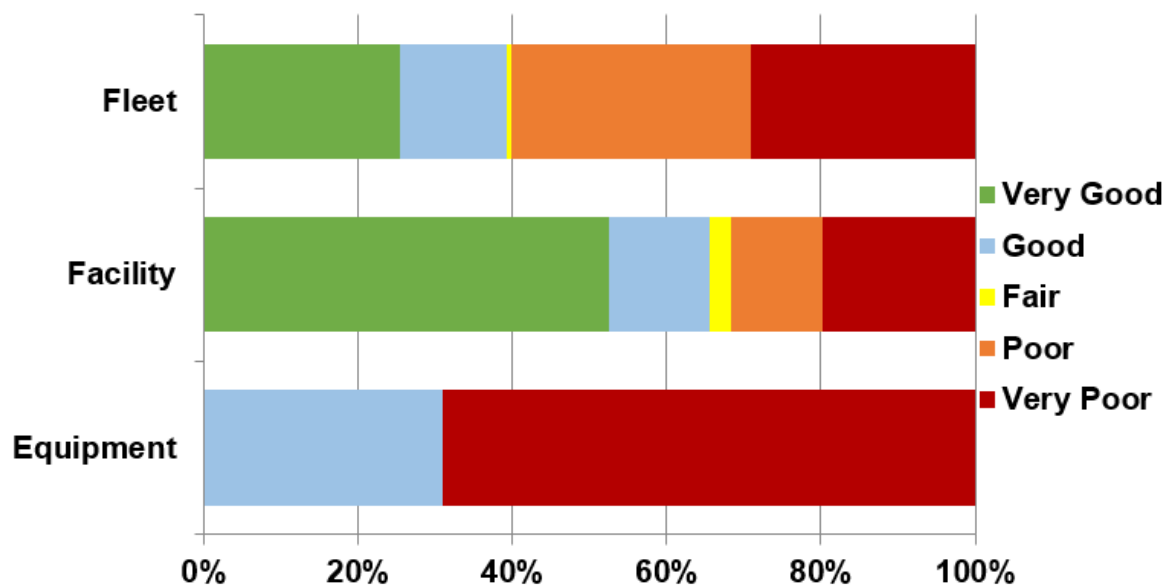


Table 123: EMS asset condition as % of value

| Colour | Condition rating | Total | Facility | Fleet | Equipment |
|--------|------------------|-------|----------|-------|-----------|
| | Very good | 31.6% | 52.5% | 25.4% | 0.0% |
| | Good | 17.1% | 13.1% | 13.9% | 31.1% |
| | Fair | 1.4% | 2.8% | 0.5% | 0.0% |
| | Poor | 16.5% | 11.8% | 31.1% | 0.0% |
| | Very poor | 33.4% | 19.8% | 29.1% | 68.9% |

21.4.4 EMS risk

Table 124 is a standardized risk matrix that represents assets with their current replacement cost according to the risk of asset failure.

Table 124: EMS risk distribution

| COF | Very low | Low | Moderate | High | Very high |
|-----------|----------|-----|----------|------|-----------|
| POF | | | | | |
| Very high | \$1 | \$- | \$6 | \$- | \$- |
| High | \$2 | \$6 | \$12 | \$- | \$- |
| Moderate | \$- | \$3 | \$- | \$- | \$- |
| Low | \$- | \$- | \$3 | \$- | \$- |
| Very low | \$- | \$6 | \$- | \$- | \$- |

POF = Probability of failure

COF = Consequence of failure

Table 125 represents the percentage of total asset replacement cost according to the risk of asset failure.

Table 125: EMS risk exposure summary

| Colour | Risk category | Asset value (\$ million) | % of assets |
|--------|----------------|--------------------------|---------------|
| VL | Very low (VL) | \$6.1 | 15.6% |
| L | Low (L) | \$0.0 | 0.0% |
| M | Moderate (M) | \$14.5 | 37.0% |
| H | High (H) | \$18.5 | 47.3% |
| VH | Very high (VH) | \$0.0 | 0.0% |
| | Total | \$39.1 | 100.0% |

21.5 Lifecycle strategies

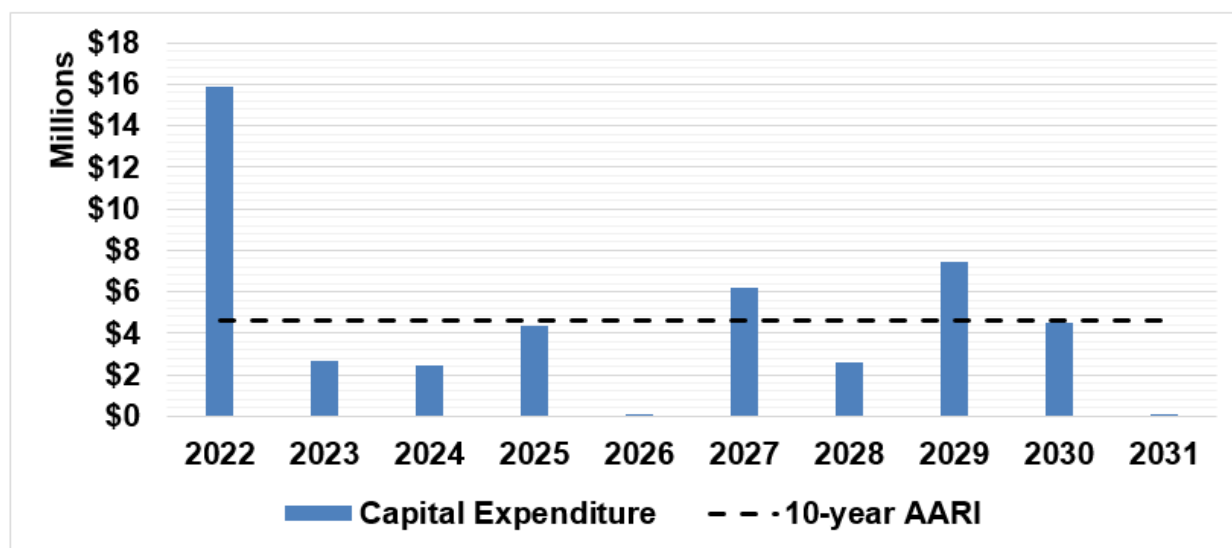
The LAS for EMS is to replace at the end of UEL for fleet and equipment assets which is informed by manufacturer recommendations and studies when available.

For facilities managed by the corporate Facilities service, risks relating to building infrastructure failure are mitigated through inspection and maintenance programs, which provide the necessary data to ensure that the work required to achieve the established LOS is identified. Renewal of assets is driven by BCAs, facility operator review on site, annual site walk-through inspections, and input from program department.

21.6 Financial strategy

Figure 56 presents the AARI necessary to support existing assets and current levels of service for EMS of \$4.6 M in the 10-year forecast. This includes both annual requirements for the 10-year period, as well as addressing the identified capital spending backlog of \$13.2M during the same period. For comparison, the 50-year AARI is forecast at \$6.6 million.

Figure 56: EMS AARI and capital expenditure



21.6.1 EMS financial indicators

The cost of service delivery for EMS includes operating expenses, capital expenditures and revenues. A summary of the 2022 operating budget for EMS is presented in Table 126.

Table 126: EMS summary of costs to deliver services

| Area of expenditure | 2022 budget (in millions) |
|---------------------------|----------------------------|
| Staffing | \$52.7 |
| Utilities | \$0.2 |
| Operating & maintenance | \$4.0 |
| Program specific | \$8.5 |
| Capital reserve transfers | \$4.3 |
| Debt charges | \$1.0 |

21.7 EMS 2022 Development Charge Background Study projects

Table 127 is an extraction of the growth projects identified in the 2022 Development Charge Background Study (2022 DCBS).

Table 127: EMS infrastructure costs in the DC calculation

| Increased service needs attributable to anticipated development | Timing | Gross capital cost estimate (\$ million) | Net cost funded by Region (\$ million) | Other funding sources (\$ million) | Potential DC cost recovery (\$ million) |
|--|---------------|---|---|---|--|
| Central hub and training facility (includes financing) | 2023-2027 | \$100.2 | \$93.0 | \$0.0 | \$7.2 |
| Ambulances (10) | 2022-2031 | \$3.2 | \$0.0 | \$0.0 | \$3.2 |
| Response units (8) | 2022-2031 | \$0.8 | \$0.0 | \$0.0 | \$0.8 |

22 Information Technology

22.1 Introduction

Information Technology includes activities to plan, build, sustain and secures the enterprise architecture, software applications, computer equipment and telecommunications networks used by the Region in support of municipal service delivery.

Assets include:

- 7515 IT devices, including computers, monitors and mobile devices.
- 579 IT Infrastructure devices and equipment.
- 333 software and applications.

Specific to IT, provincial objectives, related legislation, digital modernization and cyber threats are drivers that guide and direct planning and delivery of IT services in Niagara Region. Council, through reporting updates and the Region's Corporate Strategy and Priorities, also provide direction for the delivery of this service. Some examples of these planning documents are:

- Governance of IT Services
- IT Asset Replacement Policy
- Information Technology Strategic Plan

22.2 IT demand drivers

Demand drivers are the underlying factors that direct change in the demand for the service. Drivers and their influence help define and measure the changing requirements for services, and the activities and assets required to support those services. Most of the drivers for IT result in changes to operational requirements rather than changes to the assets utilized, with the estimated significance of impact on service summarized in Table 128.

Table 128: IT demand drivers

| Demand driver | Divisional significance |
|-----------------------------------|--------------------------------|
| Legislation and higher government | Moderate |
| Social issues and trends | Low |
| Customer expectations | Low |
| Economic factors | Low |
| Pandemic | Moderate |
| Operational efficiency | Low |
| Asset management | High |

22.2.1 Planned asset portfolio growth and enhancements

The expected growth in the population of Niagara will place significant pressure on the capacity of existing assets and create demand for new assets. The Region has updated various master plans that outline current service levels and associated existing assets, recommend future service levels and associated assets, and identify the actions required to move from the current to future state including requirements for new, expanded and enhanced assets.

The direct impact of growth will impact other Region services areas that IT supports. Explicit impacts on IT have not been forecasted at this time.

22.3 IT levels of service

Table 129 summarizes information on customer and technical measure for levels of service (LOS) that relate to the operation, maintenance and renewal of assets for the sustainment of IT's current LOS.

Table 129: IT LOS summary

| Customer LOS | Technical LOS | Performance |
|--|---|-------------|
| Access municipal information and services when, where and how it is convenient to them | Number of visitor sessions to municipal website per capita | 4.4 |
| Reliable communication systems and networks | Percent satisfaction with reliability of communication systems and networks | 82% |

22.3.1 Legislated levels of service

Regulations govern many aspects of service delivery at the program level, and much of it is very technical in nature. Some examples of regulations and their impact on IT are as follows:

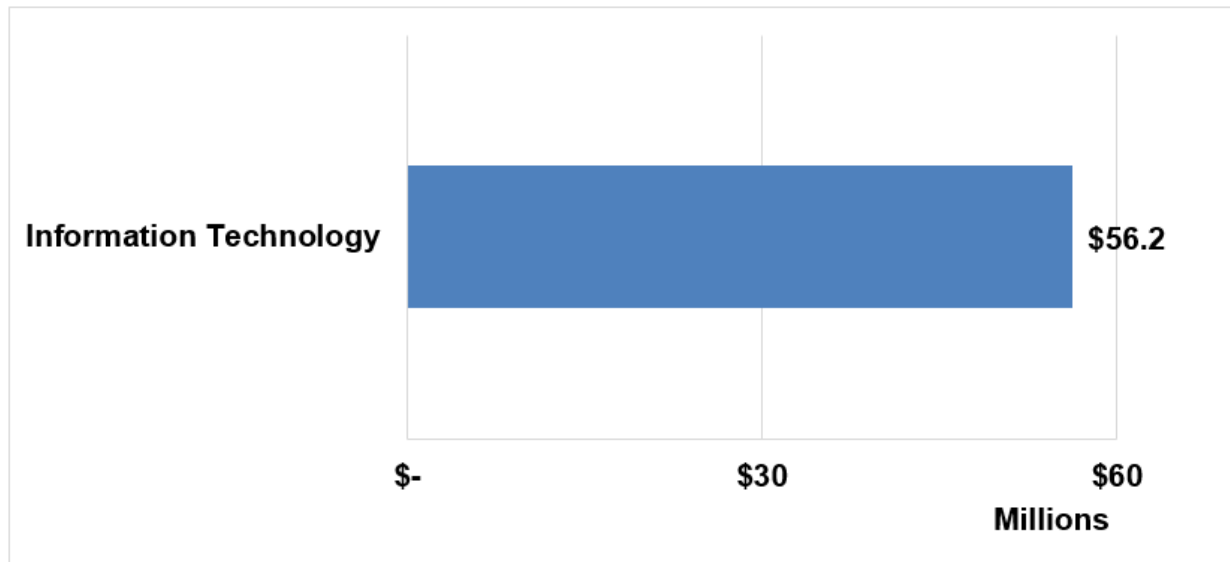
- O. Reg. 429/07: Accessibility standards for customer service
 - This Regulation establishes accessibility standards for customer service and it applies to every designated public sector organization and to every other person or organization that provides goods or services to members of the public or other third parties and that has at least one employee in Ontario.

22.4 IT state of infrastructure

22.4.1 IT asset inventory and replacement cost

The assets required to support the services provided by IT include information technology such as hardware and software. The estimated cost to replace the assets is \$56.16 million, as summarized in Figure 57.

Figure 57: IT inventory and replacement cost



22.4.2 IT asset age distribution

IT assets on average are in the last half of their UEL. The average age and estimated service life of IT assets, weighted by replacement value, is summarized by asset category in Figure 58 and Table 130.

Figure 58: IT average age by asset category

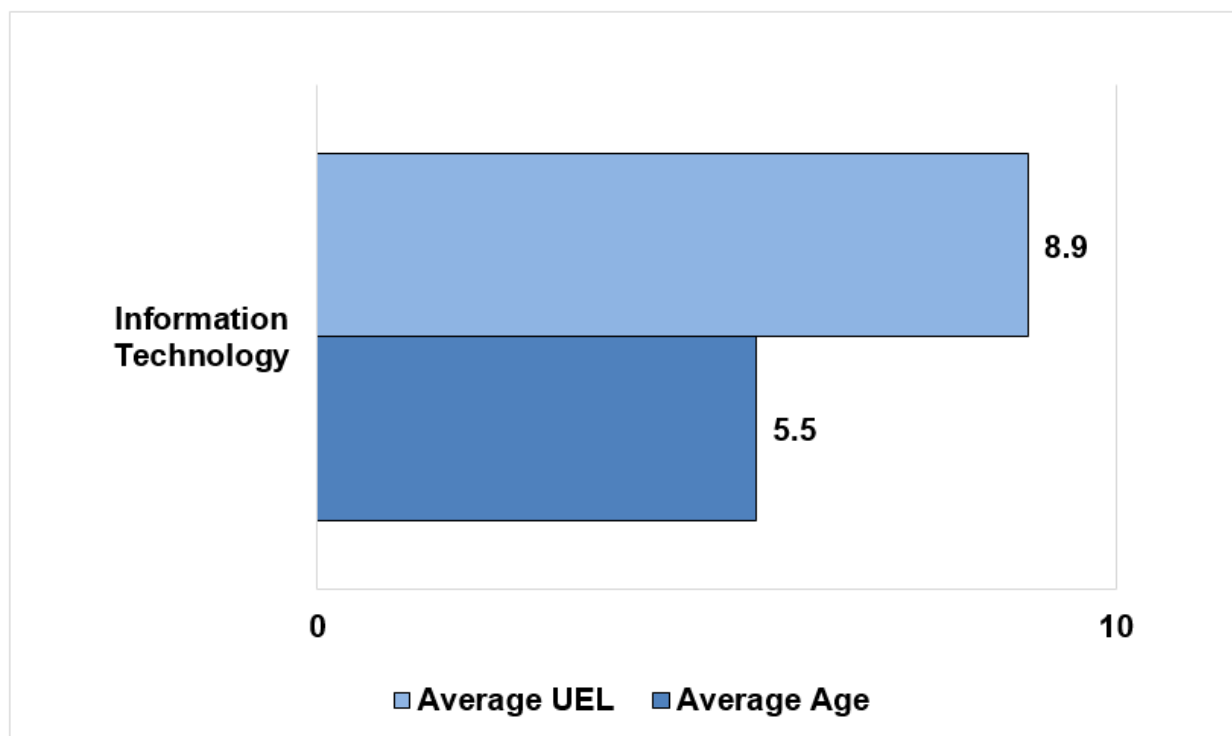


Table 130: IT average age by asset category

| Asset Category | Average Age | Average UEL | Average Remaining Life |
|------------------------|-------------|-------------|------------------------|
| Information Technology | 5.5 | 8.9 | 3.4 |

22.4.3 IT asset condition

Condition for IT assets are based on an aged-based model to provide an estimate of current condition in the absence of condition information. The condition of IT assets is rated as good, with 87% of assets rated as good or better. The condition of IT assets, weighted by replacement value, is summarized by asset category in Figure 59 and Table 131.

Figure 59: IT asset condition as % of value

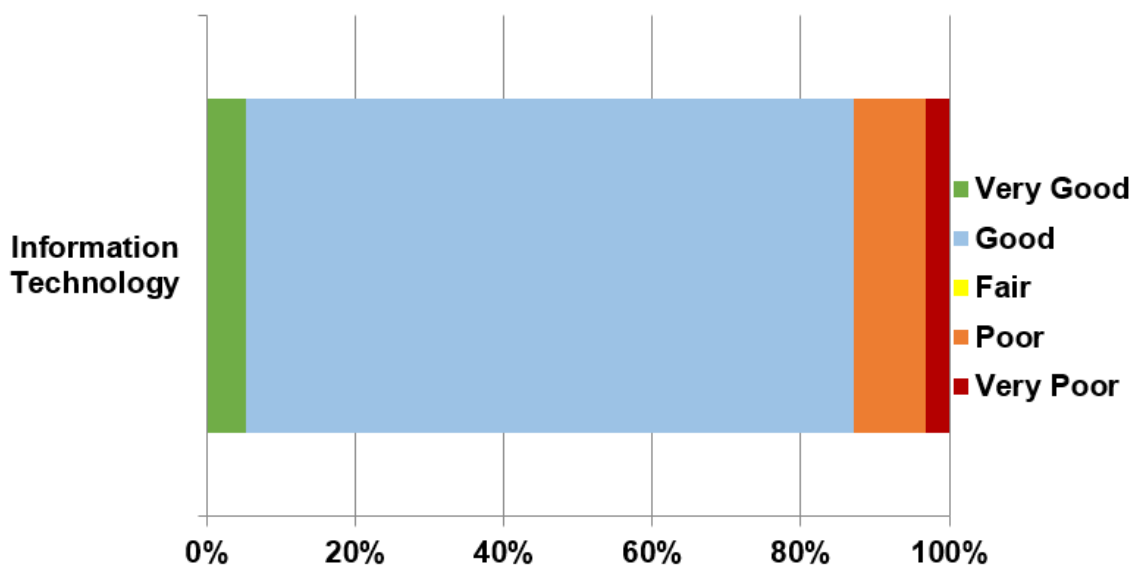


Table 131: IT asset condition as % of value

| Colour | Condition rating | Information Technology | Total |
|--------|------------------|------------------------|-------|
| | Very good | 5.3% | 5.3% |
| | Good | 81.8% | 81.8% |
| | Fair | 0.0% | 0.0% |
| | Poor | 9.8% | 9.8% |
| | Very poor | 3.1% | 3.1% |

22.4.4 IT risk

Table 132 is a standardized risk matrix that represents assets with their current replacement cost according to the risk of asset failure.

Table 132: IT risk distribution

| COF | Very low | Low | Moderate | High | Very high |
|-----------|----------|-----|----------|------|-----------|
| POF | | | | | |
| Very high | \$0 | \$- | \$- | \$- | \$- |
| High | \$8 | \$2 | \$- | \$- | \$- |
| Moderate | \$1 | \$- | \$1 | \$- | \$- |
| Low | \$44 | \$- | \$- | \$- | \$- |
| Very low | \$0 | \$- | \$- | \$- | \$- |

POF = Probability of failure

COF = Consequence of failure

Table 133 represents the percentage of total asset replacement cost according to the risk of asset failure.

Table 133: IT risk exposure summary

| Colour | Risk category | Asset value (\$ million) | % of assets |
|--------|----------------|--------------------------|---------------|
| VL | Very low (VL) | \$44.6 | 79.3% |
| L | Low (L) | \$0.8 | 1.4% |
| M | Moderate (M) | \$9.5 | 17.0% |
| H | High (H) | \$1.3 | 2.3% |
| VH | Very high (VH) | \$0.0 | 0.0% |
| | Total | \$56.2 | 100.0% |

22.5 Lifecycle strategies

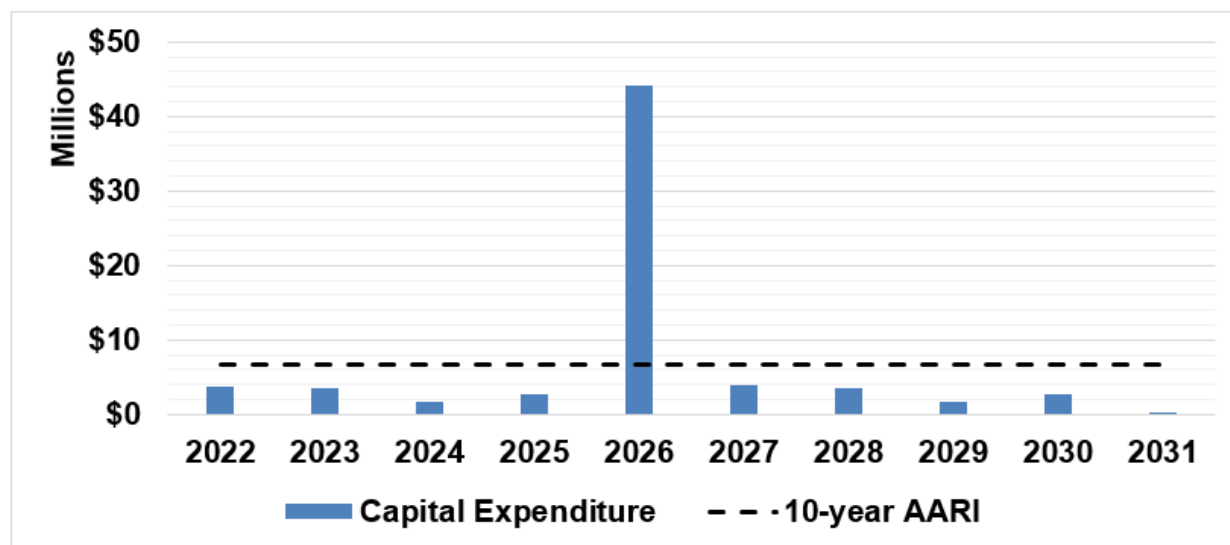
The LAS for hardware and software is to replace at the end of UEL. Some software assets are being replaced with subscription services which results in operating costs in lieu of capital costs.

22.6 Financial strategy

Figure 60 presents the AARI necessary to support existing assets and current levels of service for IT of \$6.8 M in the 10-year forecast. This includes both annual requirements for the 10-year period, as well as addressing the identified capital spending backlog of

\$1.7M during the same period. For comparison, the 50-year AARI is forecast at \$6.8 million.

Figure 60: IT AARI and capital expenditure



22.6.1 IT financial indicators

The cost of service delivery for IT includes operating expenses, capital expenditures and revenues. A summary of the 2022 operating budget for IT is presented in Table 134.

Table 134: IT summary of costs to deliver services

| Area of expenditure | 2022 budget (in millions) |
|---------------------------|----------------------------|
| Staffing | \$5.7 |
| Utilities | \$0.0 |
| Operating & maintenance | \$0.9 |
| Program specific | \$4.0 |
| Capital reserve transfers | \$0.0 |
| Debt charges | \$0.0 |

23 Facilities

23.1 Introduction

Facilities includes centrally managed buildings not included with other service areas. Management includes providing professional project management, facilities operations and energy management services to ensure a safe, secure, functional and aesthetically pleasing environment for Region staff, Council and members of the public. Facilities supports the clients' functional requirements while meeting broader organizational objectives, ensuring efficient and cost effective use of staff and building resources, and maximizing the useful life of the Regions' building portfolio.

Assets reported under Facilities include:

- Niagara Region Headquarter
- The Environmental Centre
- Niagara Falls Public Health Satellite Office

Provincial objectives and related legislation are primary drivers that guide and direct planning and delivery of Facilities services in Niagara Region. Council, through reporting updates and the Region's Corporate Strategy and Priorities, also provide direction for the delivery of this service. Other legislation and documents that guide service delivery include the following:

- 2019-2023 Energy Conservation and Demand Management Plan, 2019
- Niagara Region Accessibility Plan, 2018-2023
- OBC (Ontario Building Code)
- Ontario Fire code
- AODA (Accessibility for Ontarians with Disabilities Act)
- EPA (Environmental Protection Act)
- MOE (Ministry of the Environment)
- TSSA (Technical Standards and Safety Authority)
- ESA (Electrical Safety Authority)
- OSHA (Occupational Health and Safety Act)

23.2 Facilities demand drivers

Demand drivers are the underlying factors that direct change in the demand for the service. Drivers and their influence help define and measure the changing requirements for services, and the activities and assets required to support those services. Most of the drivers for Facilities result in changes to operational requirements rather than

changes to the assets utilized, with the estimated significance of impact on service summarized in Table 135.

Table 135: Facilities demand drivers

| Demand driver | Divisional significance |
|-------------------------------------|--------------------------------|
| Legislation and higher government | Moderate |
| Organizational goals and objectives | Moderate |
| Social issues and trends | Low |
| Customer expectations | Low |
| Pandemic | Moderate |
| Climate change | Low |
| Technology | Low |
| Asset management | High |

23.2.1 Planned asset portfolio growth and enhancements

The expected growth in the population of Niagara will place significant pressure on the capacity of existing assets and create demand for new assets. The Region has updated various master plans that outline current service levels and associated existing assets, recommend future service levels and associated assets, and identify the actions required to move from the current to future state including requirements for new, expanded and enhanced assets.

23.3 Facilities levels of service

Table 136 summarizes information on customer and technical measure for levels of service (LOS) that relate to the operation, maintenance and renewal of assets for the sustainment of Facilities current LOS.

Table 136: Facilities LOS summary

| Customer LOS | Technical LOS | Performance |
|--|---|--------------------|
| Facilities are maintained to an appropriate standard, are safe and accessible. | Facility condition index (% of deferred maintenance of overall facility replacement cost) | 7.8% |

23.3.1 Legislated levels of service

Regulations govern many aspects of service delivery at the program level, and much of it is very technical in nature. Some examples of regulations and their impact on Facilities are as follows:

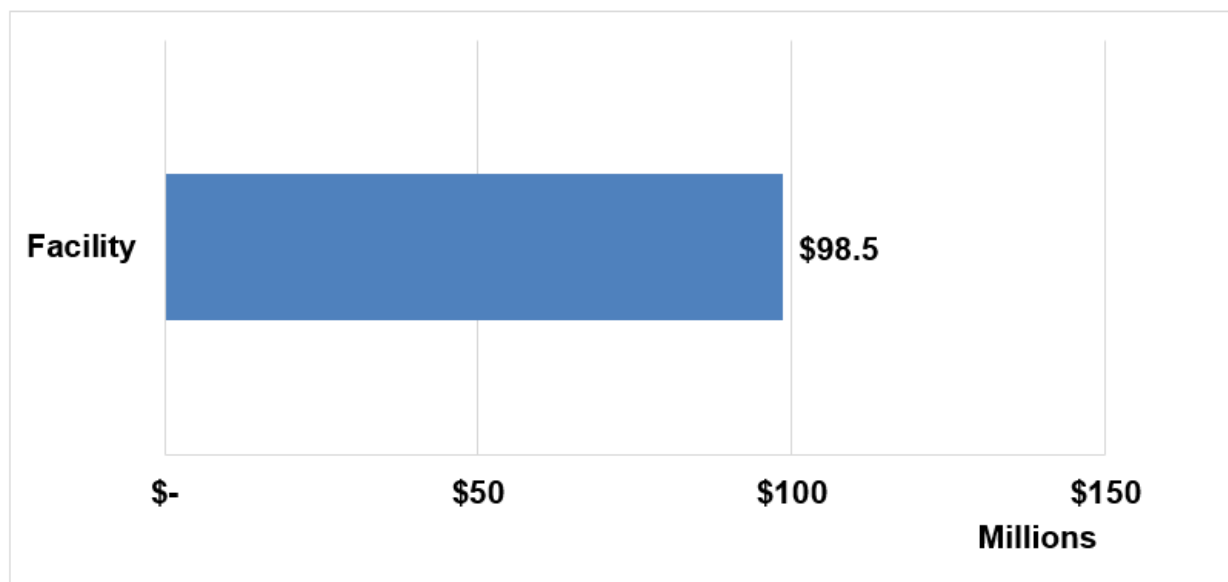
- Building Code Act, 1992, S.O. 1992, c. 23
 - The Building Code Act is an Ontario regulation that describes the requirements for built facilities.
- O. Reg. 191/11: Integrated accessibility standards
 - This regulation established the accessibility standards for: information and communications, employment, transportation, the design of public spaces and customer service.

23.4 Facilities state of infrastructure

23.4.1 Facilities asset inventory and replacement cost

Assets supporting Facilities included in the 2021 CAMP include shared services facilities such as regional headquarters and the environmental center. Facilities that are utilized directly in the provision of a specific service have been presented within the service summary. The estimated cost to replace the assets is \$98.5 million, as summarized in Figure 61.

Figure 61: Facilities inventory and replacement cost



23.4.2 Facilities asset age distribution

Facilities assets on average are in the last half of their UEL. The average age and estimated service life of Facilities assets, weighted by replacement value, is summarized by asset category in Figure 62 and Table 137.

Figure 62: Facilities average age by asset category

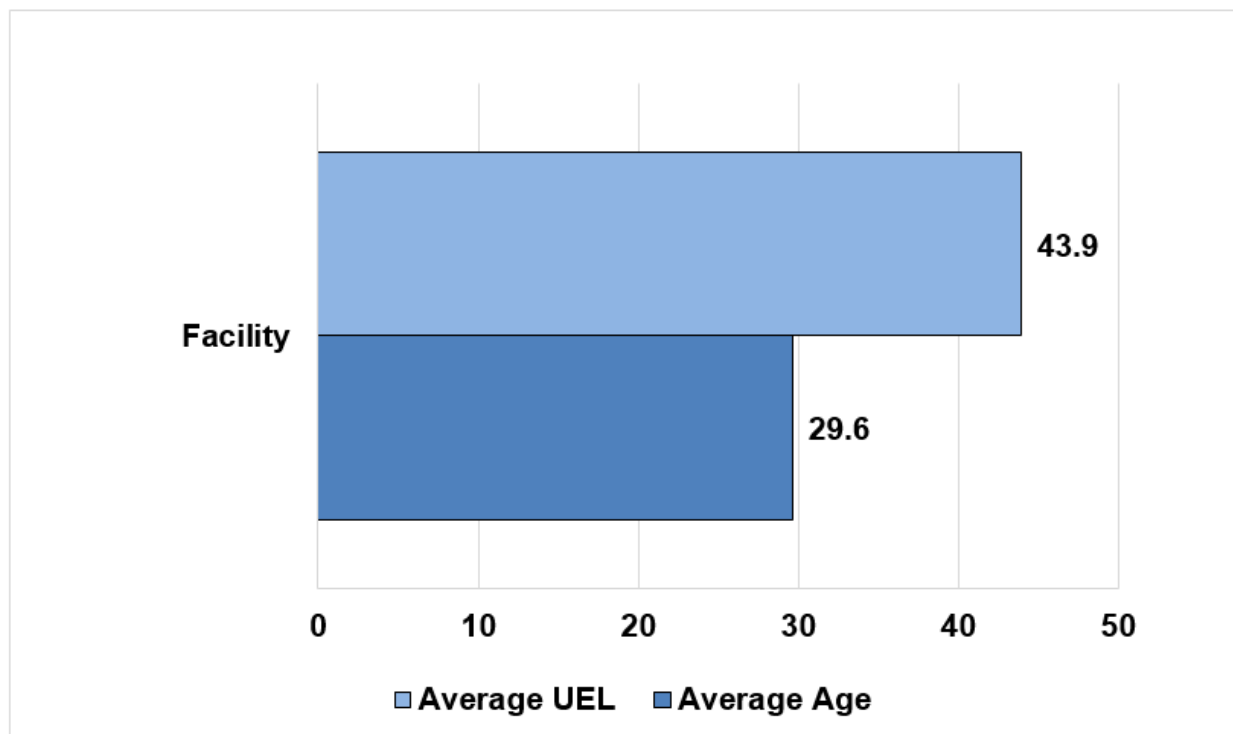


Table 137: Facilities average age by asset category

| Asset Category | Average Age | Average UEL | Average Remaining Life |
|----------------|-------------|-------------|------------------------|
| Facility | 29.6 | 43.9 | 14.3 |

23.4.3 Facilities asset condition

Condition for Facilities assets is based on an aged-based model to provide an estimate of current condition in the absence of other information. The Facilities asset portfolio is rated as fair, with 51% of the assets rated as fair or better. Estimated condition of Facilities assets, weighted by replacement value, is summarized by asset category in Figure 63 and Table 138.

Figure 63: Facilities asset condition as % of value

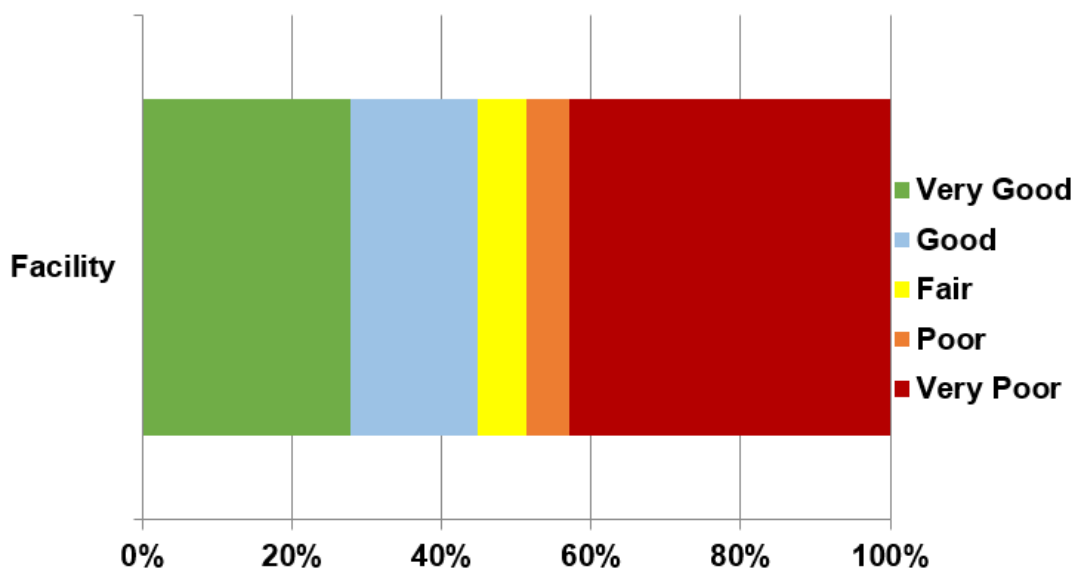


Table 138: Facilities asset condition as % of value

| Colour | Condition rating | Facility | Total |
|--------|------------------|----------|-------|
| | Very good | 27.7% | 27.7% |
| | Good | 17.1% | 17.1% |
| | Fair | 6.4% | 6.4% |
| | Poor | 5.9% | 5.9% |
| | Very poor | 42.9% | 42.9% |

23.4.4 Facilities risk

Table 139 is a standardized risk matrix that represents assets with their current replacement cost according to the risk of asset failure.

Table 139: Facilities risk distribution

| COF | Very low | Low | Moderate | High | Very high |
|-----------|----------|------|----------|------|-----------|
| POF | | | | | |
| Very high | \$- | \$- | \$40 | \$- | \$- |
| High | \$- | \$26 | \$11 | \$- | \$- |
| Moderate | \$- | \$- | \$- | \$- | \$- |
| Low | \$- | \$- | \$- | \$- | \$- |
| Very low | \$- | \$- | \$21 | \$- | \$- |

POF = Probability of failure

COF = Consequence of failure

Table 140 represents the percentage of total asset replacement cost according to the risk of asset failure.

Table 140: Facilities risk exposure summary

| Colour | Risk category | Asset value (\$ million) | % of assets |
|--------|----------------|--------------------------|---------------|
| VL | Very low (VL) | \$0.0 | 0.0% |
| L | Low (L) | \$21.2 | 21.6% |
| M | Moderate (M) | \$26.3 | 26.7% |
| H | High (H) | \$51.0 | 51.8% |
| VH | Very high (VH) | \$0.0 | 0.0% |
| | Total | \$98.5 | 100.0% |

23.5 Lifecycle strategies

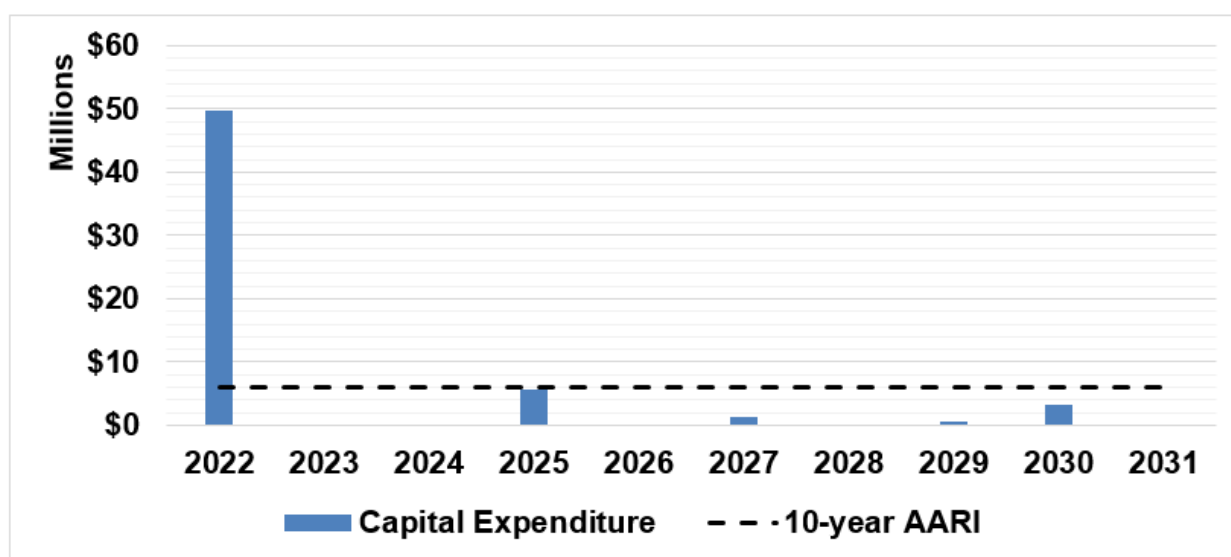
For facilities managed by the corporate Facilities service, risks relating to building infrastructure failure are mitigated through inspection and maintenance programs, which provide the necessary data to ensure that the work required to achieve the established LOS is identified. Renewal of assets is driven by BCAs, facility operator review on site, annual site walk-through inspections, and input from program department.

23.6 Financial strategy

Figure 64 presents the AARI necessary to support existing assets and current levels of service for Facilities of \$6.0 M in the 10-year forecast. This includes both annual

requirements for the 10-year period, as well as addressing the identified capital spending backlog of \$48.3M during the same period. For comparison, the 50-year AARI is forecast at \$4.2 million as the backlog is spread over a longer period.

Figure 64: Facilities AARI and capital expenditure



23.6.1 Facilities financial indicators

The cost of service delivery for Facilities includes operating expenses, capital expenditures and revenues. A summary of the 2022 operating budget for Facilities is presented in Table 141.

Table 141: Facilities summary of costs to deliver services

| Area of expenditure | 2022 budget (in millions) |
|---------------------------|----------------------------|
| Staffing | \$3.9 |
| Utilities | \$0.6 |
| Operating & maintenance | \$1.2 |
| Program specific | \$0.7 |
| Capital reserve transfers | \$0.0 |
| Debt charges | \$0.2 |

24 Court Services

24.1 Introduction

Court Services provides administration of the Provincial Offences Courts in the Region and the prosecution of certain provincial offence matters and fine processing and collection services.

Assets utilized to provide the services include:

- 1 provincial offences court.

Provincial objectives for court services, and related legislation are primary drivers that guide and direct services delivery of Courts. Council, through reporting updates and the Region's Corporate Strategy and Priorities, also provide direction for the delivery of service. Other legislation and documents that guide service delivery include the following:

- Provincial Offences Act R.S.O. 1990
- Charter of Rights and Freedoms

24.2 Court Services demand drivers

Demand drivers are the underlying factors that direct change in the demand for the service. Drivers and their influence help define and measure the changing requirements for services, and the activities and assets required to support those services. Most of the drivers for Court Services result in changes to operational requirements rather than changes to the assets utilized, with the estimated significance of impact on service summarized in Table 142.

Table 142: Court Services demand drivers

| Demand driver | Divisional significance |
|--|--------------------------------|
| Legislation and higher government | Moderate |
| Social issues and trends | Moderate |
| Development trends/unique geographic factors | Low |
| Customer expectations | Low |
| Economic factors | Low |
| Pandemic | Moderate |
| Operational efficiency | Low |

| Demand driver | Divisional significance |
|------------------|-------------------------|
| Asset management | High |

24.2.1 Planned asset portfolio growth and enhancements

The expected growth in the population of Niagara will place significant pressure on the capacity of existing assets and create demand for new assets. The Region has updated various master plans that outline current service levels and associated existing assets, recommend future service levels and associated assets, and identify the actions required to move from the current to future state including requirements for new, expanded and enhanced assets.

Table 143 lists forecasted capital projects for Court Services that are required to address these growth or enhancement needs. For additional information on growth related projects, please see section 24.7.

Table 143: Court Services forecast asset portfolio growth and enhancement projects

| Asset class | Growth or enhancement forecasted |
|-------------|--------------------------------------|
| Facility | Provision for additional Court space |

24.3 Court Services levels of service

Table 144 summarizes information on customer and technical measure for levels of service (LOS) that relate to the operation, maintenance and renewal of assets for the sustainment of Court Services current LOS.

Table 144: Court Services LOS summary

| Customer LOS | Technical LOS | Performance |
|--|---|-------------|
| Facilities are clean and presentable, and maintained in an appropriate state of repair | Facility condition index (% of deferred maintenance of overall facility replacement cost) | 0.0% |

24.3.1 Legislated levels of service

Regulations govern many aspects of service delivery at the program level, and much of it is very technical in nature. Some examples of regulations and their impact on Court Services are as follows:

- Provincial Offences Act R.S.O 1990
 - Establishes standards for court services and summarizes the conviction procedure for the prosecution of provincial offenses.
- Charter of Rights and Freedoms
 - Protects a number of rights and freedoms, including freedom of expression and the right to equality.

24.4 Court Services state of infrastructure

24.4.1 Court Services asset inventory and replacement cost

The assets required to support the services provided by Court Services include the courthouse. The estimated cost to replace the assets is \$13.0 million, as summarized in Figure 65.

Figure 65: Court Services inventory and replacement cost



24.4.2 Court Services asset age distribution

All of Courts assets are in the first quarter of their UEL, as the Provincial Offence Court facility completed construction in 2017 which is the only asset reported in this AMP. The average age and estimated remaining UEL of Courts assets, weighted by replacement value, is summarized by asset category in Figure 66 and Table 145.

Figure 66: Court Services average age by asset category

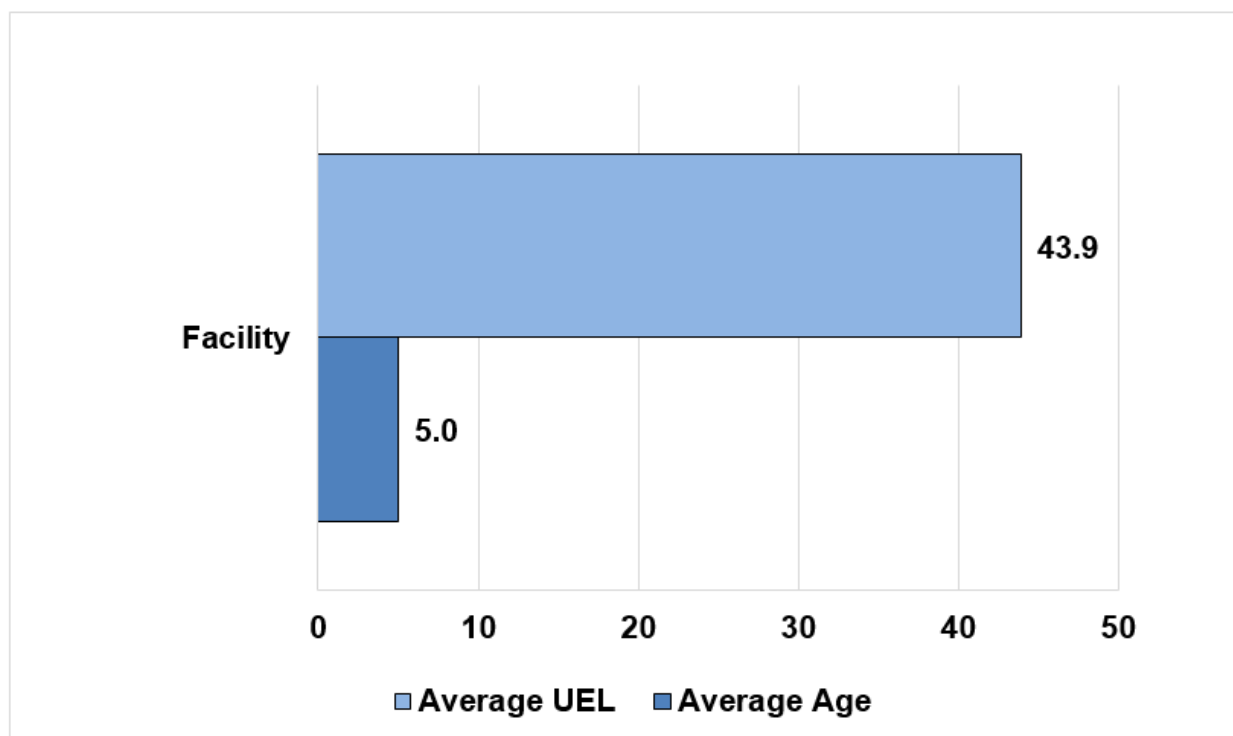


Table 145: Court Services average age by asset category

| Asset Category | Average Age | Average UEL | Average Remaining Life |
|----------------|-------------|-------------|------------------------|
| Facility | 5.0 | 43.9 | 38.9 |

24.4.3 Court Services asset condition

The asset condition is based on an aged-based model to provide an estimate of current condition in the absence of condition information. The Courts portfolio of assets is rated in very good condition, with 95% of the assets rated as very good or better. Estimated condition of Courts assets, weighted by replacement value, is summarized by asset category in Figure 67 and Table 146.

Figure 67: Court Services asset condition as % of value

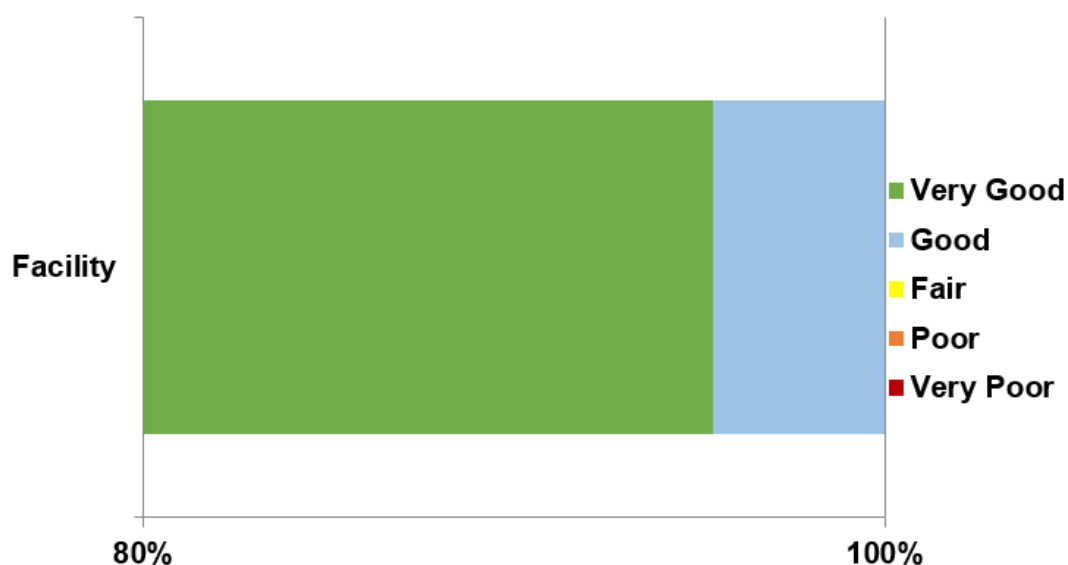


Table 146: Court Services asset condition as % of value

| Colour | Condition rating | Facility | Total |
|--------|------------------|----------|-------|
| | Very good | 95.4% | 95.4% |
| | Good | 4.6% | 4.6% |
| | Fair | 0.0% | 0.0% |
| | Poor | 0.0% | 0.0% |
| | Very poor | 0.0% | 0.0% |

24.4.4 Court Services risk

Table 147 is a standardized risk matrix that represents assets with their current replacement cost according to the risk of asset failure.

Table 147: Court Services risk distribution

| COF | Very low | Low | Moderate | High | Very high |
|-----------|----------|-----|----------|------|-----------|
| POF | | | | | |
| Very high | \$- | \$- | \$- | \$- | \$- |
| High | \$- | \$- | \$- | \$- | \$- |
| Moderate | \$- | \$- | \$- | \$- | \$- |
| Low | \$- | \$- | \$- | \$- | \$- |
| Very low | \$3 | \$6 | \$4 | \$- | \$- |

POF = Probability of failure

COF = Consequence of failure

Table 148 represents the percentage of total asset replacement cost according to the risk of asset failure.

Table 148: Court Services risk exposure summary

| Colour | Risk category | Asset value (\$ million) | % of assets |
|--------|----------------|--------------------------|---------------|
| VL | Very low (VL) | \$8.8 | 67.6% |
| L | Low (L) | \$4.2 | 32.4% |
| M | Moderate (M) | \$0.0 | 0.0% |
| H | High (H) | \$0.0 | 0.0% |
| VH | Very high (VH) | \$0.0 | 0.0% |
| | Total | \$13.0 | 100.0% |

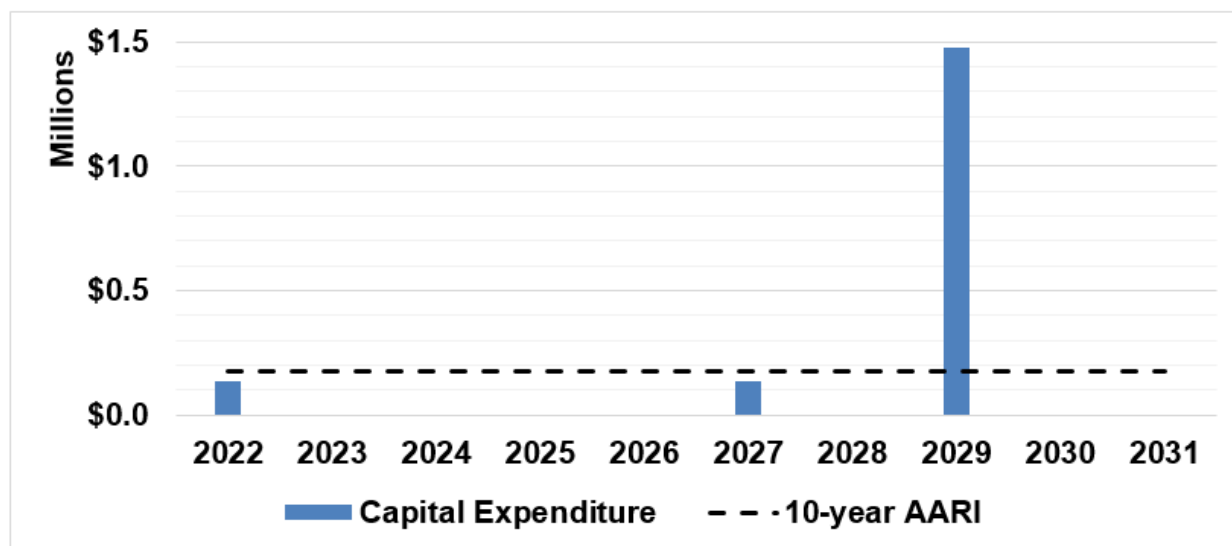
24.5 Lifecycle strategies

For facilities managed by the corporate Facilities service, risks relating to building infrastructure failure are mitigated through inspection and maintenance programs, which provide the necessary data to ensure that the work required to achieve the established LOS is identified. Renewal of assets is driven by BCAs, facility operator review on site, annual site walk-through inspections, and input from program department.

24.6 Financial strategy

Figure 68 presents the AARI necessary to support existing assets and current levels of service for Court of \$0.2 M in the 10-year forecast. This includes annual requirements for the 10-year period. For comparison, the 50-year AARI is forecast at \$0.5 million.

Figure 68: Courts AARI and capital expenditure



24.6.1 Court Services financial indicators

The cost of service delivery for Court Services includes operating expenses, capital expenditures and revenues. A summary of the 2022 operating budget for Court Services is presented in Table 149.

Table 149: Court Services summary of costs to deliver services

| Area of expenditure | 2022 budget (in millions) |
|---------------------------|----------------------------|
| Staffing | \$2.8 |
| Utilities | \$0.0 |
| Operating & maintenance | \$0.2 |
| Program specific | \$8.9 |
| Capital reserve transfers | \$0.3 |
| Debt charges | \$0.5 |

24.7 Court Services 2022 Development Charge Background Study projects

Table 150 is an extraction of the growth projects identified in the 2022 Development Charge Background Study (2022 DCBS).

Table 150: Courts infrastructure costs covered in the DC calculation

| Increased service needs attributable to anticipated development | Timing | Gross capital cost estimate (\$ million) | Net cost funded by Region (\$ million) | Other funding sources (\$ million) | Potential DC cost recovery (\$ million) |
|--|---------------|---|---|---|--|
| Provision for additional space | 2022-2031 | \$2.3 | \$0.0 | \$0.0 | \$2.3 |

25 Police Services

25.1 Introduction

Niagara Regional Police Services (NRPS) provide police services including Crime prevention, Law enforcement, Assistance to victims of crime, Public order maintenance, and Emergency response.

NRPS, established on January 1st, 1971, is the oldest regional police service in Ontario. NRPS serves one of Ontario's largest geographic regions by patrolling an area over 1,800 square kilometers, covering 12 municipalities. NRPS customers include all residents and visitors of the Niagara Region.

Assets utilized to provide the services include:

- 1 NRPS Headquarter.
- 6 NRPS divisional districts.
- 1 NRPS tactical unit
- 1 NRPS training centre.
- 1 NRPS fleet service centre.
- 98 equipment for patrol, investigation and specialty.
- 103 IT related devices.
- 340 vehicles.

Provincial objectives for police services, and related legislation, are primary drivers that guide and direct delivery of police services in Niagara Region. Council, through reporting updates and the Region's Corporate Strategy and Priorities, also provide direction for the delivery of service. Other legislation and documents that guide service delivery include the following:

- Niagara Regional Polices Service Strategic Plan 2022-2025
- Provincial Adequacy Standards O. Reg. 3/99: adequacy and effectiveness of police services
- Policing Standards Manual Ontario 2019

25.2 NRPS demand drivers

Demand drivers are the underlying factors that direct change in the demand for the service. Drivers and their influence help define and measure the changing requirements for services, and the activities and assets required to support those services. Most of the drivers for NRPS result in changes to operational requirements rather than changes

to the assets utilized, with the estimated significance of impact on service summarized in Table 151.

Table 151: NRPS demand drivers

| Demand driver | Divisional significance |
|-----------------------------------|--------------------------------|
| Demographics | Moderate-high |
| Legislation and higher government | Moderate-high |
| Socio-economic issues and trends | High |
| Pandemic (COVID-19) | Moderate |
| Technology | Moderate |
| Asset management | High |

NRPS conducts trend analysis on calls for service levels as well as degree of severity (i.e. priority 1, 2 and 3). In addition, NRPS analyzes changes in call categories (i.e. welfare check, domestic dispute, etc.) to project future resource requirements for service delivery.

25.2.1 Planned asset portfolio growth and enhancements

The expected growth in the population of Niagara will place significant pressure on the capacity of existing assets and create demand for new assets. The Region has updated various master plans that outline current service levels and associated existing assets, recommend future service levels and associated assets, and identify the actions required to move from the current to future state including requirements for new, expanded and enhanced assets.

Table 152 lists forecasted capital projects for NRPS that are required to address these growth or enhancement needs. For additional information on growth related projects, please see section 25.7.

Table 152: NRPS forecast asset portfolio growth and enhancement projects

| Asset class | Growth or enhancement forecasted |
|--------------------|--|
| Fleet | Additional patrol, non-patrol and other vehicles |
| Equipment | Additional miscellaneous gear |

25.3 NRPS levels of service

Table 153 summarizes information on customer and technical measure for levels of service (LOS) that relate to the operation, maintenance and renewal of assets for the sustainment of NRPS's current LOS.

Table 153: NRPS LOS summary

| Customer LOS | Technical LOS | Performance |
|--|---|-------------|
| Facilities are maintained to an appropriate standard, are safe and accessible. | Facility condition index (% of deferred maintenance of overall facility replacement cost) | 7.4% |

25.3.1 Legislated levels of service

Regulations govern many aspects of service delivery at the program level, and much of it is very technical in nature. Some examples of regulations and their impact on NRPS are as follows:

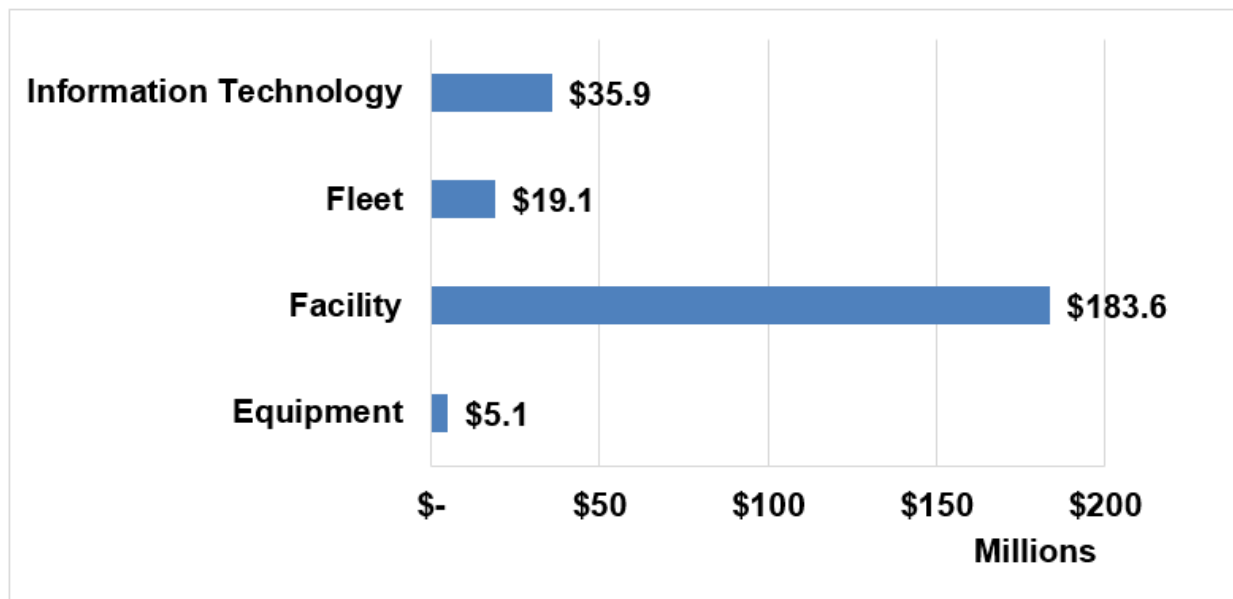
- Police Services Act R.S.O. 1990
 - Outlines a number of principles with which the provision of police services are to follow, such as ensuring the safety and security of all persons and property in Ontario and the importance of safeguarding the fundamental rights guaranteed by the Canadian Charter of Rights and Freedoms and the Human Rights Code.

25.4 NRPS state of infrastructure

25.4.1 NRPS asset inventory and replacement cost

The assets required to support the services provided by NRPS include headquarters and divisional station facilities, fleet, use of force tools, investigative equipment and information technology. The estimated cost to replace the assets is \$243.7 million, as summarized in Figure 69.

Figure 69: NRPS inventory and replacement cost



25.4.2 NRPS asset age distribution

NRPS assets on average are in the last half of their useful expected life (UEL), with the exception of facilities. This is primarily a result of the recent construction of Headquarters and District 2 in 2019, which is valued at \$96 million of the total NRPS asset inventory value. The average age and estimated service life of NRPS assets, weighted by replacement value, is summarized by asset category in Figure 70 and Table 154.

Figure 70: NRPS average age by asset category

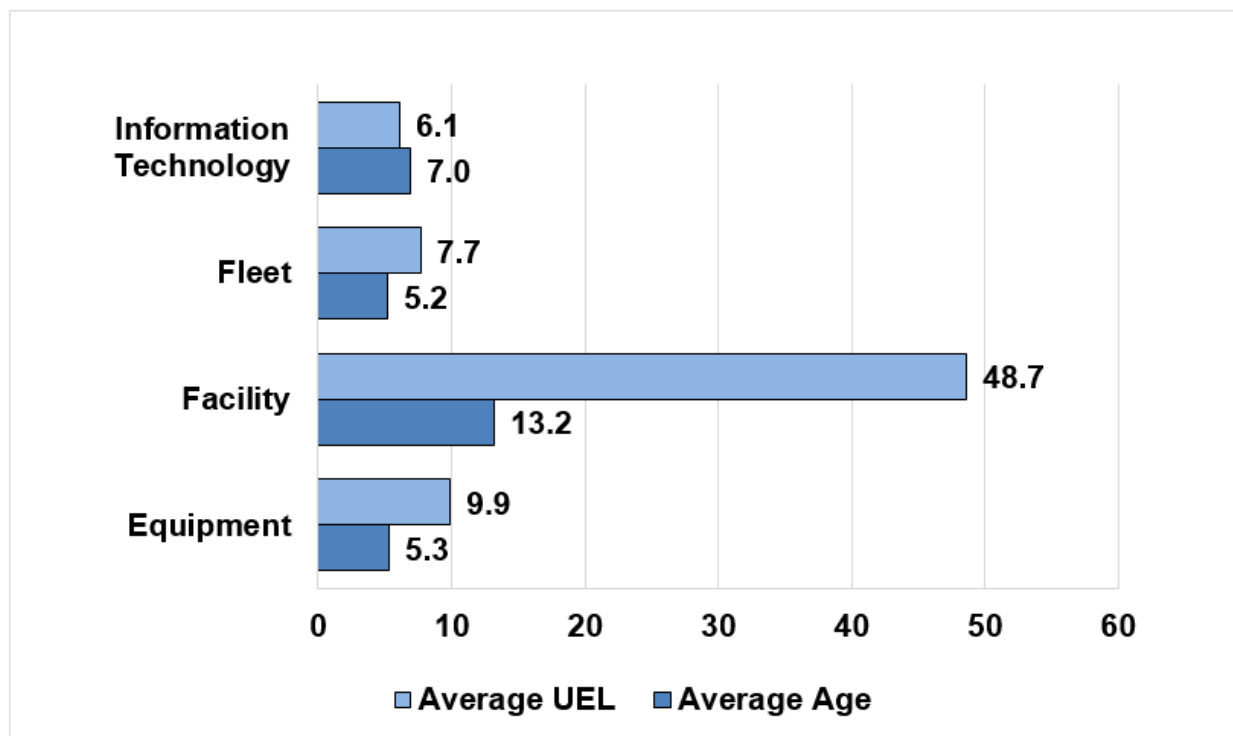


Table 154: NRPS average age by asset category

| Asset Category | Average Age | Average UEL | Average Remaining Life |
|------------------------|-------------|-------------|------------------------|
| Equipment | 5.3 | 9.9 | 4.6 |
| Facility | 13.2 | 48.7 | 35.4 |
| Fleet | 5.2 | 7.7 | 2.5 |
| Information Technology | 7.0 | 6.1 | (0.8) |
| Total | 11.5 | 38.4 | 26.9 |

25.4.3 NRPS asset condition

Condition for NRPS fleet assets is primarily based on age or mileage. 'Very poor' assets for fleet based on age do not necessarily indicate an imminent failure, but are indicative of assets that are beyond their expected lifecycle and past the time-based renewal period. NRPS assets are rated as very good, with 66% of assets rated as very good or better. The remaining asset condition is based on an aged-based model to provide an estimate of current condition in the absence of condition information. Estimated condition of

Courts assets, weighted by replacement value, is summarized by asset category in Figure 71 and Table 155.

Figure 71: NRPS asset condition as % of value

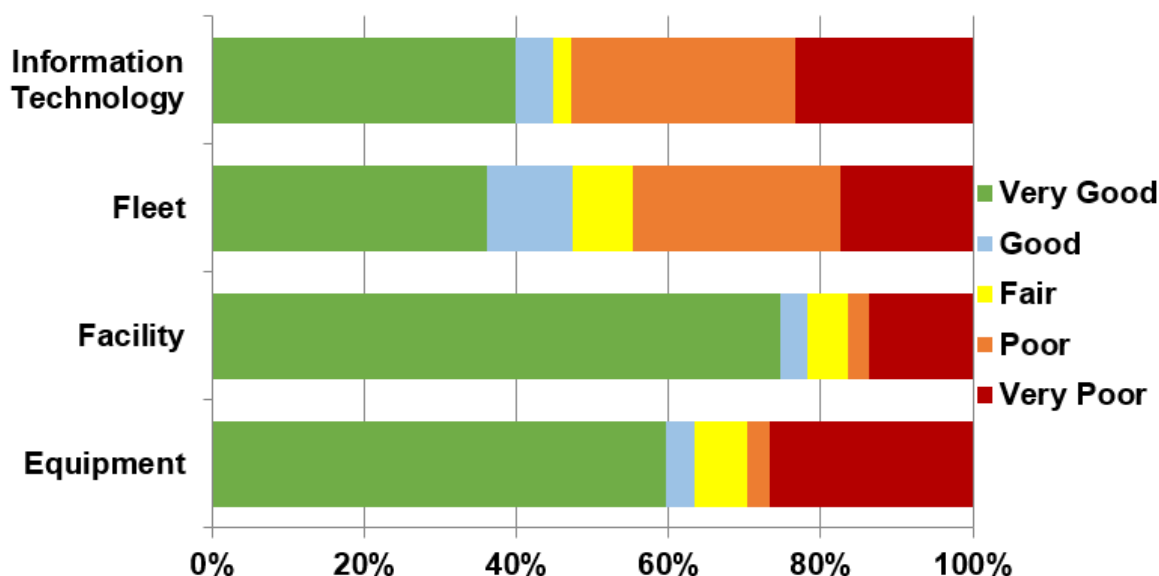


Table 155: NRPS asset condition as % of value

| Colour | Condition rating | Facility | Fleet | Information Technology | Equipment | Total |
|--------|------------------|----------|-------|------------------------|-----------|-------|
| | Very good | 74.6% | 36.2% | 39.9% | 59.6% | 66.4% |
| | Good | 3.6% | 11.3% | 4.8% | 3.9% | 4.3% |
| | Fair | 5.4% | 7.8% | 2.4% | 6.9% | 5.1% |
| | Poor | 2.7% | 27.4% | 29.5% | 2.9% | 8.5% |
| | Very poor | 13.8% | 17.4% | 23.4% | 26.7% | 15.7% |

25.4.4 NRPS risk

Table 156 is a standardized risk matrix that represents assets with their current replacement cost according to the risk of asset failure.

Table 156: NRPS risk distribution

| COF | Very low | Low | Moderate | High | Very high |
|-----------|----------|-------|----------|------|-----------|
| POF | | | | | |
| Very high | \$- | \$7 | \$- | \$- | \$- |
| High | \$14 | \$- | \$- | \$- | \$- |
| Moderate | \$37 | \$133 | \$- | \$- | \$- |
| Low | \$- | \$- | \$- | \$- | \$- |
| Very low | \$0 | \$52 | \$- | \$- | \$- |

POF = Probability of failure

COF = Consequence of failure

Table 157 represents the percentage of total asset replacement cost according to the risk of asset failure.

Table 157: NRPS risk exposure summary

| Colour | Risk category | Asset value (\$ million) | % of assets |
|--------|----------------|--------------------------|---------------|
| VL | Very low (VL) | \$52.4 | 21.5% |
| L | Low (L) | \$37.5 | 15.4% |
| M | Moderate (M) | \$146.9 | 60.3% |
| H | High (H) | \$6.9 | 2.8% |
| VH | Very high (VH) | \$0.0 | 0.0% |
| | Total | \$243.7 | 100.0% |

25.5 Lifecycle strategies

The LAS for NRPS for fleet and equipment is to replace at the end of UEL, which is informed by manufacturer recommendations when available (i.e. conductive energy weapons).

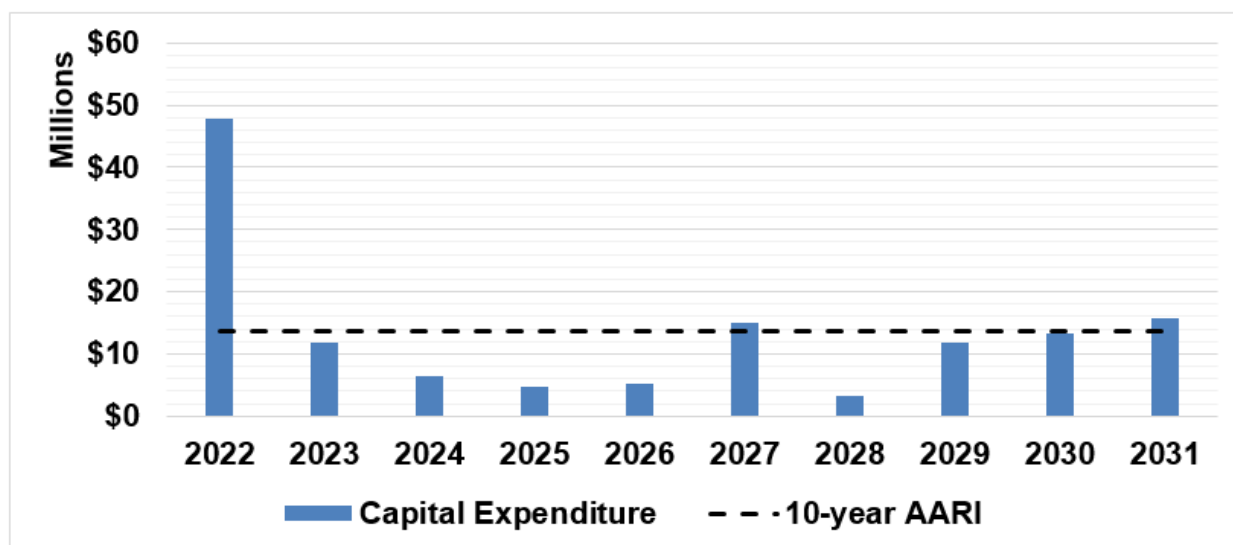
For facilities managed by the corporate Facilities service, risks relating to building infrastructure failure are mitigated through inspection and maintenance programs, which provide the necessary data to ensure that the work required to achieve the established LOS is identified. Renewal of assets is driven by BCAs, facility operator review on site, annual site walk-through inspections, and input from program department. Additional

details on the lifecycle strategies employed by Facilities are presented in the Facilities section of the AMP.

25.6 Financial strategy

Figure 72 presents the AARI necessary to support existing assets and current levels of service for NRPS of \$13.6 million in the 10-year forecast. This includes both annual requirements for the 10-year period, as well as addressing the identified capital spending backlog of \$41.5 million during the same period. For comparison, the 50-year AARI is forecast at \$14.7 million.

Figure 72: NRPS AARI and capital expenditure



25.6.1 NRPS financial indicators

The cost of service delivery for NRPS includes operating expenses, capital expenditures and revenues. A summary of the 2022 operating budget for NRPS is presented in Table 158.

Table 158: NRPS summary of costs to deliver services

| Area of expenditure | 2022 budget (in millions) |
|-------------------------|----------------------------|
| Staffing | \$171.0 |
| Utilities | \$1.1 |
| Operating & maintenance | \$7.2 |
| Program specific | \$13.7 |

| Area of expenditure | 2022 budget (in millions) |
|---------------------------|----------------------------|
| Capital reserve transfers | \$4.1 |
| Debt charges | \$9.3 |

25.7 NRPS 2022 Development Charge Background Study projects

Table 159 is an extraction of the growth projects identified in the 2022 Development Charge Background Study (2022 DCBS).

Table 159: NRPS infrastructure costs in the DC calculation

| Increased service needs attributable to anticipated development | Timing | Gross capital cost estimate (\$ million) | Net cost funded by Region (\$ million) | Other funding sources (\$ million) | Potential DC cost recovery (\$ million) |
|---|-----------|--|--|------------------------------------|---|
| Patrol and non-patrol vehicles | 2022-2041 | \$1.9 | \$0.0 | \$0.0 | \$1.9 |
| Other police vehicles | 2022-2041 | \$1.5 | \$0.0 | \$0.0 | \$1.5 |
| Equipment and gear | 2022-2041 | \$2.1 | \$0.0 | \$0.0 | \$2.1 |

2021 Corporate Asset Management Plan – Ontario Regulation 588/17 Requirements

The Province of Ontario released Ontario Regulation 588/17 under the Infrastructure for Jobs and Prosperity Act, 2015. Under the legislation, every municipality is required to prepare a strategic asset management policy, a plan to maintain municipal infrastructure assets, a level of service proposal and a series of publicly accessible asset management plans over three different years.

The Region's 2021 plan reports on all services and almost all assets. The regulation, O. Reg. 588/17, requires municipalities to report on core municipal infrastructure assets by July 1, 2022, which the regulation defines as Road, Bridge, Culvert, Water, Wastewater and Stormwater Management.

In addition to covering a broader scope of assets, this plan also identifies investment needs and supports long-term financial sustainability planning. This includes identifying potential funding gaps in advance of 2025 requirements.

Table 1: Ontario Regulation 588/17 deadlines, requirements and status

| Deadline | Requirement | Status |
|--------------|--|---|
| July 1, 2019 | Establish an asset management policy including detailed principles and commitments for investment decision-making and responsibilities | Completed. |
| July 1, 2022 | Council approved asset management plan including current levels of service and costs for core assets. | Council approval of this report CSD 7-2022 completes this requirement. |
| July 1, 2024 | Council approved asset management plan including current levels of service and costs for all assets. | Complete with CSD 7-2022 except the new Niagara Transit Commission and select assets. |

| Deadline | Requirement | Status |
|--------------|---|---|
| July 1, 2025 | Council approved asset management plan for all assets including desired levels of service, costs to sustain those service levels and the financial strategy to fund them. | Foundation to achieve requirement is in CSD 7-2022 and will follow implementation of identified improvements. |

Completion of continuous improvement initiatives will satisfy all requirements of the July 1, 2025 milestone.

2021 Corporate Asset Management Plan Service Areas by Department

The 2021 CAMP includes 16 service areas within four of the Region's Departments and the Regional Niagara Police Service as shown below:

| Department | Service |
|--------------------------------------|--|
| Public Works | Water |
| | Wastewater |
| | Waste Management |
| | Transportation |
| | Transit |
| | Fleet |
| Community Services | Seniors Services |
| | Community Housing |
| | Children's Services |
| | Social Assistance and Employment Opportunities |
| Public Health and Emergency Services | Public Health |
| | Emergency Medical Services |
| Corporate Services | Information Technology |
| | Facilities |
| | Court Services |
| Niagara Regional Police Service | Police Services |

Notes on the reporting in the 2021 Corporate Asset Management Plan.

1. Transit reporting includes only information on vehicle assets that the Region originally purchased under the 2021 management structure. It does not include all the assets that the new Niagara Transit Commission (NTC) will assume. That information is not available at the time of preparing the 2021 CAMP. To meet legislative requirements, NTC assets will be in an asset management plan prepared in 2024.

2. Almost all the Region's assets are in the 2021 CAMP. The only significant exception is furnishings for the Region's offices, which is not included because of insufficient data. Other assets not reported are Land, Forestry and miscellaneous equipment.

Subject: Financial Enterprise Resource Planning System Shared Services Agreement

Report to: Corporate Services Committee

Report date: Wednesday, June 15, 2022

Recommendations

1. That staff **BE AUTHORIZED** to enter into negotiations with the City of St. Catharines regarding a financial enterprise resource planning (ERP) system implementation work plan, project agreement, and shared services agreement;
2. That Regional Council **DELEGATE AUTHORITY** to the Commissioner of Corporate Services and Director of Legal Services to enter into the agreements; and
3. That upon execution of the agreement, staff **BE AUTHORIZED** to hire up to four (4) new permanent FTE, to be fully funded by the City of St. Catharines under the terms of the agreements, to provide the implementation and ongoing system support.

Key Facts

- The purpose of this report is to seek Council's approval to enter into discussions with the City of St. Catharines to establish an implementation work plan, project agreement, and a shared services agreement for Niagara Region to become their financial enterprise resource planning (ERP) system and support provider.
- The Region has proposed a model that will require up to four (4) net new permanent FTEs to support the City, to be fully funded by the terms of the project and annual support agreement.
- This initiative aligns with one of the recommendations from the KPMG sustainability review, to explore opportunities for integration of service delivery with the Region's local area municipal partners.

Financial Considerations

In 2021, the City of St. Catharines engaged EY to estimate the costs associated with implementing a new financial enterprise resource planning (ERP) system on their own, compared with the costs to partner with the Region to leverage our system. EY estimated a net present value (NPV) of \$12.3 million to go it alone, compared with an

NPV of \$7.1 million to partner with the Region. EY presented to City Council that they would see an NPV estimated savings of \$5.2 million by using the Region's system.

Region staff challenged some of the assumptions used in EY's report to further refine those estimates, based on our own implementation experience in 2016 coupled with existing in-house skills and knowledge. The Region estimates that a partnership would have an NPV of \$9.6 million, compared to a stand alone NPV of \$12.8 million, which is still an estimated NPV savings of \$3.2 million to the City versus going it alone. The reduction relates primarily to fact that the Region is proposing to be involved in the pre-implementation project phase as well as an understatement of sustainment resources.

By staff's estimation, in a partnership, the City will cover all incremental costs to the Region for shared services support, which are identified as internal backfill costs during the project, up to four (4) new permanent FTEs, incremental software licensing costs, and hardware, infrastructure, and overhead costs. These costs are subject to further negotiation with the City to finalize the overall structure of the project, implementation work plan, timelines, and sustainment support model.

Analysis

In February 2016, Niagara Region went live with a new financial enterprise resource planning (ERP) system (specifically, PeopleSoft Financials, and Hyperion for budgeting and forecasting) to transform and modernize our financial management processes. At the time, the Region ensured the licensing agreement for the software could be extended to the local area municipalities, should any of them choose to review their own systems in the future.

The City of St. Catharines (the City) has been reviewing opportunities to modernize City processes and improve service delivery in recent years. In 2019, under the province's Audit and Accountability Fund, the City engaged Ernst & Young LLP (EY) who identified an opportunity to replace and improve outdated technical systems. (See City of St. Catharines Audit and Accountability Fund – Public Report (CAO-249-2019) (<https://stcatharines.civicweb.net/document/72767>).)

Under the second intake of that fund in 2021, EY was further engaged to complete a feasibility analysis and recommendation for the City to upgrade outdated financial systems and software with a more robust solution. (See City of St. Catharines Audit and Accountability Fund Intake 2 – Public Report (CAO-154-2021) (<https://stcatharines.civicweb.net/document/90560>).)

Through these engagements, the City began making inquiries regarding the potential to leverage the Region's ERP. In September 2020, Region staff provided a demonstration of PeopleSoft Financials for City staff. During the 2021 EY engagement, Region staff were interviewed regarding our implementation process, as well as the current structure, processes, and policies supporting our use of the ERP. The Region also had the opportunity to provide feedback on a draft of the 2021 EY report before it was presented to City council, although much of staff's comments were unfortunately not reflected in the final version.

Both the Region and City agree, this partnership is a shared services opportunity between municipalities. This type of cooperation between municipalities has been a focus of the provincial government in past years. The Region's sustainability review, completed by KPMG in 2020, identified integration of service delivery with LAMs as a potential opportunity for cost reduction. In this instance, the City gets the benefit of the Region's large scale ERP, as well as our years of experience supporting the system, without the same scale of initial expense outlay. In addition, the PeopleSoft Financials skills set becomes transferrable as staff take new roles between municipalities, meaning less time is required to onboard from a systems perspective. The Region gets the benefit of additional staff resources for the ERP Support team who can be cross-trained for deeper bench strength and more sustainable long-term support.

Systems will be set up in a way that Region users would not have access to City financial data, and vice versa, which will simplify support of the system when issues arise, and basic processes will be the same for both organizations (how an invoice is entered by an Accounts Payable Clerk will be the same for both Region and City staff, for example). In addition, the City gets the benefit of the existing ERP Support team resources, meaning fewer new FTE are required than originally proposed by EY, since backup, vacation coverage, and cross-training can be provided by Region staff.

The end result is that on October 4, 2021, City Council approved a recommendation to support EY's findings that the City should pursue moving to PeopleSoft Financials as the City's ERP, and that staff work with the Region to develop an operating model and shared services agreement for the City to leverage the Region's instance of the software.

A small working group of Region Finance and IT staff developed a proposed operating model and high level costing estimates that suggest a pre-implementation, implementation, and sustainment support structure to become the City's ERP Support provider. This model is slightly different than the one proposed by EY, but reflects what

Region staff believe aligns best with both the Region and the City's needs, resources, and time available. The ERP Support team, put in place with the corporate restructure that occurred as part of the 2016 system implementation, is very lean. Deloitte, the Region's implementation partner, had recommended a team of up to 15 resources, and the Region moved forward with only eight. As such, the Region does not have internal capacity to take on this support work, so additional FTE resources will be required for dedicated City support. The draft model was shared with the Region's Corporate Leadership Team (CLT) in November 2021, and with CLT's approval, staff shared it with the City early in 2022. The City agreed that it aligned at a high level with their expectations and budget. A summary of the project phases are described below.

Phase 1 – Pre-implementation

The Region will assign existing internal resources to support the project, including a project lead, a Senior ERP Business Analyst (functional support), Senior ERP Systems Analyst (technical support), with various subject matter experts from teams across the Region called upon as needed to provide input on processes and policy. The project lead will work with City project staff to develop the City's RFP for an integration partner. Over the first 6-12 months, the project team and integrator will work together on:

- Organizational structure realignment
- Report rationalization
- Chart of accounts development
- Sub-system interface requirements assessment
- Data cleansing
- Business process analysis
- Policy development (budget control, procurement by-law amendments, etc.)

Recruitment will take place for the backfilled resources so onboarding is completed prior to the implementation phase. The intent is that the backfills will become the permanent City support in the sustainment phase; they will have the benefit of more than a year of cross-training under the Region's structure before moving to the City portfolio.

Phase 2 – Implementation

The Region's project resources will be assigned full-time for the implementation phase. This phase is estimated to take 12 months and includes:

- Mobilization and planning, with baseline configuration

- Design, build, configuration, and unit testing
- System integration testing (SIT) and user-acceptance testing (UAT)
- Training
- Cutover/go-live

Phase 3 – Sustainment

Ideally, the City would like to go-live with using PeopleSoft Financials on January 1, 2024. Given the time taken to have upfront discussions on the model, that date may no longer be feasible. However a cut-over as early as possible in 2024 is still the goal, at this time.

Post go-live, the Region is proposing that permanent FTE are added to the ERP Support team, fully funded by the City shared services agreement, and dedicated to City support.

As conversations with the City have progressed, they identified that they would like to bring Hyperion for budgeting and forecasting into scope of the arrangement. Region staff are still identifying the impact to the proposed support model and costing; however, both parties have agreed that in order to accomplish this, some PeopleSoft Financials modules may need to be brought online post-go live (such as project costing and asset management). This aligns with the approach the Region took during our own implementation in 2016, so staff believe this is reasonable.

Next Steps

With Regional Council approval of this report, the next steps will be as follows:

- July 2022: The City will report to St. Catharines Council for approval to proceed with partnership
- Q3 2022: Negotiate project plan and agreement, proceed with RFP for implementation partner
- Q4 2022: Negotiate shared service agreement, proceed with hiring the backfill resources, pre-implementation phase begins
- 2023: Implementation phase
- 2024: Go-live and sustainment phase

It is worth noting that since discussions began with St. Catharines, the City of Niagara Falls has reached out as they are keen to explore a similar partnership to replace their

own legacy financial systems. Niagara Falls has recently retained EY to undertake a similar review as St. Catharines, and Region staff provided a demonstration to the Niagara Falls team in March of this year. The Region expects that upon successful completion of the St. Catharines project, a similar project with Niagara Falls is likely to begin.

Risks

While there are significant advantages to this partnership, as noted above, there are identified risks as well:

- Should recruitment of critical ERP support roles prove to be a challenge, the Region and City would have to rely on existing team resources in the interim and then collectively assess the impact to timelines of a multi-year implementation strategy, alternative recruitment strategies, etc. This would also impact Region-side system enhancements through the transition.
- The Region has never implemented an ERP for anyone else, therefore there is a risk around cost estimates used in the model. The intent is this will be mitigated with a time and materials project agreement.
- The incremental cost increase by adding the City to the Region's software license is permanent. Therefore, should the City for any reason wish to exit the agreement, they would still be liable for the incremental City-related license cost, until such time as the Region is no longer using PeopleSoft Financials.
- Any Region decisions regarding future ERP strategy will impact the City. The City is requesting a minimum 10-year commitment, which binds the Region to the current financial ERP for this duration. However, the City has indicated that they desire to continue this relationship for the foreseeable future.
- Coordination of system downtime for security patches, fixes, upgrades, etc. could impact business processes for all Region staff. A strategy for coordination will be discussed in the service agreement.

Alternatives Reviewed

This type of agreement is new to the Region. As such, there are inherent operational and financial risks that staff may have underestimated the resources and time needed to complete this project and support the City going forward. Council could choose not to approve the recommendations in the report, which would mean the City would have to proceed with looking for an alternate software and support solution, likely either at a much greater cost than proposed by the Region, or much less available functionality.

This is not recommended, due to the alignment with the recommendation of the KPMG sustainability review to pursue shared services opportunities with our local area municipality partners.

Relationship to Council Strategic Priorities

This report ties to the Council Strategic Priority of Sustainable and Engaging Government, in particular the objectives to promote high quality, efficient, and coordinated core services, and be fiscally sustainable.

Other Pertinent Reports

[CSD 55-2020](https://pub-niagararegion.escibemeetings.com/Meeting.aspx?Id=b4176fca-9b55-4570-8d9b-82ce6e61da09&Agenda=Merged&lang=English&Item=11&Tab=attachments) Sustainability Review Final Report
(<https://pub-niagararegion.escibemeetings.com/Meeting.aspx?Id=b4176fca-9b55-4570-8d9b-82ce6e61da09&Agenda=Merged&lang=English&Item=11&Tab=attachments>)

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This report was prepared in consultation with Erin Amirault, Associate Director, Finance Operations and Systems, Nora Charette, Manager, ERP Business Support, Laura Ford, Manager, ERP System Support, and Stuart Hendrie, Chief Information Officer.

Appendices

None

Subject: Regional Development Charges Deferral Request – 683 York Road, Niagara-on-the-Lake

Report to: Corporate Services Committee

Report date: Wednesday, June 15, 2022

Recommendations

1. That the request for payment deferral of Regional Development Charges associated with 683 York Road, Niagara-on-the-Lake, **BE DENIED**; and
2. That this report **BE CIRCULATED** to the Town of Niagara-on-the-Lake.

Key Facts

- The purpose of this report is to provide further information to Corporate Services Committee regarding the Committee delegation made on behalf of the property owner of 683 York Road, Niagara-on-the-Lake (NOTL) for the deferral of Regional Development Charges (RDC) until the development is ready for occupancy and to recommend that Committee deny this request.
- As per the Regional Development Charges Deferral Policy this property does not meet the criteria for development types that are eligible for deferral.
- The total RDCs requested to be deferred for this property are estimated to be \$1,039,363 based on 2022 rates as outlined in Table 1.

Financial Considerations

Currently, there are no financial considerations associated with the report. At the present time, the property is ineligible to receive a deferral of the payment of RDCs under the Regional Development Charges Deferral Policy. Should Council elect to extend a deferral to this property, the deferral is estimated to be \$1,039,363 based on 2022 commercial DC rates as outlined in Table 1. If a deferral is extended to the property there will be a financial impact to the Region of lost interest that could be otherwise earned.

Table 1 – Summary of Development Charges

| Building Type | 2022 Rate | SQFT | Total DC Payable |
|----------------------|------------------|-------------|-------------------------|
| Commercial | \$ 14.20 | 73,194.59 | \$ 1,039,363 |
| Industrial | \$ 5.89 | 73,194.59 | \$ 431,116 |

Committee should be aware that the rate at which RDCs are charged is based on use as defined in the RDC By-law 2017-98. Regional Staff informed NOTL's Chief Building Official that the Commercial RDC rate was to be charged at the time of permit issuance as they could not confirm the eventual use of the building. Should the use of the property meet the definition of industrial use under the By-law once the tenants are secured, the difference in RDCs payable between the commercial and industrial rate will be refunded.

Analysis

On March 18, 2022, the Region's RDC Team received correspondence from Emilio Raimondo (Architect, Raimondo & Associates). In this email it was identified that the property owner was in the process of obtaining a building permit to construct the shell of their superstructure at 683 York Road, NOTL. This email was to request that the Town of NOTL provide a conditional permit agreement without payment of Regional and Municipal DCs as they would be seeking to defer these charges. Further communications resulted in a request for the Region to provide a deferral of RDCs payable until a future date. Based on the information provided it was determined that a foundation permit for the property was issued in 2007. At the time of foundation permit issuance RDCs payable at that time were deferred. RDCs are payable upon building permit issuance, however in 2007 the DCA was not clear that payment was at first building permit issuance, therefore collecting payment at that time was left to interpretation of the Chief Building Official. A foundation was constructed, however no further permits were obtained for the building until the request for a shell permit in 2022.

There is no provision in the Regional Development Charges Deferral Policy that would allow for a deferral of RDCs payable for this property. The RDC Deferral Policy outlines specific development types that are eligible for RDC deferral under the policy which are:

- Affordable housing developments that received funding through an agreement with Niagara Regional Housing or designated agency of Niagara Region.
- Developments that have received conditional/pending approval for a RDC grant.

- Developments that Regional staff have identified as eligible for a future Municipal Capital Facility Agreement where RDCs will be exempted.
- Developments that are eligible for a transitional provision in an approved Regional development charge By-law.

Staff informed Mr. Raimondo that there were no provisions under the deferral policy for which this project was eligible. Staff noted that the Niagara Region in its current DC By-law has an Industrial Use DC Grant Program and instructed the developer how to apply online. Staff noted that if the developer believed that the building would meet the definition of industrial as noted in the application, they would be encouraged to submit a grant application before or within 90 days of receiving their building permit up to August 31, 2022 when the DC By-law expires and this program is no longer available. A new Employment RDC grant program was approved under the Niagara Region Incentives Policy and could be available to the development if they meet the outlined criteria.

Subsequent communications with Mr. Raimondo revealed that the eventual tenants of the proposed structure at 683 York Road had not yet been secured, therefore it was unknown if the building would meet the definition of industrial use to be eligible for receipt of the Industrial Use Development Charge Grant Program. Due to the uncertainty of the intended use of the building, Regional Staff informed the developer that they would be required to pay RDCs in full at the time of permit issuance. However, if the developer did secure a tenant that meets the RDC By-law's Industrial Use definition during or post-construction that the Region would re-evaluate their application at that time. If approved the Regional portion of DCs could be refunded up until August 31, 2022. At this time, a building permit can be issued without knowing the eventual use of the building as the current permit application is to construct the shell, or superstructure, only for an Industrial building complex. The property's classification for zoning and the determined use for the calculation for DCs can vary, zoning outlines specific use that is permitted on a property, in this case the current zoning allows for industrial with some commercial activity, however determination of use for DCs is specific based on definitions as outlined in the RDC By-law. There will be additional permits for the interior fit out of each unit, at that time the exact intended use for each unit will need to be known.

On April 7, 2022 Michael Colaneri and David Morse brought forward a delegation to NOTL's planning committee. As a result of this delegation NOTL Council approved a motion to defer municipal DCs until the building is ready for occupancy. This motion was further amended on April 25, 2022 when NOTL Council approved the following amended motion:

With respect to 683 York Road, Council defer the development charge payments until the building is ready for occupancy; and further that Council refer the request to the Niagara Region to request a deferral of the collection of the Niagara Region's portion of the development charges, and if approved and subject to the approval of the Town's Chief Building Official, a building permit be issued.

Given that the proposed development does not meet the criteria to be eligible for deferral of RDCs under the Regional DC Deferral Policy, staff recommends that the request to defer RDCs be denied.

Alternatives Reviewed

Any deferral or extension outside of the existing RDC Deferral Policy or any grant awarded outside of an existing grant program would be in contravention of the current DC By-law 2017-98 and Regional Development Charges Deferral Policy. Though Council can offer a deferral under section 27 of the Development Charges Act, Regional Staff does not support the extension of a deferral agreement with regard to the property as Staff have prepared a Council-approved deferral policy to avoid deferral requests not tied to items outlined in the policy.

Relationship to Council Strategic Priorities

RDCs are the major source of funding for growth projects in the capital budget. As such, RDCs assist in achieving the strategic priorities of a fiscally sustainable government.

Other Pertinent Reports

None.

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Submitted by:

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Chief Administrative Officer

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

Subject: Approval of the Statement of Revenues and Expenditures for Canada Summer Games at Substantial Completion

Report to: Corporate Services Committee

Report date: Wednesday, June 15, 2022

Recommendations

1. That the draft audited statement of revenues and expenditures for the Canada Summer Games Park Project for the period ended February 11, 2022 (Appendix 1 to Report CSD 24-2022), **BE APPROVED**;
2. That staff **BE DIRECTED** to co-ordinate with the auditor to finalize the statement as presented; and
3. That this report **BE FORWARDED** to the Region's Audit Committee and to the Minister of Heritage, Sport, Tourism and Culture Industries for information as required.

Key Facts

- The purpose of this report is to obtain approval of the draft audited statement of revenues and expenditures ("the statement") to satisfy the compliance audit requirement in the Investing in Canada Infrastructure Program (ICIP): Community, Culture and Recreation Infrastructure Steam agreement (the "agreement").
- The agreement is between the Minister of Heritage, Sport, Tourism and Culture Industries (the "Province") and the 2021 Canada Games Host Society Inc. (the "CSG Host Society").
- On June 30, 2020, The Regional Municipality of Niagara (the "Region") executed a Transition Agreement with the CSG Host Society, setting out the details, including preconditions, to the transition of the responsibility to the Region for managing the remaining construction of the Canada Games Park.
- Provincial Consent to proceed with the transfer of responsibility was executed on May 12, 2021, and the Region and CSG Host Society finalized the transition on May 31, 2021.
- Section D.8.0 of the Transfer Payment Agreement (the "TPA") details the requirement for a compliance audit. The Region and the Province came to a written agreement that the compliance audit shall be conducted in accordance with section 805 of Canadian Auditing Standards – Audits of Single Financial Statements and Specific Elements, Accounts of Items of a Financial Statement.

- Two compliance audits are required to be completed over the course of the capital project. The first compliance audit was approved through Report CSD 15-2022, for the period ended March 31, 2021. The second compliance audit presented in Appendix 1 to Report CSD 24-2022, is for the period from April 1, 2021 to February 11, 2022, the date of substantial completion.

Financial Considerations

The draft audited statement has been prepared in accordance with the financial reporting provisions in the agreement and subsequent amending agreements with the Province.

A copy of the draft audited statements for the capital project for the period ended February 11, 2022, is attached in Appendix 1 to Report CSD 24-2022.

The statement is prepared specifically for the purpose of meeting the requirements outlined in the agreement and may not be suitable for other purposes.

Analysis

The Region's auditors, Deloitte, completed the audit of the statement for the Canada Summer Games capital project for the period ended February 11, 2022. The auditors have indicated that, in their opinion, the financial information for the period ended February 11, 2022, is prepared, in all material aspects, in accordance with the financial reporting provisions in the agreement.

The statement shows that between April 1, 2021 and February 11, 2022, \$39,676,815 of eligible project costs and \$95,205 of ineligible costs were incurred. As of February 11, 2022 the total expenditures to date on the project were \$102,461,695. While most revenue to support the project have been recognized, the project team continues to collect fundraising revenue to support the project and the projects final financial position is expected to be known later this year. As of May 2022, The Region has been advised that the fundraising team is on track to secure the planned fundraising revenues.

A breakdown of the costs and revenue have been included in the statement attached as Appendix 1 to Report CSD 24-2022.

Alternatives Reviewed

The audited statement is prepared in accordance with the agreement; therefore no alternative is available.

Relationship to Council Strategic Priorities

Providing formal financial reporting to Council and the public supports Council's strategic priority of Sustainable and Engaging Government.

Other Pertinent Reports

- CAO 16-2019 – Canada Summer Games Budget Initiation
- CSD 64-2020 – Canada Summer Games – Transition Update
- CSD 67-2020 – 2021 Canada Summer Games Agreements – Update and Next Steps
- CAO 11-2020 – 2021 Canada Summer Games Event and Project Update
- CSD 42-2020 – Canada Summer Games Agreements Update and Next Steps
- CAO 10-2021 – 2022 Canada Summer Games Update
- CSD 55-2021 – Canada Summer Games Budget Increase
- CSD 15-2022 – Approval of the Statement of Revenues and Expenditures for Canada Summer Games

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Chief Administrative Officer

This report was prepared in consultation with Helen Chamberlain, Director
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Appendices

Appendix 1 Statement of Revenues and Expenditures for Canada Summer Games

Statement of Revenues and Expenditures

The Regional Municipality of Niagara
Canada Summer Games Project

For the period ended February 11, 2022

The Regional Municipality of Niagara

Canada Summer Games Project

For the period ended February 11, 2022

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Independent Auditor's Report

To the Minister of Heritage, Sport, Tourism and Culture Industries

Opinion

We have audited the Statement of Revenues and Expenditures (the "Statement") of the Regional Municipality of Niagara (the "Region") – Canada Summer Games Project (the "Project") for the period ended February 11, 2022 (the "Period"), including a summary of significant accounting policies.

In our opinion, the accompanying Statement of the Region for the period ended February 11, 2022 is prepared, in all material respects, in accordance with the financial reporting provisions of the Transfer Payment Agreement dated August 30, 2019, the First Amending Agreement dated November 1, 2020, the Second Amending Agreement dated March 26, 2021 and email correspondence from the Ministry dated October 4, 2021 (collectively referred to as 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 Statement* section of our report. We are independent of the Region in accordance with the ethical requirements that are relevant to our audit of the Statement in Canada, and we have fulfilled our other ethical responsibilities in accordance with these requirements. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our opinion.

Emphasis of Matter - Basis of Accounting

We draw attention to the fact that the Statement has been prepared in accordance with the Guidelines. The Statement is prepared to assist the Region in complying with the financial reporting provisions of the Guidelines. As a result, the Statement 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 Statement

Management is responsible for the preparation of the Statement in accordance with the Guidelines, and for such internal control as management determines is necessary to enable the preparation of the Statement 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 Statement

Our objectives are to obtain reasonable assurance about whether the Statement 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 Statement.

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 Statement, 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 23, 2022

The Regional Municipality of Niagara

Canada Summer Games Project

Statement of Revenues and Expenditures

For the period ended February 11, 2022

| | Budgeted | Actual Expenditures Incurred | | | |
|-------------------------------------|-----------------------|---|---|---|-----------------------|
| | | Total Expenditures up to March 31, 2021 | Eligible Expenditures since April 1, 2021 | Ineligible Expenditures since April 1, 2021 | Total Expenditures |
| | Total Expenditures | | | | |
| EXPENDITURES: | | | | | |
| Building Permits and Site Plan Fees | \$ 453,774 | \$ 453,774 | \$ - | \$ - | \$ 453,774 |
| Construction | 91,242,051 | 56,659,491 | 38,361,796 | - | 95,021,287 |
| Architectural and Design | 4,154,988 | 3,768,336 | 565,904 | - | 4,334,240 |
| Administration | 275,621 | 276,639 | 15,043 | - | 291,683 |
| Project Management | 212,118 | 460,978 | 131,883 | - | 592,861 |
| Technical Studies | 288,056 | 70,456 | 22,992 | - | 93,448 |
| Furniture and Equipment | 288,500 | - | 372,911 | - | 372,911 |
| Other Host Managed Expenses | 5,914,540 | - | 206,286 | 95,205 | 301,491 |
| TOTAL EXPENDITURES | \$ 102,829,648 | \$ 61,689,675 | \$ 39,676,815 | \$ 95,205 | \$ 101,461,695 |

The Regional Municipality of Niagara

Canada Summer Games Project

Statement of Revenues and Expenditures

For the period ended February 11, 2022

| | | Actual Revenues | | | |
|---|--------------------|-------------------------------------|------------------------------|--------------------------------------|--------------------|
| | Estimated Revenues | Total Revenues up to March 31, 2021 | Revenues Since April 1, 2021 | Ineligible Costs since April 1, 2021 | Total Revenues |
| REVENUES: | | | | | |
| Federal: | | | | | |
| Year 1 | \$ 5,800,000 | \$ 5,800,000 | \$ - | \$ - | \$ 5,800,000 |
| Year 2 | 17,400,000 | 17,400,000 | - | - | 17,400,000 |
| Year 3 | 5,800,000 | - | 5,800,000 | - | 5,800,000 |
| Provincial: | | | | | |
| Year 1 | 5,800,000 | 5,800,000 | - | - | 5,800,000 |
| Year 2 | 17,400,000 | 17,400,000 | - | - | 17,400,000 |
| Year 3 | 5,800,000 | - | 5,800,000 | - | 5,800,000 |
| Participants: | | | | | |
| Region | 20,036,786 | 12,237,912 | 7,703,668 | 95,205 | 20,036,786 |
| City of St. Catharines | 10,000,000 | 3,000,000 | 7,000,000 | - | 10,000,000 |
| City of Thorold | 5,000,000 | - | 5,000,000 | - | 5,000,000 |
| Brock University | 4,387,674 | - | 4,387,674 | - | 4,387,674 |
| Other Contributions: | | | | | |
| Fundraising - Ineligible Expenditures | 3,819,508 | 20,482 | 2,948,237 | - | 2,968,719 |
| Fundraising - Eligible Expenditures | 1,585,680 | 31,281 | - | - | 31,281 |
| TOTAL REVENUES | 102,829,648 | 61,689,675 | 38,639,579 | 95,205 | 100,424,460 |
| DEFICIENCY OF REVENUES OVER EXPENDITURES | | | | | |
| | \$ - | \$ 0 | \$ (1,037,235) | \$ - | \$ (1,037,235) |

The Regional Municipality of Niagara

Canada Summer Games Project

Notes to the Statement of Revenues and Expenditures

For the period ended February 11, 2022

1. Summary of significant accounting policies

The Statement of Revenues and Expenditures of The Regional Municipality of Niagara has been prepared by management in accordance with the financial reporting provisions in the Transfer Payment Agreement dated August 30, 2019 between the Ministry of Heritage, Sport, Tourism, and Culture Industries and the 2021 Canada Games Host Society Inc. as well as the First Amending Agreement, dated November 1, 2020 and Second Amending Agreement, dated March 26, 2021 (the "Agreement").

Significant accounting policies are as follows:

a) Revenue and expenditures

Revenue is recorded when earned.

Expenditures are recorded in the period incurred, in accordance with the eligibility criteria described in the Agreement.

b) Capital assets

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

c) Use of estimates

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

2. Funding agreement

The Ministry of Heritage, Sport, Tourism, and Culture Industries and the Federal Government will each fund up to \$29 million of eligible project expenditures incurred after project start date of August 30, 2019. Funding by The Ministry of Heritage, Sport, Tourism, and Culture Industries and the Federal Government will be payable in accordance with the terms and conditions of the Agreement and may be clawed back if the total financial assistance received or due in respect of the total project exceeds the total budgeted eligible expenditures of the project as per the Agreement.

Subject: Lodging Houses – Business Licensing By-law

Report to: Corporate Services Committee

Report date: Wednesday, June 15, 2022

Recommendations

1. That this report be **RECEIVED** for information;
2. That staff **BE DIRECTED** to issue a response to The Corporation of the City of Port Colborne (“Port Colborne”) advising that The Regional Municipality of Niagara does not currently have legislative authority to implement a business licensing regime in respect of lodging houses;
3. That the CAO **BE DIRECTED** to work with CAOs at the local area municipalities (“LAMs”) to develop one universal business licensing by-law at the local level; and
4. That the Regional Chair, in cooperation with the mayors of all of the LAMs, **BE DIRECTED** to send a resolution to the Minister of Municipal Affairs to develop a provincial solution to this issue.

Key Facts

- On April 26, 2021, Port Colborne Council passed a motion (the “Port Colborne Motion”) providing that a request be issued to the Region’s business licensing department to consider implementing the licensing of lodging houses in the Niagara Region; that was subsequently communicated by Port Colborne Staff to Regional Staff for review.
- Staff have considered the matter, including a legal review and jurisdictional scan of the approach to this issue by other Regional municipalities.
- The Region does not currently have the authority under the *Municipal Act*, 2001, to enact a business licensing regime in respect of lodging houses; which authority rests with the local area municipalities who are also best equipped from an operational perspective to implement such a regime.
- At the Regional CAOs’ meeting of June 3rd, 2022, a draft of this report was shared and discussed with the CAOs in agreement; to develop one universal by-law for approval at the local level; and to develop a framework for cooperative effort in enforcing that by-law once it is approved by all of the LAMs.

Financial Considerations

While there are no direct financial implications arising from this report, it is noteworthy that the ‘uploading’ of business licensing in this area (as explained in the ‘Alternatives’ section, below) would attract considerable costs as the Region does not currently have the resources or expertise to provide the necessary oversight required to implement a licensing regime in this area.

Analysis

A. Background

A lodging house (also referred to as a “rooming” or “boarding” house)¹ is typically a living accommodation where sleeping quarters are rented on a per room basis with each tenant having their own separate lease with the property owner. That is, a resident has exclusive use of a specific “room” within the house, with one or more other areas of the building being shared amongst tenants (e.g., kitchen, bathrooms ...etc.). Accordingly, while tenants may live under a single roof, they do not function as a single housekeeping unit. Often, this type of housing arrangement accommodates vulnerable populations that have difficulty living independently (e.g. persons with mental health or physical health challenges) and/or those who have low income.

In 2017, Community Services staff brought a report to the Public Health and Social Services Committee (Report COM 17-2017, attached as Appendix 1 to Report CSD 29-2022), wherein staff identified concerns with lodging houses operating in some of the local area municipalities within Niagara Region. At that time, staff sought direction to establish

¹ Several pieces of legislation and other regulatory instruments provide various definitions of ‘lodging house’: (i) Municipal Act (Ontario) states that a “lodging house” means any house or other building or portion of it in which persons are lodged for hire, but does not include a hotel, hospital, long-term care home, home for the young or institution if it is licensed, approved or supervised under any other Act (s.11.1); (ii); Building Code states that a boarding, lodging or rooming house mean a building (a) that has a building height not exceeding three stores and a building area not exceeding 600m² (b) in which lodging is provided for more than four persons in return for remuneration or for the provision of services or both and (c) in which the lodging rooms do not have both bathrooms and kitchen facilities for the exclusive use of individual occupants [note: the same definition is used in the Fire Code, see ss. 9.3.1.1].

a local working group with local area municipalities in order to assess options to address some of these concerns, including investigating the potential benefits of a by-law to regulate lodging houses in the Niagara Region. A product of those discussions was the development of a draft commonly worded by-law (for consistency across the Niagara Region) that could be enacted by the local area municipalities who have legal jurisdiction over lodging houses.

On April 26, 2021, Port Colborne staff brought a report to its Council, which included a draft by-law and the following recommendations:

That Council request the Niagara Region's Licencing Department staff to implement licencing of lodging houses in the Niagara Region; and

That, if Regional staff does not wish to pursue Regional licencing of lodging homes, City staff are directed to initiate the process of licencing at the municipal level.

Port Colborne's report is attached as Appendix B to Report CSD 29-2022.

B. Authority to Enact a Lodging House Business Licensing Regime

In section 11 of the *Municipal Act*, 2001 (the "Act"), both upper and lower tier municipalities have been granted relatively broad and general authority to provide any service or things that is deemed by the municipality to be necessary and desirable for its constituents. However, that broad authority has limitations as provided for under subsection 11(4) of the Act which states that if a sphere or part of a sphere of jurisdiction is not assigned to an upper tier municipality as set out in the table found within subsection 11, the upper-tier municipality does not have the power to pass by-laws under that sphere and does not have the power to pass by-laws pursuant to the broad and general authority granted in the Act. In the case of business licensing of lodging houses specifically, jurisdiction is granted to lower-tier municipalities, with the specific exception in the region of York. On this basis, the Region does not have legal authority to pass by-laws in relation to lodging houses and any attempt to do so could be quashed as *ultra vires*.

C. Lodging House Licensing Regimes – A Jurisdictional Scan

Given that the Act does not provide upper-tiers with jurisdiction to enact business licensing by-laws in respect of lodging houses, it is not surprising that staff were unable to find any other upper-tier municipality (other than York Region) in a two-tier system who has proceeded with a lodging house bylaw; however, there are a number of lower-tier and single-tier municipalities who have enacted licensing bylaws that capture lodging

houses, including: Hamilton, Ottawa, Toronto, Kitchener, Waterloo, Guelph, Oshawa, London, Barrie, Brampton and Mississauga.

While each of the aforementioned municipality's by-laws varies in scope they all generally place similar requirements on licensees, including with respect to fire code inspections, property maintenance/standard bylaw compliance, building code and zoning compliance – all of which are legislative functions supported or performed by a lower-tier municipalities. Accordingly, lower-tier (and single-tier) municipalities are well positioned to manage a licensing regime of this nature. Conversely, the Region does not employ in-house expertise in any of these areas, which are also outside of its legal jurisdiction to enforce.

There has been some appetite to address the issue of regulating lodging homes at the provincial level with a view to ensuring a consistent licensing framework with minimum standards across the province (similar to the regulation of retirement homes which commenced in 2012). A private member's bill entitled, "Protecting Vulnerable Persons in Supportive Living Accommodation Act" has been introduced in the Ontario legislature no fewer than four times in the last five years.² The Bill requires persons who operate a supportive living accommodation in specified circumstances to hold a licence issued by the Minister and provides for a framework, to be supplemented by regulations, governing applications for and the issuance of licences, the obligations of persons who operate a supportive living accommodation under the authority of a licence, inspections, and complaints. The current iteration of the Bill passed first reading on December 9, 2021, but has died on the order table on account of the current election.

Alternatives Reviewed

- A. Notwithstanding the fact that the Region does not currently have the authority to pass a by-law in this area, the Municipal Act does include a regime to allow for the transfer of powers between tiers. Pursuant to section 189 of the Act, an upper-tier municipality may pass a by-law to provide for the transfer of all or part of a "lower

² Bill 135, Protecting Vulnerable Persons in Supportive Living Accommodation Act, 2017 was introduced by the then MPP for Welland, Cindy Forster and carried second reading and was referred to the Standing Committee on General Government where it remained. It received support from a number of municipalities. It was again introduced in 2018 as Bill 48, in 2020 as Bill 164 and in 2021, by Jeff Burch as Bill 81.

tier power” to the upper-tier municipality. An upper-tier transfer by-law requires a triple majority, being (i) a majority of all votes of the upper-tier council, (ii) a majority of the councils of all local municipalities having passed resolutions consenting to the assumption, and (iii) the total number of electors in the consenting local municipalities comprise a majority of all electors in the upper-tier municipality. While technically possible, this option is not recommended given that the Region, owing to its spheres of jurisdiction, and the other legislative regimes in place that regulate lodging houses (e.g. Building Code, Fire Code that rest with the local area municipalities), is not well positioned to manage many of the requirements required for a licensing regime of this nature to be effective.

- B. Staff could further investigate the possibility of a lower-tier municipality delegating the task of administering and enforcing its business licensing bylaw to the Region. Section 23 of the Act sets out the general powers of a municipality to delegate (subject to some restriction) to another person or body that could be considered further. However, for the same reasons that the ‘transfer’ of the lower-tier power to the Region is not recommended, so too is this option not recommended – the Region simply does not have the resources or expertise to provide the necessary oversight required to implement a licensing regime in this area.

Relationship to Council Strategic Priorities

The recommendation in this report is consistent with Council’s commitment to providing high quality, efficient, and fiscally sustainable core services.

Other Pertinent Reports

COM 17-2017

Prepared by:

Brian Wilson
Legal Counsel
Corporate Services

Recommended by:

Todd Harrison, CPA, CMA
Commissioner/Treasurer
Corporate Services

Submitted by:

Ron Tripp, P.Eng.
Chief Administrative Officer

This report was prepared in consultation with Adrienne Jugley, Commissioner Community Services and Angelo Apfelbaum, Manager Business Licensing.

Appendices

- | | |
|------------|---|
| Appendix 1 | COM 17-2017 – Rooming and Lodging Houses in Niagara |
| Appendix 2 | City of Port Colborne Report – Lodging House and Licencing By-law, April 26, 2021 |

Subject: Rooming and Lodging Housing in Niagara

Report to: Public Health and Social Services Committee

Report date: Tuesday, May 30, 2017

Recommendation

That staff **BE REQUESTED** to explore with local area municipalities options, including commonly worded by-laws, that may better ensure the provision of basic and humane necessities of life in boarding and lodging houses in Niagara.

Key Facts

- The purpose of this report is to seek Council's approval to investigate the potential benefits of a by-law to regulate boarding and lodging houses in Niagara.
- A boarding and lodging house is typically a house or building where a resident pays rent to a landlord not only for a room, but also to receive meals and possibly other services.
- This type of housing typically accommodates vulnerable populations that have difficulty living independently, such as persons with significant mental health or physical health challenges, who are on social assistance or have low incomes.
- During the course of inspection visits related to the physical environment or visits to residents by service agencies, staff have encountered very disturbing situations of lack of adequate food provision, risk of abuse and the existence of squalid living conditions in some boarding and lodging houses. Remedy for these conditions falls outside of the jurisdiction of any of the enforcement agencies that have had right of entry, including public health, fire or property standards.
- As of 2017 neither Niagara Region nor any of the local area municipalities have by-laws specific to boarding and lodging houses. This has further resulted in challenges for staff in both levels of government related to data collection, service standards, an ability to adequately respond to complaints and ensure safe and humane conditions of boarding and lodging house residents.

Financial Considerations

There are no direct financial implications arising from this report. Consideration of the costs and benefits of available options, including commonly worded by-laws, as well as a review of best practices in other Ontario jurisdictions can be conducted by staff with input from an existing local working group.

Analysis

Definition

A boarding and lodging house is typically a house or building where a resident pays rent to a landlord not only for a room (which may or may not be shared with other persons), but also to receive meals. Some housekeeping services might also be provided, such as a change of bedding, and sometimes resident medications are stored and distributed as part of the service provided. Boarding and lodging houses are considered in the *Residential Tenancies Act (HSC-1)*.

Scale

Data from Niagara Region Public Health and Emergency Services (NRPHEs) and Planning and Development Services suggests that there are approximately 23 to 65 boarding and lodging houses operating within 8 or 9 municipalities across Niagara. NRPHEs data confirms inspections in 2016 at 23 boarding and lodging houses with ten or more lodgers. These operations accounted for 0.4% of the total 5,764 fixed facilities inspected in 2016 under the purview of Public Health. Planning and Development Services has identified, through the 2017 MPAC assessment index, that there are approximately 65 boarding and lodging houses with various numbers of lodgers operating within the Niagara region. Exact numbers are not currently available, since in the absence of a license, boarding and lodging house operators do not have a duty to report.

Tenants

Boarding and lodging houses provide low rent accommodation, often to vulnerable populations, including those with physical or mental health concerns, and/or developmental disabilities. They are also a housing option for individuals with low income who have been discharged from institutions such as hospitals or correctional facilities. Tenants typically have very low incomes with sources such as social assistance (Ontario Disability Support Program (ODSP), or Ontario Works (OW)) or old age security. After paying operators for accommodation, food and services, these tenants rarely have any remaining funds to spend on food or services beyond those provided by the boarding and lodging house. It is therefore not surprising that government may be expected to hold operators accountable to ensure that the accommodation, food, and service tenants receive is sufficient to meet their needs.

Operators

In Niagara, boarding and lodging houses are operated by either private or non-profit operators. Should by-laws be established in a municipality, operators will expect clearly defined and consistent legislative requirements that support their ability to operate in an efficient and cost effective manner.

Legislation

Boarding and lodging houses are distinct from hotels, hospitals, long term care homes, retirement homes, or institutions for individuals with physical or mental health concerns or developmental disabilities, which are generally covered under other legislation.

Boarding and lodging houses have limited requirements under the provincial *Health Protection and Promotion Act*. Boarding and lodging homes in Niagara, that serve greater than ten boarders, are considered within the Food Premises Regulation, whereby the kitchen and food preparation practices are inspected. While this regulation addresses food handling and food safety concerns, it does not address other food related concerns such as number, frequency, and nutritional quality of meals provided.

Property Standards consider areas such as: safety/structural problems with buildings, pests (cockroaches), vital services (heat/hydro/water), and interior/exterior property maintenance. Non-compliance with property standards is handled by the appropriate local municipality.

Under the *Residential Tenancies Act, 2006*, landlords are required to not withhold the reasonable supply of any vital service, care service, or food that it is the landlord's obligation to supply. With no agreed upon standards for vital services, care services, or food provided at boarding and lodging houses, and no mechanism for ensuring adherence to standards, assurance of quality of life for lodgers is left to the purview of individual operators, or to tenants to address through a complaint process. The latter rarely occurs as all too often tenants find the process too daunting and complicated, or express an unwillingness to complain due to fear of eviction.

Governmental Partners

The examination of Niagara's experience with this sector of housing has involved a number of staff within the Regional and local municipal tiers of government, including: Community Services, Public Health, Planning and Development Services, Niagara Regional Housing (NRH), Mental Health, Niagara Regional Police; as well as municipal Fire and Emergency Services and the Ministry of Community and Social Services.

A group of community stakeholders has been meeting informally for some time and formally since March 2016 in response to growing concerns related to the well-being of tenants in some boarding and lodging houses operating within Niagara. This group includes representatives from mental health, community health, seniors services, municipal fire prevention, police, public health, legal aid and community services. The stakeholder group has spent significant time reviewing existing legislation that might apply to boarding and lodging houses, as well as gaining a better understanding of the impact of the sector on the local housing continuum and the population that resides in them. Further work to explore the merits and considerations of commonly worded by-laws should include local area municipalities' property standards and fire prevention, police, and public health.

Complaints

Anecdotal experience in Toronto suggests that housing conditions in unlicensed boarding and lodging houses are often substandard.¹ This appears to be consistent with the experience in Niagara. Complaints made by tenants, their friends and families, or community agencies received by local building and fire officials, Niagara Region Community Services, and NRPHEs, have raised concern that tenants in some boarding and lodging houses are not receiving adequate care service and/or food and may be at risk for exploitation.

In 2016, NRPHEs received 18 complaints linked to potential health hazards at boarding and lodging houses resulting in the issuance of 8 legal charges. These legal charges represent 33% of the total number of charges laid against inspected facilities in 2016.

A representative sample of complaints from tenants at some boarding and lodging houses to which Community Services or NRPHEs was asked to respond in 2016 includes:

- Units in disrepair: water leaking into walls, mould on walls, lack of running water, or toilets that do not flush;
- Tenants regularly feeling hungry because of inadequately sized meals or being denied meals by the operator;
- Tenants being denied healthy meal options to address health concerns such as diabetes or heart disease;
- Requiring tenants to give control of their finances to the operator as their “Trustee”, and then keeping the tenant’s money with a balance over and above that required by the operator for accommodation, food, and services provided;
- An operator relocating tenants to other properties without providing the tenant with reasonable notice or choice of location;
- Requiring a resident to purchase their medications at a pharmacy as directed by the operator;
- Concerns related to appropriate storage, distribution and administration of medications;
- Tenants not receiving medications as prescribed;
- An operator interfering with a tenant’s ability to enter or exit the facility at will, and freedom to associate with staff or access services from local service providers; and
- An operator actively coercing a tenant not to talk about or complain about their experience at the boarding and lodging house

¹ Hwang, S., Martin, R., Tolomiczenko, G., & Hulchanski, J. (2003). The Relationship Between Housing Conditions and Health Status of Rooming House Residents in Toronto. *Canadian Journal of Public Health / Revue Canadienne De Sante'e Publique*, 94(6), 436-440. Retrieved from <http://www.jstor.org/stable/41993739>

Conclusion

Community Services requests Council direction to investigate the feasibility and benefit of commonly worded by-laws to regulate boarding and lodging houses operating within Niagara. The potential purpose of by-laws would be to set standards with respect to food and service provision, as well as roles and responsibilities for setting and ensuring compliance to standards. By-laws would be intended to protect the interests of tenants while recognizing the unique role of boarding and lodging houses and respecting the needs of operators for a consistent regulatory framework.

Alternatives Reviewed

A review of best practices within Ontario has identified Ottawa, Hamilton, and London as having successfully implemented by-laws to regulate boarding and lodging houses.

Relationship to Council Strategic Priorities

Growing pressure on Niagara's limited rental housing market is increasing the importance of boarding and lodging houses as a critical component of Niagara's affordable housing spectrum. Improving the conditions of this sector will support the availability of quality permanent housing options for vulnerable community members who otherwise would be at risk of homelessness or rely on more costly resources such as local hospitals, or shelters.

Other Pertinent Reports

None

Prepared by:

Jeffrey Sinclair
Homelessness Action Plan Advisor
Community Services

Recommended by:

Adrienne Jugley
Commissioner Community Services
Community Services

Recommended by:

Valerie Jaeger, MD, PhD, MPH
Medical Officer of Health

Submitted by:

Carmelo D'Angelo, BSc, MPA
Chief Administrative Officer

This report was prepared by Jeffrey Sinclair in consultation with Chandra Hardeen, Manager Homelessness Services, Chris Gaspar, Manager Environmental Health, Heather Gillespie, Manager Community Mental Health, and Erik Acs, Planner and reviewed by Cathy Cousins, Director, Homelessness Services & Community Engagement.



Subject: Lodging House Licencing By-law

To: Council

From: Chief Administrative Office

Report Number: 2021-116

Meeting Date: April 26, 2021

Recommendation:

That Chief Administrative Office Report 2021-116 be received;

That Council request the Niagara Region's Licencing Department staff to implement licencing of lodging houses in the Niagara Region; and

That, if Regional staff does not wish to pursue Regional licencing of lodging homes, City staff are directed to initiate the process of licencing at the municipal level.

Purpose:

This report is prepared at the request of Council to provide recommended options to protect vulnerable tenants of Lodging Houses in Port Colborne. Lodging houses are unregulated, and staff feel that there is an opportunity to put regulations in place to protect the occupants of these residential facilities.

Background:

There are a number of lodging houses operating in Port Colborne. Lodging houses are defined in the City's Zoning By-law as:

Boarding or Lodging House: Means a dwelling in which the proprietor supplies, for gain lodging, with or without meals, to more than four persons, but does not include a group home, hotel, hospital or other establishment otherwise classified or defined in this By-law.

Lodging houses are also defined in the Building Code and the Fire Code. In many instances, lodging houses are operating as supportive living homes. Supportive living

homes often provide housing for low-income seniors and people with disabilities who need assistance to live on their own.

In the past, City staff have received complaints about the living conditions and safety conditions in lodging houses, however, the City has no enforcement tools to address these complaints because there is no existing regulation of lodging houses. Without provincial, regional, or municipal regulation, staff have no authority to enforce unsatisfactory conditions in these facilities.

Discussion:

Staff believe that it is important to regulate lodging houses in Port Colborne and see three options to introduce regulation.

Option 1 – Provincial Regulation

Staff believe that the regulation of lodging houses could come in the form of Provincial legislation that licences operations of this type Province-wide. This would be in the same manner that the Province regulates rental accommodations through the Residential Tenancies Act or nursing homes through the Nursing Homes Act. The local Member of Provincial Parliament introduced legislation to regulate supportive living accommodations in the provincial legislature in 2019 (Appendix A). The proposed bill has passed two readings in 2020 and has been referred to the Standing Committee on General Government.

Staff believe that provincial legislation is the preferred method to regulate lodging houses in Ontario, however there is no indication if the Private Member's Bill will pass the legislature or what the expected timing will be. Staff do not feel that there is a likelihood of a provincial solution to the lodging house issue.

Option 2 – Regional Regulation

Staff believe that another model for regulation of lodging homes is through a regional by-law that applies to the entire Niagara Region. Staff believe this model would be beneficial as it would create an operating environment that is consistent throughout the Region.

Port Colborne staff believe that, in the absence of Provincial regulation, Regional regulation is the next best option and is preferable to regulation at the City level. Staff have discussed this option with Regional staff and the initial indication is that the Region would prefer to have lodging by-laws passed at the City level rather than at the Regional level.

Option 3 – Municipal Regulation

A third option to provide a regulatory environment for lodging homes is for the City to enact a by-law that applies to this type of operation within Port Colborne. For several years, staff have been working on a draft by-law with various departments at the City, other municipalities and agencies, the City solicitor, and staff at Niagara Region.

Staff have developed a draft Lodging House Licencing By-law (attached as Appendix B). Staff believe that this by-law is a reasonable choice to implement in the event that a licencing regime is not implemented at either the Province or the Regional level. Staff believe that the Provincial or Regional licencing system is preferred over the municipal licencing system.

If Council decides to direct staff to bring the draft lodging House Licencing By-law before Council for consideration, staff would recommend holding a public open house to gather public comments about the proposed by-law and to provide an opportunity for operators of lodging homes to provide comments to Council.

Internal Consultations:

The proposed by-law has been the subject of several years of effort – both by City staff and external agencies. The Region and a number of other municipalities have worked on similar by-laws and these efforts have contributed to this draft by-law. The draft by-law has also been the subject of discussion at the City's Social Determinants of Health Committee. Likewise, the Region has administered a working group to help develop the draft by-law and the City's previous Deputy Fire Chief was an active contributor to the proposed by-law as a member of the working group.

More recently, staff have been actively working on tailoring the draft by-law to meet the City's needs. This exercise has included the Chief Administrative Officer as well as staff from the By-law Division, Fire Department, Clerk's Division, Planning Department and staff from Niagara Region Community Services.

Region of Niagara Comments:

The following background information has been provided by Niagara Region staff:

In 2017 Regional Council directed that regional staff create a working group with the mandate to explore with local area municipalities options, including commonly worded by-laws, that may better ensure the provision of basic and humane necessities of life in boarding and lodging houses in Niagara. This work was linked to the goal of Niagara's 10-year Housing and Homelessness Action Plan (HHAP) to provide safe, affordable housing options for all Niagara residents.

The challenge crossed multiple levels of government (Provincial, Regional, and Municipal) and areas of responsibility/jurisdiction (Fire, Residential Tenancies, Health, Mental Health, Police, and Food Safety). To address this, the working group engaged a variety of subject matter and sector experts from municipal government and community agencies, including: Homelessness Services, Social Assistance, municipal Fire Prevention, municipal Planning and By-law, Public Health (Mental Health and Environmental Health), Community Legal Clinic, and service providers. Differences in local context were addressed by including representatives from different local area municipalities, including Port Colborne.

Through a facilitated process the working group identified specific issues related to rooming houses to be addressed, identified the interests and needs of key stakeholders, developed a list of possible solutions, evaluated the possible solutions, and developed recommendations. The group also explored examples from different jurisdictions including Alberta, London, Ottawa, Hamilton, and local area municipalities. As a result of this process the group recommended the creation of a commonly worded By-law for Rooming Houses that could be adapted to meet the needs of local area municipalities. A draft commonly worded by-law was completed in December 2018 and shared with local area municipalities in 2019.

A staff member from Niagara Region who was involved in the regional working group and the preparation of the draft commonly worded by-law was available to the City of Port Colborne in a consultancy role during the development of the City's draft municipal by-law.

Financial Implications:

There would be a cost in staff time to implement and administer a licencing regime for lodging houses in Port Colborne. Staff would recommend implementing a licence fee to help mitigate the financial impact of administering the licencing program.

Public Engagement:

If Council chooses to direct staff to bring the draft by-law forward, staff recommend that a public meeting be held to receive comments from the community with respect to the proposed Lodging House Licencing By-law. If a public meeting is scheduled, staff will notify the proprietors of any known lodging houses in Port Colborne.

Conclusion:

Staff believe that it is important to provide protection to residents of lodging homes by regulating their operations in Port Colborne with a licencing regime. Staff are of the opinion that the most appropriate agency to establish licencing is the Province of Ontario, in the event that the Province is unwilling to regulate these activities, staff believe the Region of Niagara is the next most appropriate agency. If neither the Province, nor the Region undertakes licencing of lodging homes, staff recommend the attached licencing by-law be enacted at the City level.

Appendices:

- a. Appendix A – Article – Supporting Living Homes
- b. Appendix B – Draft Lodging House By-law

Respectfully submitted,

Scott Luey
Chief Administrative Officer
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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.

NDP MPP Jeff Burch tables legislation to protect vulnerable Ontarians in supportive living homes

Report 2021-116
Appendix A

QUEEN'S PARK- NOP MPP Jeff Burch (Niagara Centre) has announced a new private member's bill to regulate supportive living homes.

The Protecting Vulnerable Persons in Supportive Living Accommodation Bill provides a framework for operators and sets minimum standards that must be met so that tenants are no longer at risk.

"Residents of supportive living homes are some of the most vulnerable people in our province, and deserve to be protected.

"The sector remains unregulated with no minimum standards of care. We've heard too many shocking stories of high-risk adults and seniors being mistreated, neglected and left to live in deplorable conditions," said Burch on Tuesday during a press conference at the Ontario legislature.

"When things go wrong there is nowhere for residents and their families to turn, and these unlicensed private operators are allowed to carry on offering inadequate care to others.

"This legislation will finally require operators to be licensed to ensure all Ontarians in supportive living homes receive a high standard of quality of care, food and accommodation."

Supportive living homes include low-income seniors and people with disabilities who need assistance to live on their own, and also provide accommodation for people experiencing mental health and addictions issues.

Burch was joined at the press conference by Karen Barry, the daughter of a former supportive living home resident, who shared her father's first-hand experiences as a resident of an unregulated group home.

"In the home my father was placed in, he had to contend with unsanitary conditions, bed bugs in the apartments above him and rodent infestation in the basement below him that was also used for food storage," said Barry.

"He lived in fear and neglect and he paid a significant amount each month to do so. He ended up living a nightmare that I can't forget, I don't think he can either."

Burch's private member's bill, to be tabled Tuesday, will create a framework for inspection and complaint protocols, introduce new safeguards to protect residents, and will make failure to have a license a punishable offence with fines of up to \$7,000 per day.

"Alberta introduced provincial legislation to protect their vulnerable residents living in supportive living facilities almost a decade ago. We need action in Ontario to stop more vulnerable people suffering at the hands of these unlicensed for-profit operators," added Burch.

The Corporation of the City of Port Colborne

By-law No. _____

Being a By-law to provide for the licensing, regulating and governing of Lodging Houses.

WHEREAS section 151 of the Municipal Act, R.S.O. 1990, c. M.45, as amended, provides that the Council of a local Municipality may pass by-laws for licensing, regulating and governing any business carried on within the Municipality.

AND WHEREAS on the following dates, the City held open houses and public meetings with respect to the licensing proposal: **(add dates)**

AND WHEREAS Council of the Corporation of City of Port Colborne approved Report **(add report and date)** recommending the adoption of a by-law to provide for the licensing and regulation of Lodging Houses within the City of Port Colborne.

AND WHEREAS the Council of the Corporation of City of Port Colborne deems it desirable and expedient to license, regulate and govern Lodging Houses.

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF CITY OF PORT COLBORNE ENACTS AS FOLLOWS:

DEFINITIONS:

1. In this by-law

“Applicant” means a Person applying for a licence under this by-law;

“Assistance in daily activities” means assistance with activities that allow individuals to live independently in their community, such as cleaning and maintaining a house, managing money, preparing or provision of meals, shopping for groceries and other necessities, using the telephone or other form of communication, taking prescription drugs, or transportation.

“Clerk” means the Clerk for The Corporation of City of Port Colborne;

“Council” means the Council of The Corporation of City of Port Colborne;

“Guardian of the Person” means the Guardian of the Person or attorney for Personal care who is responsible for decisions regarding the Tenant’s Personal care, including health care, pursuant to the *Substitute Decisions Act*, 1992, S.O. 1992, c. 30, as amended;

“Guardian of Property” means the attorney for property or statutory or court-appointed Guardian of Property who is managing the property of the Tenant pursuant to the *Substitute Decisions Act*, 1992, S.O. 1992, c. 30, as amended;

“Health and Support Worker” means a Person who provides services or assistance to a Tenant in order to improve the Tenant’s health and social condition and who is not a Health Care Professional;

“Health Care Professional” means a Person who is a member of a College that is governed by a health profession act included in Schedule 1 of the *Regulated Health Professions Act*, 1991, c.18, as amended;

“Inspector” means the Medical Officer of Health, the Fire Chief of the Municipality, the Chief Building Official of the Municipality, & a Municipal Law Enforcement Officer or their respective designate.

“Landlord” includes,

- (a) the Owner of a Rental Unit or any other Person who permits occupancy of a Rental Unit, other than a Tenant who occupies a Rental Unit in a residential complex, and who permits another Person to also occupy the unit or any part of the unit,
- (b) the heirs, assigns, Personal Representatives and successors in title of a Person referred to in clause (a), and
- (c) a Person, other than a Tenant occupying a Rental Unit in a residential complex, who is entitled to possession of the residential complex and who attempts to enforce any of the rights of a Landlord under a tenancy agreement or this Act, including the right to collect rent;

“Licensee” means a Person who holds a valid licence issued under the provisions of this by-law;

“Lodging House” means a building or portion thereof in which Persons are provided living accommodation in separate Rental Units which do not have both sanitary and food preparation facilities for the exclusive use of individual Tenants, and in which Tenants may be provided with meals or other Assistance in daily activities by another Person or Persons, who receives remuneration to provide this assistance, but does not include a tourist establishment or hotel or a hospital, long term care home, nursing home, retirement home, or group home if the institution is licensed, approved or serviced under any provincial statute;

“Medical Officer of Health” means the Medical Officer of Health for the Regional Municipality of Niagara, a designate, or a Person acting under a direction given by the Medical Officer of Health for the Regional Municipality of Niagara;

“Medications” means Medications prescribed or approved by a Health Care Professional or over-the-counter Medications approved by the Tenant’s Guardian of the Person or attorney for Personal care pursuant to the *Substitute Decisions Act*, 1992, S.O. 1992, c. 30;

“Municipality” means The Corporation of City of Port Colborne;

“Municipal Law Enforcement Officer” means a Person appointed by The Corporation of City of Port Colborne to enforce its by-laws and the laws of the Province of Ontario;

“Operator” means an Owner or another Person who has responsibility for carrying out the business of the Lodging House, including but not limited to financial responsibility for accounts payable and receivable and the management of any employees of the Lodging House.;

“Order” means a compliance order issued under section * of the By-law;

“Owner” means a Person who alone or with others has the right to any freehold or other estate in the lands of a Lodging House or to possess or occupy a Lodging House or actually does possess or occupy a Lodging House, other than a Tenant;

“Person” includes, where the context permits, any legal entity;

“Receipt” means an individual Receipt or accounting of an expenditure. The Receipt may be an accounting of the expenditures after a certain point of time (i.e. Monthly) or at the time of each expenditure;

“Rental Unit” means a unit that consists of self-contained living accommodation in a Lodging House that is used, or intended to be used as a residence;

“Representative” of a Tenant means the Guardian of the Person or Guardian of Property for the Tenant, as the context requires, or, if the Tenant does not have a Guardian of the Person or Guardian of Property, the Person the Tenant has authorized in writing to assist the Tenant with specific activities or services;

“Sanitary Facilities” means a room containing the following: a toilet, a wash basin, and a bathtub or shower;

“Tenant” includes a Person who pays rent or provides services in lieu of paying rent, in return for the right to occupy a Rental Unit;

“Trust Accounts” means any account (group or individualized) or internal holding system (cash box or safe) where funds held by the Operator on behalf of the Tenant(s) are kept. This includes situations where the Operator receives deposits

from the Tenant or Guardian of Property for a Tenant and the Tenant withdraws the funds. Money that is provided by a Tenant to the Operator as a rent deposit (last month's rent) for their accommodation is not a trust account;

"Vital Services" includes electricity, heat, fuel, gas, or water (hot and cold).

SHORT TITLE

2. This By-law shall be known as the "Lodging House Licensing By-law".

PROHIBITION

3. Every Owner of a Lodging House shall procure and maintain in good standing a licence from the City authorizing him or her to carry on or engage in the business of owning a Lodging House.
4.
 - (a) No Person shall carry on or engage in the business set out in section 3 within the boundaries of the Municipality unless he or she has a valid licence issued under this by-law permitting him or her to do so.
 - (b) No Person shall fail to comply with a term or condition of a licence issued under this By-law.
 - (c) No Person shall fail to comply with an Order issued under this By-law
 - (d) No Person shall provide false or misleading information to the City when applying for a licence under this By-law, renewing a licence or at any other time.
5. A licence issued under this by-law is not transferable to another Person or another Lodging House.
6. The requirement of obtaining a licence under this by-law is in addition to and not in substitution for any other requirement to obtain a licence or licenses or other regulatory approval under any other federal, provincial or municipal regulation, and obtaining a license under this by-law does not remove any obligations to comply with other applicable law or standards.
7. Subject to section 12, every Licensee and Applicant, respectively, shall, within four business days of any change occurring in any of the information submitted to the Municipality by the Licensee and Applicant in support of the issuance of a license , notify the Clerk in writing of such change, and provide full written disclosure to the Clerk of all relevant information existing after such change.

8. It shall be a condition of every licence that the Licensee shall comply with the provisions of this by-law in operating the business and ensure such compliance by every other Person involved in the operation of such business.

EXEMPTION

9. Notwithstanding any other provision of this By-law to the contrary, a licence to carry on a Lodging House business is not required in any Lodging House with fewer than 3 Tenants.

ADMINISTRATION

10. The power and authority to issue and renew a licence, refuse to issue and refuse to renew a licence, to cancel, to impose terms and conditions including special conditions on a licence are hereby delegated to the Clerk.
11. The Clerk shall generally perform all of the administrative functions conferred upon him or her by this By-law and without limitation may:
 - (a) Receive and process all applications for licences and renewal of licences under this By-law;
 - (b) Issue licences in accordance with the provisions of this By-law;
 - (c) Impose terms and conditions on licences in accordance with this By-law; and,
 - (d) Refuse to issue or renew a licence or revoke or suspend a licence in accordance with this By-law.

APPLICATION FOR LICENCE

12. Every Applicant seeking to obtain a licence to carry on a Lodging House business shall attend the office of the Clerk and provide:
 - (a) a completed application in the form required by the Municipality which shall include:
 - (i) the municipal address and legal description of the Lodging House;
 - (ii) the name, municipal address, telephone number and email address of each Owner;
 - (iii) evidence of Ownership of the property to the satisfaction of the Clerk;
 - (iv) proof of insurance that:
 - a. Includes a limit of liability of not less than \$2 million for property damage and liability;
 - b. Identifies the use as a Lodging House;

- (v) a sworn statement by each Owner certifying the accuracy, truthfulness and completeness of the Application
 - (b) the fee prescribed in Schedule "A"; and
- 13. Each Lodging House shall be individually licensed to carry on the business of the Lodging House business.
- 14. In the case of a Lodging House owned or operated by a partnership, attendance shall be made by one of the partners, who shall file the application package on behalf of every other partner.
- 15. In the case of a Lodging House owned or operated by a corporation, attendance shall be made by an officer of the corporation who shall file the application package on behalf of the corporation which shall include the following documentation:
 - (a) a certified copy of the corporation's letters of incorporation or other incorporating documents;
 - (b) a certified copy of the most recent filing by the corporation with the Ministry of Government & Consumer Services listing all directors and officers and the address of the head office of the corporation;
 - (c) a resolution of the directors of the corporation authorizing the application for a licence; and
 - (d) the name and address of every Person having responsibility for the management of the Lodging House business of the Applicant.
- 16. A licence issued under this By-law to carry on a Lodging House business expires two (2) years from the date of issuance, unless suspended or revoked.
- 17. A renewal application must be filed at least sixty (60) days prior to a current licence expiring.
- 18. (1) Every Person applying for the renewal of a licence shall submit a renewal application package in the form required by the Municipality to the Clerk by ordinary mail without the necessity of attending at the office of the Clerk.
- (2) Notwithstanding Section 18(1) above, the Clerk may require an Owner to comply with Section 12, where, in the opinion of the Clerk, the renewal application in respect of the Lodging House is substantially different than the original application.

19. (1) Every Licensee shall report in writing to the Clerk particulars of any pending change in Ownership of the Lodging House business or control of the corporation that owns the Lodging House business at least thirty days prior to such change taking effect. The change in ownership shall trigger a new application, and the prospective Owner or controlling shareholder shall file an application for a licence in accordance with section 12..
- (2) Upon Receipt of the information required to be filed by subsection (1), the Clerk shall circulate and review notice of the change in Ownership or control in accordance with the provisions of this By-law and shall on completion of the required circulation and review, notify in writing, the Licencee, and the prospective Owners, as the case may be of:
 - (a) the approval of the license; or
 - (b) the failure of the Applicant to satisfy the requirements of this By-law, with the details of the deficiencies in the application.

APPLICATION PROCEDURES

20. (1) Upon the receipt of a complete application, the Clerk shall undertake the following:
 - (a) the Clerk shall circulate the application to the Planning department of the Municipality for determination of compliance with the Zoning By-law #6575/30/18 as amended, and for comments and objections, if any, to the application;
 - (b) the Clerk shall circulate the application to the Medical Officer of Health, the Fire Chief of the Municipality and the Planning department of the Municipality for their comments and objections, if any, with respect to the application; and
 - (c) the Clerk shall determine if all inspections and approvals of the Medical Officer of Health, the Fire Chief of the Municipality and the Building Division of the Municipality, if any are required, have been completed and all lawful requirements satisfied.
- (2) Every Applicant shall:
 - (a) ensure that all inspections are completed annually and every lawful requirement of the Medical Officer of Health, the Fire Chief of the

Municipality and the Building Division of the Municipality has been complied with; and

- (b) ensure that any relevant objections or adverse comments relating to the application, if any, by the Medical Officer of Health, the Fire Chief of the Municipality and the Building Division of the Municipality are addressed satisfactorily within the timeline requested by the Inspector.

ISSUANCE, RENEWAL AND REFUSAL OF A LICENCE

21. (1) Upon completion of the investigations and searches set out in section 20, the Clerk shall issue or renew a licence, provided that:

- (a) the provisions of the licence applied for have been complied with;
- (b) the Applicant has not been convicted of an offence under this or any other by-law relating to licences;
- (c) no objection is received from any of the agencies to which the application was circulated;
- (d) the Clerk reasonably believes that the issuing of the licence for the Lodging House is in the public interest;
- (e) the Applicant does not owe any fine or fee to the City in respect of the Lodging House; and
- (c) each Applicant is eighteen (18) years of age or older.

(2) The Clerk may impose conditions to a licence upon issuance as the Clerk determines are appropriate. A licensee who is dissatisfied with conditions imposed may appeal to Council in accordance with the process set out below.

22. (1) In the event that the Clerk does not issue the licence, or in the event that the Clerk issues a licence with conditions, the Clerk shall notify the Applicant of the Clerk's decision by sending the Applicant a Notice of Refusal or Notice of Imposition of Conditions, within seven (7) days of making the decision.

(2) The Clerk, in delivering any notice under subsection (1), shall give reasons for the decision.

23. (1) Subject to subsection (2), an Applicant or Licensee who receives a notice under section 22(1) may, upon written request, have the matter heard by Council, and the Clerk shall place the matter on a Council agenda for consideration by Council.
- (2) A request referred to in subsection (1) must be filed with the Clerk in writing, within ten days of the delivery of the notice to the Applicant or Licensee.
24. The Licensee shall be given a notice of hearing, and the Licensee shall be entitled to attend the hearing and adduce evidence and make submissions either personally or through a Representative, in accordance with law, including the procedures of Council.
25. (1) The Council shall, in accordance with applicable law, hear the matter and shall:
- (a) grant the licence to the Applicant;
 - (b) refuse to grant the licence to the Applicant; or
 - (c) grant the licence and impose conditions on the licence at the time it is granted;
- Council's decision shall be final.
- (2) Council shall give its reasons, in writing, for any decision made under clauses (1)(b) or 1(c).
- (3) Council may notify any licensing authority or Person, as it considers appropriate, if any action is taken under this section of the by-law.
26. No Person licensed to carry on business under this by-law shall advertise or promote or carry on such business under any name other than the name endorsed upon the licence.
27. Every Licensee shall keep the licence issued in respect of the Lodging House exposed in a conspicuous place in the interior of the said premises at all times during the currency of the licence.

LISTS, FILES, AND RECORDS

28. (1) Every Licensee shall maintain a list of current Tenants in the Lodging House.
- (2) The list referred to in subsection (1) shall contain the first and last names of the Tenants in alphabetical order, and the date of the start of tenancy.

29. Every Licensee shall maintain a separate file for each Tenant, stating the following particulars of each Tenant: name; date of start of tenancy; date of end of tenancy, if any; the name, address and telephone number of the Tenant's emergency contact and Health Care Professional contact; nutritional needs and preferences; allergies; and the particulars of each occurrence listed in section 17 involving the Tenant in the Lodging House.
30. Every Licensee shall maintain a record for each Tenant of the following occurrences:
- (a) death of the Tenant in the Lodging House that resulted from any accident;
 - (b) assaults caused by or directed to the Tenant in the Lodging House;
 - (c) injuries caused by or directed to the Tenant in the Lodging House;
 - (d) harassment caused by or directed to the Tenant in the Lodging House;
- and shall keep this record in the file referred to in section 28 for each Tenant.

GENERAL REGULATIONS - BUILDING AND FACILITIES

Hazards and Cleanliness of Common Areas

31. Every Licensee shall ensure the Lodging House, including any Rental Units in it, are kept in a good state of repair and fit for human habitation in accordance with the *Residential Tenancies Act*, 2006, S.O. 2007, c. 17, as amended and are free from hazards in accordance with the Ontario Fire Code and property standards.
32. Every Licensee shall ensure that the physical structure provides resistance to insect and vermin ingress in accordance with the Building Code Act and the Municipality's By-laws.
33. Every Licensee shall ensure that the common areas of the Lodging House available for the use of Tenants, including, including furniture, appliances, furnishings, parking and related facilities, laundry facilities, elevator facilities, common recreational facilities and garbage facilities are maintained in a clean and hazard free manner.

Food Preparation and Service Areas

34. Every Licensee shall ensure that all areas where food is prepared, processed, packaged, served, transported, manufactured, stored and handled comply with the

Dining Rooms

35. Every Licensee shall provide a common dining room or rooms in the Lodging House with a minimum aggregate floor area of 1.85 square metres per Rental Unit, but in no case shall the minimum floor area be less than the minimum requirements for dining rooms prescribed by the Ontario Building Code.

Sitting Room

36. (1) Every Licensee shall provide a common sitting room or rooms in the Lodging House with a minimum aggregate floor area of 1.39 square metres per Rental Unit, but in no case shall the minimum floor area be less than the minimum requirements for sitting rooms prescribed by the Ontario Building Code.
- (2) The sitting room required by subsection (1) may be located in the dining room, provided that all Tenants dine at the same time and, if so located, shall be regulated by section 22 of this by-law.

Sanitary Facilities

37. Every Licensee shall provide Sanitary Facilities that are not adjacent to, or open directly into, any dining room, kitchen, food preparation or food storage room.
38. Every Licensee shall provide at least 1 sanitary facility for every five Tenants, but in no case shall the number of Sanitary Facilities be less than the minimum requirements of the building code.
39. Every Licensee shall ensure that there is provided at all times an adequate supply of clean towels for each resident, and other customary toilet supplies, and that access to and use of all Sanitary Facilities is provided without extra charge.

Rental Units

40. (a) Each Rental Unit shall have an area of not less than 7 square meters per Person, but in no case shall the minimum floor area be less than the minimum requirements for private dwelling areas prescribed in the Ontario Building Code.
- (b) Where the Rental Unit is used on the basis of double occupancy, the Rental Unit, shall have an area of not less than 4.6 square meters per Person, but in no case shall the minimum floor area be less than the minimum requirements for private dwelling areas prescribed in the Ontario Building Code Act.

(c) Every Licensee shall ensure that every Rental Unit complies with the City's Property Standards By-law.

Safety and Security of Rental Units

41. The Licensee shall provide for the safety and security of Rental Units in accordance with the Residential Tenancies Act, including ensuring that:
 - (a) Every window and exterior door that is capable of being opened and that is accessible from outside a Rental Unit shall be equipped so that it can be secured from the inside,
 - (b) At least one entrance door in a Rental Unit shall be capable of being locked from outside the Rental Unit.
 - (c) The Tenant is provided a key to any locks used to secure the Rental Unit.
42. Every Licensee shall ensure that the entrance door to a Rental Unit is capable of being secured by the Tenant.

TENANCY AGREEMENTS

43. A Licensee shall comply with all requirements of the Residential Tenancies Act regarding Rental Units, including any rooms within the Lodging House used or intended for use as residential premises.
44. Persons residing in a Rental Unit used or intended for use as residential premises, as defined in the *Residential Tenancies Act*, shall be considered Tenants under the *Residential Tenancies Act*.
45. The Licensee shall provide each Tenant with a tenancy agreement in accordance with the *Residential Tenancies Act*.
46. Where the Licensee agrees to provide a Tenant with Assistance in daily activities of living, the tenancy agreement shall clearly indicate separately the amount of rent, any services to be provided by the Licensee, and the cost for any services provided.
47. Relocation of a Tenant shall constitute the termination of a tenancy, and shall be conducted in accordance with the requirements for termination of a tenancy in the Residential Tenancies Act.
48. Every Licensee shall ensure that a copy of this by-law is given to every Tenant, and their Representative, where applicable.

ACCESS TO SERVICES

49. Every Licensee shall ensure the provision of Vital Services in accordance with the Residential Tenancies Act.

ACCESS TO MEDICAL SERVICES

50.

- (a) No Licensee shall withhold or interfere with the provision of any medical, health or care service, or interfere with a Tenant obtaining medical, health or care services of a Tenant's choice.
- (b) No Licensee shall harass, obstruct, coerce, threaten or interfere with a Tenant contrary to the provisions of the Residential Tenancies Act.
- (c) No Licensee shall obstruct a Health Care Professional or health care support worker from providing care services to a Tenant at the Lodging House.

GUESTS

51. (a) No Licensee shall interfere with the reasonable enjoyment of the Lodging House by a Tenant in respect of guests in accordance with the Residential Tenancies Act;
- (b) No Licensee shall:
- (i) Restrict, harass, obstruct, coerce, threaten or interfere with short-term visitors or non-frequent guests;
 - (ii) Impose visiting hours;
 - (iii) Require the Tenant to notify the Operator of guests and to receive permission beforehand; or
 - (iv) charge Tenants additional fees or raise rents for short term visitors or non-frequent guests.
52. Each Tenant shall be responsible for the actions of their guests in accordance with the *Residential Tenancies Act*, including any damage, harassment, intimidation, committing of illegal acts by a guest or interference of a guest with another Tenant's right to reasonable and quiet enjoyment.

CLEANING

53. Unless otherwise stated in the tenancy agreement, the cleanliness of a Tenant's Rental Unit shall be the responsibility of the Tenant in accordance with the Residential Tenancies Act.
54. If a tenancy agreement identifies the cleanliness of a Tenant's Rental Unit to be the responsibility of the Licensee, the Licensee shall ensure the Rental Unit is cleaned as stipulated within the tenancy agreement and at least once per week while respecting the scheduling preferences of the Tenant as much as possible.

NUTRITION

55. Where a tenancy agreement identifies the provision of a meal or meals to be the responsibility of the Licensee, the Licensee shall ensure that,
- (a) if the Licensee is the sole provider of the Tenant's meals, the Tenant is offered at least three meals per day at reasonable and regular meal hours, a beverage between the morning and midday meals, a snack and a beverage between the midday and evening meals and a snack and a beverage after the evening meal;
 - (b) menus are consistent with standards of *Canada's Food Guide for Healthy Eating*;
 - (c) an individualized menu is developed for the Tenant if the Tenant's needs cannot be met through the Lodging House's menu cycle;
 - (d) the Tenant is informed of his or her daily and weekly menu options with menus posted in a publicly accessible location;
 - (e) the Tenant is given sufficient time to eat at his or her own pace, and is accommodated if they are unable to eat during a regular meal period;
 - (f) food service workers and staff assisting the Tenant are aware of the Tenant's diet, special needs and preferences; and
 - (g) staff monitor the Tenant during meals as required.

PRESCRIPTION DRUGS

56. (1) Every Licensee shall ensure that there are written policies and procedures for employees for the distribution of Medications to Tenants, which policies and procedures are in accordance with current professional practices and provincial regulations for medication distribution.

(2) Lodging House employees shall not administer medication unless permitted to do so under the *Regulated Health Professions Act*.

(3) Every Licensee and every employee shall strictly adhere to the policies and procedures set out in subsections (1) and (2).

TENANT REPRESENTATIVES

57. No Licensee or any of its Operators or employees shall act as Guardian of Property or Guardian of the Person for a Tenant.

TRUST ACCOUNTS

58. If a Tenant or Representative requests that a Licensee hold money on behalf of the Tenant, the Licensee shall

- (a) deposit those funds into a trust account opened and maintained for that purpose, and
- (b) provide a Receipt for each transaction, and
- (c) provide records of the trust account transactions and balance to the Tenant or the Representative.

59. A Licensee shall ensure that easily understandable records are maintained in respect of the trust account showing opening and closing balances and make those records available for inspection by the Tenant or the Tenant's Representative without charge.

60. If the Licensee is required to provide money from the trust account or statements regarding the trust account to the Tenant or their Representative on an 'upon request' basis, the Licensee shall ensure that the request is fulfilled within two business days for day to day transactions and within 60 calendar days in respect of the closure of a trust account.

DOCUMENTATION OF COMPLAINTS

61. Every Licensee shall keep a record of each complaint submitted to the Licensee or his or her staff by a Tenant or Guardian for Property or Guardian of the Person, provided the complaint pertains to a matter regulated by this by-law or other applicable legislation.

62. Records of complaints shall be in a form satisfactory to the Clerk, and shall include, where applicable:

- (1) the date and time the complaint is received;

- (2) the name and telephone number of the complainant or their Representative, if provided;
 - (3) the name of any employee(s) identified in the complaint;
 - (4) the name of the reviewer of the complaint;
 - (5) the details of the complaint;
 - (6) the action taken in response to the complaint; and
 - (7) the date and time the complainant is notified of the action taken.
63. The Licensee shall report any complaint concerning the safety of a Tenant immediately to the Clerk, and shall:
- 64.
- (a) retain complaint records for at least three years; and
 - (b) make complaint records available to the Clerk or an Inspector upon request.
- FORMAL COMPLAINT PROCESS**
65. Every Licensee shall post in a conspicuous place within the Lodging House, the municipal complaints hotline telephone number.
66. Any Person who has reason to believe that a Licensee has failed to comply with this by-law or an order issued under this by-law or a condition of a licence may make a complaint on the complaints hotline.
67. The identity of a complainant will not be shared with Licensee or the Operator of the Lodging House about which the complaint was made.
68. Complaints submitted to the complaints hotline will be submitted to a Compliance Officer.

Compliance Officers

69. (1) The Clerk may designate one or more Persons as Compliance Officers for the purposes of this By-law.
- (2) A Compliance Officer has all of the powers of an Inspector.
 - (3) A Compliance Officer shall:
 - (a) review complaints received under this section to determine whether an investigation of the complaint is necessary, and for that purpose may
 - (i) make inquiries;

- (ii) enlist expertise relevant to the complaint; and,
 - (iii) take any other action the Compliance Officer considers appropriate in the circumstances, including, without limitation, attempting to resolve the complaint through mediation or conciliation and notifying the Clerk of an offence under this by-law, and
- (b) refer the complaint to an Inspector if the Compliance Officer determines that an investigation of the complaint is necessary.
- (4) A Compliance Officer may refuse to refer a complaint to an Inspector if,
 - (a) the Compliance Officer considers the complaint to be frivolous or vexatious, or
 - (b) the Compliance Officer has resolved the complaint under subsection (3)(a)(iii).
- (5) A Compliance Officer shall inform the complainant, if the identity of the complainant is known, and any other Person the Compliance Officer considers appropriate of a decision made under subsections (3) or (4).

Inspections

- 70. Before a licence is issued under this By-law, an Applicant shall authorize, in writing, as a condition of the licence, the inspection of the Lodging House by an Inspector.
- 71. The Clerk or an Inspector may require a Licensee to produce the licence, records or other documents for the purpose of determining whether such Person is validly licensed under this by-law, or whether this by-law is being contravened.
- 72. (1) Subject to subsection (2), an Inspector may, for the purposes of ensuring compliance with this by-law, an Order issued under this by-law or a condition of a licence:
 - (a) at any reasonable hour enter the property upon which the Lodging House is situated or the Lodging House for the purposes of an inspection;
 - (b) require the production of any relevant books, records or other documents in respect of the Lodging House and examine them, make copies of them or remove them temporarily for the purpose of making copies;
 - (c) inspect and take samples of any material, food or equipment being used in the Lodging House;

- (d) perform tests, take photographs or make recordings in respect of the Lodging House; and,
 - (e) interview the Operator of the Lodging House with respect to matters relevant to the inspection.
- (2) An Inspector may enter the Rental Unit of a Tenant only with the permission of the Tenant or the Tenant's Representative.
- (3) An Inspector may interview employees and Tenants of the Lodging House, friends or relatives of Tenants, Representatives of Tenants and any other Person who may have information relevant to the inspection.
- (4) When an Inspector removes any books, records or other documents under subsection (1)(b), the Inspector shall:
- (a) give a Receipt for those items to the Person from whom those items were taken, and
 - (b) forthwith return the items to the Person from whom they were taken when they have served the purposes for which they were taken.
- (5) When an Inspector takes samples of any material, food or equipment under subsection (1)(c), the Inspector shall:
- (a) give a Receipt for those items to the Person from whom those items were taken, and
 - (b) on that Person's request, return those items to that Person when those items have served the purposes for which they were taken.
- (6) A Licensee or Operator shall provide on request the list, file, and record of Tenant names and information referred to in sections 28 to 30 to an Inspector.
- (7) No Person shall obstruct or hinder an Inspector in the exercise of his or her duties under this By-law.
- (8) The Inspector shall inform the Licensee, every Operator and the Clerk of the results of an inspection of the Lodging House.

Orders

72. (1) Where, an Inspector is of the opinion that this By-law or a condition of a licence is not being complied with, the Inspector may in writing order the Licensee to take the measures specified to address the contravention within the time limits specified in the Order.

- (2) Every order issued under this section shall be delivered personally to the Licensee or sent by first class prepaid mail to the Licencee's last known address and shall be posted in a prominent place in the Lodging House.
 - (3) Every Order shall contain the reasons for its issuance.
 - (4) An Order served on a Licensee under this section must inform the Licensee of the right to appeal the Order to the Municipality's Property Standards Appeal Committee as outlined in the Municipality's Property Standards By-law section XX. An appeal of an Order shall follow the process set out in section 74 below with the necessary modifications.
73. In any case where an Order may result in the loss of housing for one or more Tenants:
- (a) the Inspector shall notify Niagara Region Community Services of any potential loss of housing; and
 - (b) Niagara Region Community Services will support Tenants through housing loss, including as appropriate the provision of:
 - (i) information about available emergency housing and related supports,
 - (ii) access to emergency housing and related supports.

SUSPENSION, REVOCATION AND CONDITIONS

74. The Clerk may, at any time during the term of a licence:
- (a) suspend any licence;
 - (b) revoke any licence; or
 - (c) impose conditions on any licence issued pursuant to this by-law.
- The Clerk shall issue written reasons for its exercise of a power under this section and shall advise the Licencee of its right to appeal the decision of the Clerk to Council.
75. Where a Licencee advises the Clerk of its intention to appeal to Council, the Clerk shall schedule the hearing for the next regularly scheduled meeting. Council shall conduct a hearing, and the Licensee shall be entitled to attend the hearing and adduce evidence and make submissions either Personally or through a Representative, in accordance with law, including the procedures of Council.

76. (1) The Council shall, in accordance with applicable law, hear the matter and shall:
- (a) confirm the decision to suspend or revoke the Licence; or
 - (b) reinstate the licence with or without conditions, as the case may be,
- Council's decision shall be final.
- (2) Council shall give its reasons, in writing, for any decision made under clause (1)(a).
77. (1) The following are the grounds upon which a licence may be revoked or suspended, or upon which conditions to an existing licence may be imposed:
- (a) that the Applicant, Licensee, any partner, officer, or director of the Applicant or Licensee, any employee or agent of the Applicant or Licensee, has not complied with or satisfied any requirement of this By-law.
 - (b) that the conduct of the Applicant, Licensee, any partner, officer, or director of the Applicant or Licensee, any employee or agent of the Applicant or Licensee, affords reasonable grounds for belief that they, or any of them, have not or will not carry on the trade, calling, business or occupation in accordance with the law or with honesty and integrity;
 - (c) that the Licensee has breached any condition of the licence;
 - (d) that the Licensee has been convicted of contravening any provision or provisions of this by-law; or
 - (e) that the Licensee or Applicant has furnished any false, misleading or incomplete information to the Clerk, or failed to provide all information and documents required to be provided to the Clerk under this by-law, including any changes to such information or documents within four (4) days of their occurrence.
- (2) The Clerk of Council, as the case may be, in making any decision referred to in subsection (1), shall give written reasons for such decision.
78. Council may notify any licensing authority or Person, as it considers appropriate, if any action is taken under this section.

79. If a licence is revoked, the former Licensee is entitled to a refund of that part of the licence fee proportionate to the unexpired part of the term for which it is granted.

FEES

80. Fees for the licence shall be paid as prescribed in Schedule "A".
81. Each application or renewal for a licence must be accompanied by the fees prescribed.
82. Where a licence is not issued to an Applicant, the fee paid by the Applicant shall be returned to the Applicant less the non-refundable processing fee, if any, as set out in Schedule "A".

NOTICES

83. Any notice required by this by-law to be given to an Applicant or to a Licensee may be given,
- (a) by mailing a copy of the notice by pre-paid ordinary post to the residence address of the Applicant or Licensee, as the case may be, listed on the most recent application for a licence;
 - (b) by delivering a copy of the notice Personally to the Applicant or the Licensee;
84. Any notice served by pre-paid ordinary post in accordance with section 67 shall be deemed to have been received by the Applicant or Licensee on the fourth day following mailing.

OFFENCES AND PENALTIES

85. (1) Every Person who contravenes this by-law, and every director or officer of a corporation who concurs in such contravention by the corporation, is guilty of an offence and on conviction is liable to a fine of not more than \$100,000, pursuant to subsection 425 (2) of the Municipal Act, 2001, S.O. 2001, c. 25, as may be amended from time to time.
- (2) Where a Corporation is convicted of an offence to this By-law, the maximum fine that may be imposed on the Corporation is \$100,000, pursuant to subsection 425 (2) of the Municipal Act, 2001, S.O. 2001, c. 25, as may be amended from time to time.

CONFLICTS

86. In the event of any conflict between the provisions of this by-law and any other general or special by-law, the more restrictive provision shall apply.

SEVERABILITY

87. If any provision of this By-law or the application thereof shall to any extent be invalid or unenforceable, the remainder of this By-law and/or the application of such term to circumstances other than those to which it is held invalid or unenforceable, shall not be affected thereby and each term of this By-law shall be separately valid and enforceable to the fullest extent of the law.

ENACTMENT

88. Schedule "A" shall form part of this By-law
89. By-law No. 4323/159/02 is repealed.
90. This By-law shall come into force and effect on **

Passed this [DATE].

MEMORANDUM

CSC-C 10-2022

Subject: Recommendations for Consideration from the Regional Development Charges Policy Task Force meeting held May 19, 2022

Date: June 15, 2022

To: Corporate Services Committee

From: Ann-Marie Norio, Regional Clerk

At its meeting held on May 19, 2022, the Regional Development Charges Policy Task Force, recommended the following motions for approval by the Corporate Services Committee:

Minute Item 5.1

RDCPTF-C 7-2022

Regional Development Charge By-law Update

1. That the draft Regional Municipality of Niagara Development Charges Background Study **BE APPROVED**; and
2. That the draft Regional Municipality of Niagara Development Charges By-law in Appendix 2 of Report RDCPTF-C 7-2022, as amended, **BE PREPARED** for Regional Council consideration on July 21, 2022.

Minute Item 5.2

RDCPTF-C 8-2022

Brownfield Prepayment Agreement Criteria

1. That the criteria for the basis of prepayment agreements for the Regional Development Charge Brownfield Reduction Program, listed in Table 1 of Report RDCPTF-C 8-2022, **BE APPROVED** as amended.

A copy of the of the minutes of the Regional Development Charges Policy Task Force meeting held on May 19, 2022, is attached to this memorandum.

Respectfully submitted and signed by

Ann-Marie Norio
Regional Clerk

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

**RDCPTF 3-2022
Thursday, May 19, 2022
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 Vice-Chair), Insinna (Committee Chair), Ip, Rigby, Steele

Committee Members Present via Video Conference: Bradley (Regional Chair), Butters, Bylsma, Disero, Greenwood, Huson, Junkin, Zalepa

Other Councillors Present in the Council Chamber: Easton, Gibson

Absent/Regrets: Chiocchio, Jordan, Redekop

Staff Present in the Council Chamber: H. Chamberlain, Director, Financial Management and Planning / Deputy Treasurer, T. Harrison, Commissioner, Corporate Services/Treasurer, B. Hutchings, Senior Tax and Revenue Analyst, P. Lambert, Director, Infrastructure Planning & Development Engineering, P. Miltenburg, Transportation Capital Plan Specialist, M. Murphy, Associate Director, Budget Planning and Strategy, A.-M. Norio, Regional Clerk, A. Rotundo, Revenue Analyst, C. Ryall, Director, Transportation Services, M. Sergi, Commissioner, Planning & Development Services, G. Spezza, Director, Economic Development, J. Spratt, Administrative Assistant to the Regional Clerk, R. Tripp, Chief Administrative Officer, B. Zvaniga, Interim Commissioner, Public Works

Staff Present via Video Conference: E. Acs, Manager, Community Planning, D. Barnhart, Chief of Staff, Governance, Dr. M. M. Hirji, Acting Medical Officer of Health, A. Jugley, Commissioner, Community Services, K. Lotimer, Legislative Coordinator, K. Scholtens, Manager, Business Development, Expedited Services, I. Stetic, Water & Wastewater Development Planning Project Manager, S. Wood, Legal Counsel

Others Present via Video Conference: D. Abbs, Manager, Watson & Associates, C. Hamel, President, GM Blue Plan

1. CALL TO ORDER

Committee Chair Insinna called the meeting to order at 4:00 p.m.

2. DISCLOSURES OF PECUNIARY INTEREST

There were no disclosures of pecuniary interest.

4. DELEGATIONS

4.1 Regional Development Charge By-law Update (RDCPTF-C 7-2022 (Agenda Item 5.1))

4.1.1 Sarah Marshall, Phil Tregunno, George Lepp, and Kai Wiens, Ontario Tender Fruit Growers

Sarah Marshall, Ontario Tender Fruit Growers, appeared before the Task Force, to request that agricultural use exemptions continue in the new by-law and that an exemption for farm accommodations (farm help houses) be included in the new by-law.

4.1.2 Debbie Zimmerman, Grape Growers of Ontario

Debbie Zimmerman, Chief Executive Officer, Grape Growers of Ontario, appeared before the Task Force, to request that Council continue with agricultural use exemptions in the Region's Development Charges By-law, highlighting the importance of these exemptions to the agricultural industry in Niagara.

4.1.3 Chris Mullett Koop, Niagara Federation of Agriculture, and Ben Lefort, Ontario Federation of Agriculture

Chirs Mullett Koop, Niagara Federation of Agriculture, and Ben LeFort, Ontario Federation of Agriculture, appeared before the Task Force, to request that Council extend the August 31, 2022, expiry date of the current Development Charges By-law, to allow for further consultation with the Niagara agriculture industry and to request the re-instatement of the exemption for farm help houses in the new by-law.

- 4.1.4 Andrew Morse, Executive Director, Flowers Canada (Ontario) Inc., Flowers Canada Growers and Dr. Jeanine West, Grower Technical Analyst, Landscape Ontario Horticultural Trades Assoc.

Andrew Morse, Executive Director, Flowers Canada, and Dr. Jeanine West, Grower Technical Analyst, Landscape Ontario, appeared before the Task Force to request that Council maintain the current agriculture use exemptions for all agricultural buildings and the re-introduction of the farm help house exemption in the new by-law.

4.2 Brownfield Prepayment Agreement Criteria (RDCPTF-C 8-2022 (Agenda Item 5.2))

- 4.2.1 Luciano Piccioni, President, RCI Consulting and Chris Hawkswell, President, 2806598 Ontario Limited

Luciano Piccioni, President, RCI Consulting, and Chris Hawkswell, Principal, 2806598 Ontario Limited, and Niacon, appeared before the Task Force, to request that the deadline for the submission of applications for the Regional Development Charge Brownfield Reduction Program be extended from June 30, 2022, to December 31, 2022.

3. **PRESENTATIONS**

3.1 Transportation Services - 2022 DC Study Update

Carolyn Ryall, Director, Transportation Services, provided information respecting Transportation Services - 2022 DC Study Update. Topics of the presentation included:

- Transportation Master Plan (TMP) 2017
- 2022 TMP Confirmation Exercise
- Cost Considerations in 2022 DC Study
- Growth Related Projects in 2022 DC Study
- Long Term Strategic Transportation Projects

3.2 Water and Wastewater Development Charges Capital Program Summary

Chris Hamel, President, GM Blue Plan, provided information respecting Water and Wastewater Development Charges Capital Program Summary. Topics of the presentation included:

- Planning and Servicing Context
- Policy, Guidelines and Design Criteria
- Cost Estimating Approach
- Water Servicing Strategy and Capital Program
- Wastewater Servicing Strategy and Capital Program
- DC Program Summary

3.3 2022 Development Charges Background Study & By-law

Daryl Abbs, Manager, Watson & Associates, presented information respecting 2022 Development Charges Background Study & Bylaw. Topics of the presentation included:

- Overview of Project Status
- Policy Report and Discussion with Local Area Municipalities and the Development Community
- Summary of Growth Forecast
- Development Charges Calculations
- Survey of DCs
- Status of Transit Service

5. ITEMS FOR CONSIDERATION

5.1 RDCPTF-C 7-2022

Regional Development Charge By-law Update

Moved by Councillor Steele

Seconded by Councillor Ip

That Report RDCPTF-C 7-2022, dated May 19, 2022, respecting Regional Development Charge By-law Update, **BE RECEIVED** and the following recommendations **BE APPROVED**:

1. That the draft Regional Municipality of Niagara Development Charges Background Study **BE APPROVED**; and
2. That the Task Force **RECOMMEND** that the draft Regional Municipality of Niagara Development Charges By-law in Appendix 2 of Report RDCPTF-C 7-2022 be prepared for Regional Council consideration on July 21, 2022.

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

That staff **INCLUDE** wording in the new Development Charge By-law that provides exemptions for non-residential lands and buildings used for agricultural use where agricultural use is defined to mean bona fide farming purposes as defined below:

“Agricultural use” means use or intended use for bona fide farming purposes including (but not limited to):

- i. Cultivation of crops, whether on open land or in greenhouses, including but not limited to fruit, vegetables, herbs, grains, field crops, marijuana, sod, trees, shrubs, flowers and ornamental plants;
- ii. Raising of animals, including (but not limited to) cattle, horses, pigs, poultry, livestock, fish and
- iii. Agricultural animal husbandry, dairying, equestrian activities, horticulture, fallowing, pasturing and market gardening;

But excluding:

- i. Retail sales activities; including but not limited to restaurants, banquet facilities, hospitality facilities and gift shops; and
- ii. services related to grooming, boarding or breeding of household pets; and marijuana processing or productions facilities

The Committee Chair called the vote on the motion, as amended:

That Report RDCPTF-C 7-2022, dated May 19, 2022, respecting Regional Development Charge By-law Update, **BE RECEIVED** and the following recommendations **BE APPROVED**:

1. That the draft Regional Municipality of Niagara Development Charges Background Study **BE APPROVED**; and
2. That the Task Force **RECOMMEND** that the draft Regional Municipality of Niagara Development Charges By-law in Appendix 2 of Report RDCPTF-C 7-2022, as amended, be prepared for Regional Council consideration on July 21, 2022.

Recorded Vote:

Yes (10): Bradley, Butters, Disero, Foster, Greenwood, Huson, Insinna, Ip, Junkin, Rigby, Steele.

No (0).

Carried

Councillor Information Request(s):

Notify religious organizations of upcoming public consultation sessions respecting the proposed changes to the Region's Development Charges By-law. Councillor Huson.

5.2 RDCPTF-C 8-2022
Brownfield Prepayment Agreement Criteria

Moved by Councillor Foster
Seconded by Councillor Steele

That Report RDCPTF-C 8-2022, dated May 19, 2022, respecting Brownfield Prepayment Agreement Criteria, **BE RECEIVED** and the following recommendation **BE APPROVED**:

1. That the criteria for the basis of prepayment agreements for the Regional Development Charge Brownfield Reduction Program, listed in Table 1 of Report RDCPTF-C 8-2022, **BE APPROVED**.

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

That the criteria in Table 1 of Report RDCPTF-C 8-2022 **BE AMENDED** as follows:

3. Proof that Owner has ~~completed~~ **commenced** the mandatory remediation measures identified in the ESA ***and proof, including a cost estimate, that the Owner has retained qualified contractors to perform the mandatory remediation measures to remediate identified contaminants at the Property***
4. ~~Proof that the Owner has submitted a Record of Site Condition to the Province~~
7. ~~Application no later than June 30, 2022 and~~ ***Subject to the above being submitted by June 30th, 2022, an Agreement executed by August 31, 2022, and prepayment of net DC payable based on proof of remediation cost estimate***
8. ***a) By December 31, 2022, reconciliation and proof of actual remediation costs incurred to December 31, 2022***
b) By December 31, 2022, proof that the owner has submitted Record of Site Condition to the Province
9. ***(For clarification based on last paragraph of Analysis section) Agreements will expire if a building permit is not executed by***

December 31, 2022, and all DCs will be payable based on the DCs in effect on the date the first building permit is issued.

The Committee Chair called the vote on the motion, as amended:

That Report RDCPTF-C 8-2022, dated May 19, 2022, respecting Brownfield Prepayment Agreement Criteria, **BE RECEIVED** and the following recommendation **BE APPROVED**:

1. That the criteria for the basis of prepayment agreements for the Regional Development Charge Brownfield Reduction Program, listed in Table 1 of Report RDCPTF-C 8-2022, **BE APPROVED** as amended.

Carried

6. CONSENT ITEMS FOR INFORMATION

Moved by Councillor Huson

Seconded by Councillor Greenwood

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

RDCPTF-C 6-2022

Engagement Session Update 4

RDCPTF-C 13-2022

A letter from T. DiGiovanni, Executive Director, Landscape Ontario Horticultural Trades Association, dated May 16, 2022, respecting Proposed Development Charges for Agriculture

RDCPTF-C 14-2022

A letter from P. Tregunno, Chair, Ontario Tender Fruit Growers, D. Hipple, Chair, Fresh Grape Growers' Marketing Board, and B. Hipple, President, Niagara Peninsula Fruit & Vegetable Growers' Association, dated May 17, 2022, respecting Proposed Development Charge By-law

RDCPTF-C 15-2022

A letter from D. Zimmerman, CEO, Grape Growers of Ontario, dated May 17, 2022, respecting Proposed Development Charge By-law

RDCPTF 2-2022

Regional Development Charges Policy Task Force Minutes - April 7, 2022

RDCPTF-C 17-2022

A letter from S. Honey, dated May 18, 2022, respecting Proposed Development Charge By-law

RDCPTF-C 18-2022

A letter from E. Scharringa, President, Christian Farmers Federation of Ontario, and J. Kikkert, President, Niagara Christian Farmers Association, dated May 18, 2022, respecting Proposed Development Charge By-law

Carried

7. OTHER BUSINESS

There were no items of other business.

8. NEXT MEETING

The next meeting will be at the call of the Chair.

9. ADJOURNMENT

There being no further business, the meeting adjourned at 6:35 p.m.

Councillor Insinna
Committee Chair

Kelly Lotimer
Legislative Coordinator

Ann-Marie Norio
Regional Clerk

Subject: Delegation of Authority for the Period of Restricted Acts after Nomination Day for the 2022 Municipal Election

Report to: Corporate Services Committee

Report date: Wednesday, June 15, 2022

Recommendations

1. That in the event, and for such period, that Regional Council is prohibited from taking certain actions pursuant to section 275 of the Municipal Act, 2001 (Act), Regional Council **DELEGATES** to the Chief Administrative Officer, only to the extent permitted by the Act and not already delegated, the following:
 - a) authority for expenditures or the incurring of any liabilities, outside current approved budgets, exceeding \$50,000;
 - b) authority, including authority to execute the agreement of purchase and sale, pertaining to the disposition of any real or personal property of the municipality which has a value exceeding \$50,000 at the time of disposal, outside current approved budgets;
 - c) authority to hire or dismiss any employee of the municipality, including a Commissioner; and,
2. That the Chief Administrative Officer **BE DIRECTED** to report to Council regarding any exercise of the delegated authority provided by Recommendation 1 in the first quarter of 2023.

Key Facts

- The purpose of this report is to seek delegated authority, only to the extent permitted and not already delegated, over certain acts to the Chief Administrative Officer (CAO) in order to allow business continuity, in the event that Section 275 of the Municipal Act, 2001 (Act) is triggered.
- Under Section 275 of the Act, Council can be restricted from performing certain actions in one or both of two separate time periods – the period from Nomination Day to Election Day (August 19 to October 24) and from Election Day to the end of the term (October 24 to November 14). This period is technically referred to as the

Restricted Acts after Nomination Day period and is also known as the “lame duck” period.

Financial Considerations

The delegation of authority itself has no direct financial implications.

Section 275 of the Act prohibits Council from undertaking certain acquisitions, spending and employee-related actions during two periods after Nomination Day (August 19) if it becomes mathematically impossible for three quarters of the members of the outgoing council to be re-elected. In order to prevent any disruption to ongoing Regional operations and to mitigate any possible impacts that may arise as a result of a Restricted Acts circumstance it is recommended Council delegate specific authorities to the CAO.

As an indirect financial implication, Council should be aware that the delegation would permit the CAO to address matters that are not included in the current approved budget; given the restriction on Council’s ability to do so under section 275.

Analysis

Under section 275 of the Act, Council can be restricted from performing certain actions in one or both of two separate time periods:

1. The period from Nomination Day to Election Day (August 19 to October 24); and
2. From Election Day to the end of the term (October 24 to November 14).

This period is technically referred to as the Restricted Acts after Nomination Day period and is also known as the “lame duck” period.

During these periods, Council is restricted in some of the actions it may take if the new Council will, with certainty, include less than 75% of the members of the outgoing Council.

For Niagara Region, the determination of whether Council is in a Restricted Acts position would be triggered as follows:

1. From Nomination Day to Election Day (August 19 to October 24) if Council will, with certainty, include less than 75% of the members of the outgoing Council.

75% of Council = 24 members

Therefore, there must be 24 or more members seeking re-election for Council to continue operating without restrictions.

Council will be restricted as of Nomination Day (August 19) if there are eight or more members not seeking re-election;

and/or

2. From Election Day to the end of the term (October 24 to November 14) if Council will, with certainty, include less than 75% of the members of the outgoing Council.

75% of Council = 24 members

Therefore, there must be 24 or more members of the outgoing Council elected.

Council will be restricted as of Election Day if there are eight or more new members on Council.

Subsection 275(3) of the Act states that, in either of the above situations, the Council of a municipality shall not take any of the following actions:

- a) The appointment or removal from office of any officer of the municipality;
- b) The hiring or dismissal of any employee of the municipality;
- c) The disposition of any real or personal property of the municipality which has a value exceeding \$50,000 at the time of disposal; and
- d) Making any unbudgeted expenditures or incurring any other liability which exceeds \$50,000.

The Act further provides that Items c) and d) above do not apply if the disposition or liability was included in the most recent approved budget adopted by Council prior to nomination day; and, that these provisions do not apply in the case of an emergency.

In order to prevent any disruption to ongoing Regional operations, and to mitigate any possible impacts that may arise as a result of a Restricted Acts circumstance, common

practice is to provide the delegated authority to the Chief Administrative Officer to the extent permitted by the Act, to exercise the responsibilities listed in Section 275(3).

Section 23.1 of the Act authorizes a municipality to delegate certain powers and duties to the officers and employees of the municipality. In accordance with section 23.3(1) of the Act certain powers cannot be delegated, including the power to appoint or remove from office an officer of the municipality whose appointment is required by the Act (e.g. the Treasurer or Clerk); therefore the delegation of item a) above to the CAO is not included in the Recommendations.

It is recommended that Council delegate authority to the CAO to address the following matters:

- a) authority for expenditures or the incurring of any liabilities, outside current approved budgets, exceeding \$50,000;
- b) authority, including authority to execute the agreement of purchase and sale, pertaining to the disposition of any real or personal property of the municipality which has a value exceeding \$50,000 at the time of disposal, outside current approved budgets;
- c) authority to hire or dismiss of any employee of the municipality, including a Commissioner.

In addition, it is recommended that the CAO be required to provide a written report to Council in the first quarter of 2023, regarding any exercise of the authority delegated during this period.

This delegated authority would only take effect when Council is determined to be in a Restricted Acts Period in accordance with the Act and will expire when the Restricted Acts Period is no longer applicable, or when the Council-elect takes office.

It is important to note that clauses (a) and (b) do not apply if the disposition or liability was included in the most recent budget adopted by Council before Nomination Day.

Council is reminded that the CAO already has delegated authority for a variety of expenditures and approvals currently granted through the Procurement By-law (No.02-206, as amended), the Execution of Document By-law (No. 09-2016, as amended), and the CAO By-law (No. 2020-09). These authorities remain in effect during this period.

Alternatives Reviewed

Council may choose to refrain from granting the delegated authority to CAO as recommended in this report. This would mean that, in the event that s.275 is triggered, any actions prohibited by that section could not be taken by Council or Staff (unless otherwise delegated to Staff under an existing delegation of authority or in the circumstance of an emergency) during the affected period. To avoid this risk, Staff recommend approval of the delegated authority to the CAO to support business continuity and effective management of the Region.

Relationship to Council Strategic Priorities

This report will serve to reinforce the strategic priority of sustainable and engaging government by mitigating any possible impacts that may arise as a result of a Restricted Acts circumstance during the 2022 Municipal Election.

Other Pertinent Reports

None.

Prepared and Recommended by:

Ann-Marie Norio
Regional Clerk

Submitted by:

Ron Tripp, P.Eng
Chief Administrative Officer

This report was reviewed by Donna Gibbs, Director, Legal and Court Services.

MEMORANDUM

CWCD 2022-122

Subject: Information and Background with Respect to the Correspondence from the City of Welland dated April 20, 2022

Date: May 20, 2022

To: Regional Council

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

The purpose of this memorandum is to provide additional information and background with respect to the correspondence from the City of Welland dated April 20, 2022, attached to this memorandum for ease of reference.

The City of Welland is requesting that the Region proceed with declaring 884 Prince Charles Drive as surplus and to sell the property to the City in order to accommodate the construction of a new fire hall. This request requires the consideration and approval of Regional Council.

The letter also references on-going discussions regarding the Region's purchase of property on Merritt Island for the purpose of necessary infrastructure renewal and expansion at the Welland Water Treatment Plant (WTP). The letter does not indicate that a building condition assessment and appraisal have been completed for this property as well. The requirements / conditions described in the City of Welland motion far exceed the appraised value determined in a manner consistent with the Prince Charles Drive property.

The discussions regarding the Merritt Island property began in 2008 when the Environmental Assessment for the WTP was initiated. The Region has consistently recognized the importance of this location on Merritt Island to the City and all of Niagara. It was always intended to recommend to Regional Council that the Park elements be replaced through this transaction. However, over the course of time, those requirements have evolved from providing equivalent washroom amenities to the complete replacement of a significant building structure. The financial implications of this requirement would not be consistent with the appraisal methodology and recommendations. The Region is prepared to bring the City of Welland's proposal forward for Regional Council consideration. Given that the valuation method for each of

these respective properties may be different, we believe it would be prudent and appropriate for Council to consider both matters at the same time. This approach was made clear as far back as August of 2021 when it was mutually agreed to undertake the appraisals. We provided further clarity in writing in March of this year. In order for the Region to evaluate and consider these matters, the City must first provide a value of the park amenities to be replaced. We have been requesting this information since the Fall of 2021. The value of amenities the City would be compensated for, in addition to the appraisal value, has not been received to date.

Additionally, while the City's letter indicates that they are willing to pay the appraised value for the PCD property, the Agreement of Purchase and Sale submitted by the City to the Region in January was actually \$40,000 less than the appraised value.

Staff maintain that these two matters are of equivalent scale and importance and should be considered by Regional Council together. Staff are prepared to bring a report forward to Committee and Council as quickly as possible once the Merritt Island information has been provided. Should Council feel that a different approach is preferred, such directions could be given through Corporate Services Committee.

Respectfully submitted and signed by

Ron Tripp, P. Eng
Chief Administrative Officer



Office of the CAO

Steve Zorbas

Phone: 905-735-1700 x2122

Email: cao@welland.ca

April 20, 2022

Office of the Regional Chair
Niagara Region
1815 Sir Isaac Brock way
Thorold, Ontario L2V 4T7

Dear Chair Bradley.

The City of Welland would like to thank the Region of Niagara for being a partner in helping make the Region an excellent place for people to live, work and play. As we experience significant residential and commercial growth, we must ensure that critical facilities are in place to support our communities. I am writing today because the City is interested in purchasing Niagara Region-owned lands located at 884 Prince Charles Drive for our Fire Station #3. The City is excited to start construction in the fall of 2022, and we are eager to issue a construction tender as costs increase monthly. On January 21, 2022, the City of Welland submitted an Agreement of Purchase and Sale for this parcel to the Region. An appraisal was completed for these lands on September 3, 2021, by the Region and the City is prepared to pay appraised value.

As there is urgency in the City purchasing this parcel, the Region agreed to execute a Permission to Enter Agreement for the City to begin borehole testing, Geotechnical Investigation and Environmental Site Assessments (ESA) so as not to delay this project. The City has hired an environmental consultant to begin these works, and a Phase 1 ESA has since been completed and we are currently proceeding with a Phase 2.

A follow-up email was sent on March 10 to region staff regarding the status of the Agreement of Purchase and Sale. It was brought to my attention that this was being held and will be brought before Regional Council as a package deal for Merritt Island lands. This was not my understanding.

On July 9, 2019, Niagara Region staff presented the Phase 1 and Phase 2 upgrades for the Welland Water Treatment Plant, which requires City-owned lands located on Merritt Island. The sale of these lands to the Niagara Region will cause the loss of our current parkland, memorial trees, park infrastructure, parking lot, washrooms, and a community services building. On September 3, 2019, Welland City Council passed a motion requesting the Niagara Region pay all associated costs to replace these amenities. The motion is attached.

City staff recently met with Region staff regarding Merritt Island. They have asked if the City can project manage the construction to replace the existing infrastructure mentioned

Bridging the past, present and future

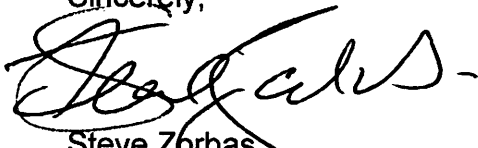
above, with all associated costs being paid by the Niagara Region. This was agreed to, and City staff are in the process of obtaining the costs.

The City believes that all real estate transactions should be done independently as demonstrated in the recent sale of City-owned lands on Bruce Street to the Niagara Region.

There is urgency in the transaction for 884 Prince Charles Drive to be completed as soon as possible so the City can proceed with the construction of Fire Station #3. This facility is needed to support growth in our community. While local municipalities and the Region will benefit from this growth, we must ensure the facilities are in place to support the growth. In addition, the construction of Fire Station #3 will result in improved efficiencies and ensure fire services are not adversely impacted.

Your attention to this matter is greatly appreciated, and I look forward to working with the Niagara Region on both real estate transactions independently.

Sincerely,



Steve Zorbas
Chief Administrative Officer

cc: Regional Council, Niagara Region
Ron Tripp, Chief Administrative Officer, Niagara Region
Mayor Frank Campion, City of Welland
City Council, City of Welland



FILE COPY

FROM THE OFFICE OF THE CITY CLERK

RESOLUTION NO: 2019-615

REFERENCE NO. 99-99

September 12, 2019

Dear Sir or Madam:

Welland City Council passed the following motion

on

September 03, 2019

"THAT THE COUNCIL OF THE CITY OF WELLAND directs staff to start a public consultation process on the design of a new park area and that a report come to General Committee by the end of 2019; and

THAT the report include replacement of the current park infrastructure and enhancements due to the loss of parkland; and

THAT Welland City Council requests the Niagara Region to pay all associated costs, which include, public notice, public consultation and reconstruction of the park, enhancements to compensate for the loss of parkland, parking and full replacement of washrooms and new facility to replace former Merritt Island building; and further

THAT Welland Council requests the Niagara Region to pay for the replanting of the 150th Canada Legacy Memorial trees."

CR:cap

**G. Long, Chief Administrative Officer
c.c - T. Fitzpatrick, Acting General Manager of Infrastructure &
Development
- S. Zorbas, General Manager, Corporate Services/ Chief
Financial Officer/ Treasurer**

From

Deputy Clerk

June 8th, 2022

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

ATTN: - Ann-Marie Norio, Regional Clerk. Niagara Region

RE: - Artisan Ridge, Thorold
- June 15th Corporate Services Committee Meeting (CSC-C 10-2022)
- Proposed Changes to RDC Brownfield Reduction Program

LANDx Developments Ltd. has prepared the following letter on behalf of our clients Downing Street (Artisan Ridge) Inc., owners and developers of the Artisan Ridge Community located at 1522 Beaverdams Road / 161 Queen Street South in the City of Thorold.

Artisan Ridge, a 55.31-acre brownfield, was formerly occupied by the abrasive manufacturer Exolon, which operated production facilities on the property for almost 90 years. Since commencement of remediation efforts back in 2006, over 400,000 tonnes of contaminated material has been remediated and approximately 33.90 acres of land have received a Record of Site Condition. Upon completion, the community will result in 659 new dwelling units (Attachment 1).

In 2018, Ownership applied to Niagara Regional staff under the Regional Development Charges Brownfield Reduction Program ("BDCRP"). To support the application, Regional staff required a third-party audit of project financials to substantiate eligible remediation costs incurred to date by the applicant. On November 8th, 2018, Niagara Regional staff advised that the application had been approved with **\$27,869,477** in confirmed eligible costs (Attachment 2).

Through review of both the 2022 Niagara Development Charges Background Study and 2022 Draft Development Charges By-Law, it has been identified that the BDCRP will be discontinued. In an effort to recognize the constraints associated with the timeline for removing this incentive, staff have provided pre-payment agreements which will allow applicants to secure their eligibility for the BDCRP, subject to a number of criteria. Such criteria includes obtaining a Record of Site Condition and executed building permit prior to the end of December 2022 (Attachment 3). Both the proposed changes to the by-law and the brownfield prepayment agreement criteria have been recommended for approval by the Regional Development Charges Policy Task Force and corresponding motions are being considered by the Corporate Services Committee on June 15th, 2022.

Phase 3 of Artisan Ridge will not be able to meet the terms of the pre-payment agreement and as such its eligibility for the BDCRC incentive is currently set to expire in August of this year. The remediation of brownfield properties of this scale is a very long

and arduous process that does not align with the short timelines established by the current pre-payment agreements.

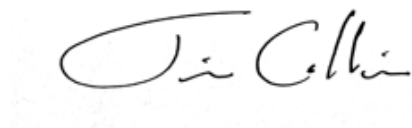
The removal of the BDCRP will have significant implications on the financial viability of the ongoing development of Artisan Ridge. We formally request that either:

- 1. The Draft 2022 Niagara Region Development Charge Bylaw be revised to accommodate a grandfathering provision which will maintain the BDCRP for select projects, such as Artisan Ridge; OR**
- 2. The terms and conditions of pre-payment agreements be revised and tailored on a case-by-case basis for eligible brownfield developments.**

Such a revision will ensure that the development of Artisan Ridge remains eligible for this critical brownfield incentive. Please contact our office if you have any questions.

Please contact our office if you have any questions.

Prepared by,

A handwritten signature in black ink, appearing to read "Tim Collins", is written over a faint, light blue rectangular stamp.

Tim Collins
President
LANDx Developments Ltd.

CC: Mr. Terry Ugulini. Mayor, City of Thorold.
Mr. Tim Whalen. Niagara Regional Councillor, City of Thorold

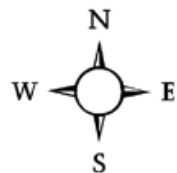


Artisan Ridge, Thorold

Niagara Corporate Services Committee Meeting (Wednesday June 15th, 2022)

Attachment 1

Subject Lands

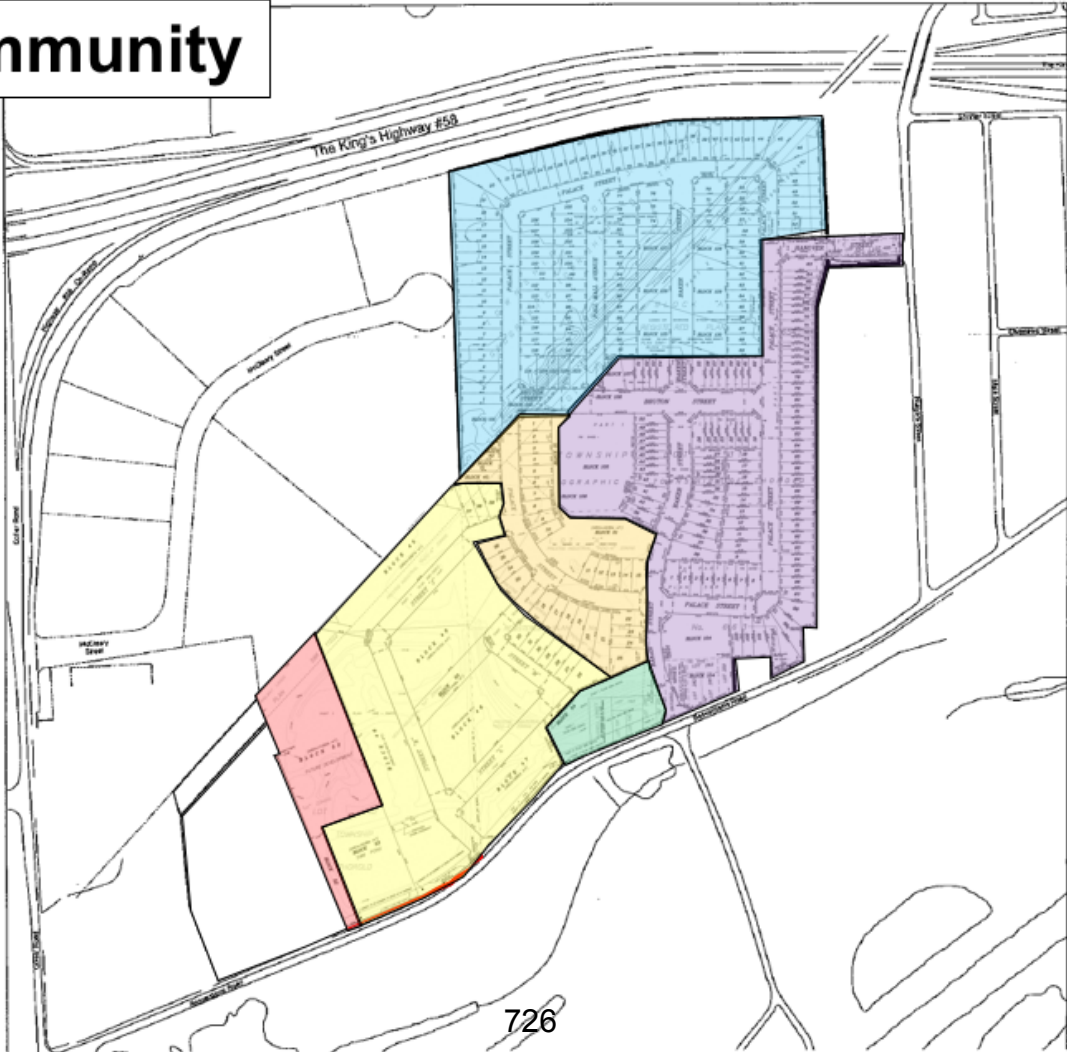


725

Artisan Ridge Community

CSC-C 13-2022

- Phase 1
- Phase 2
- Phase 3(A)
- Phase 3(B)
- Non-Profit Apt
- Future Industrial Lands





Artisan Ridge, Thorold

Niagara Corporate Services Committee Meeting (Wednesday June 15th, 2022)

Attachment 2

Via Regular Mail & Email

November 8th, 2018

LandX Developments Limited
c/o Tim Collins
293-1235 Fairview Street
Burlington, ON L7S 2K9

Dear Mr. Collins,

Re: Regional Development Charges Brownfield Reduction Program – (1522 Beaverdams Road/181 Queen St S, Thorold)

Niagara Region has reviewed the application submitted under the Regional Development Charges Brownfield Reduction Program for the project located at 1522 Beaverdams Road/181 Queen St S, Thorold. The Region would like to inform you that your application has been approved with total eligible costs of \$27,869,477. The total amount of the reduction available under this Niagara Region program has been reduced as a result of previous brownfield related funding from the City of Thorold, (as per Schedule D, paragraph (f) of Regional Bylaw 2017-98).

The Regional Development Charges owing at time of building permit issuance will be reduced pursuant to schedule D. In order to remain eligible for the reduction, the building permit must be issued before the expiry of the Region's current development charge bylaw on August 31, 2022.

Niagara Region would also like to inform you that the approval for funding under the Regional Brownfield Development Charges Reduction Program will result in reductions to future grant program amounts for this property (including tax increment grant) as per schedule "D" paragraph (f) of Regional By-Law No. 2017-98

In order to close this file, the Region requests that evidence is provided to demonstrate project completion once available. Evidence can be in the form of photographs of completed project.

Should you have any questions please don't hesitate to contact:

Rob Fleming
Senior Tax & Revenue Analyst
Financial Management and Planning
Email: robert.fleming@niagararegion.ca



Artisan Ridge, Thorold

Niagara Corporate Services Committee Meeting (Wednesday June 15th, 2022)

Attachment 3

In order to allow developments that are currently in progress and not able to draw building permits by August 31, 2022 to secure the existing DC Brownfield Reduction Program developments have the option to enter into a prepayment agreement to secure the current provisions. In order to be eligible to enter into a prepayment agreement with the Niagara Region the development must submit the below criteria # 1-5 by **June 30, 2022** and have their Record of Site Condition submitted to the Province and building permits executed by **December 31, 2022**. Subject to criteria 1-5 being acknowledges as received by the Region an agreement must be executed and prepayment must occur by **August 31, 2022**.

CSC-C 13-2022

| Criteria # | Criteria |
|------------|--|
| 1 | Proof that Owner is the registered and beneficial owner of the Property |
| 2 | A completed Phase 2 Environmental Site Assessment ("ESA") for the Property |
| 3 | Proof that Owner has commenced the mandatory remediation measures identified in the ESA and proof including a cost estimate that the Owner has retained qualified contractors to perform the mandatory remediation measures to remediate identified contaminants at the Property |

Page 1 of 2



Corporate Services

Financial Management & Planning

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

Telephone: 905-980-6000 Toll-free: 1-800-263-7215 Fax: 905-682-8521

www.niagararegion.ca

| | |
|---|---|
| 4 | A description of the proposed development including types of units proposed and total number of each unit type |
| 5 | Estimate of DC Charges payable with respect of the proposed development |
| 6 | Subject to the above (ie. Criteria 1-5) being submitted by June 30, 2022 an agreement executed by August 31, 2022 and prepayment of net DC payable based on proof of remediation cost estimate |
| 7 | a) By December 1, 2022 reconciliation and proof of actual remediation costs incurred to December 31, 2022 b) By December 31, 2022 proof that the owner has submitted Record of Site Condition to the Province. |
| 8 | Agreements will expire if a building permit is not executed by December 31, 2022 and all DCs will be payable based on the DCs in effect on the date of first building permit issued. |

In order to receive a reduction in Regional Development Charges under the Brownfield Reduction program as outlined in By-law No 2017-98 all prepayment criteria must be achieved.

June 8th, 2022

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

ATTN: - Ann-Marie Norio, Regional Clerk. Niagara Region

**RE: - Former Cytec Lands, Niagara Falls
- June 15th Corporate Services Committee Meeting (CSC-C 10-2022)
- Proposed Changes to RDC Brownfield Reduction Program**

LANDx Developments Ltd. has prepared the following letter on behalf of our clients 1939522 Ontario Inc., owners and developers of the former Cytec Lands located at 4200 Stanley Avenue in Niagara Falls.

The subject property, a 71.93-acre brownfield, was formerly occupied by Cyanamid/Cytec Industries, which operated a chemical manufacturing production facility on the property for almost 90 years. Since acquisition in 2015, Ownership has been actively completing remediation and servicing work on the property, while simultaneously coordinating risk assessment approvals with the Ministry of Environment, Conservation and Parks. To date, 13.69 acres have been successfully remediated and have received a record of site condition (Attachment 1).

Through review of both the 2022 Niagara Development Charges Background Study and 2022 Draft Development Charges By-Law, it has been identified that the Brownfield Development Charge Reduction Program ("BDCRP") will be discontinued. In an effort to recognize the constraints associated with the timeline for removing this incentive, staff have provided pre-payment agreements which will allow applicants to secure their eligibility for the BDCRP, subject to a number of criteria. Such criteria includes obtaining a Record of Site Condition and executed building permit prior to the end of December 2022 (Attachment 2). Both the proposed changes to the by-law and the brownfield prepayment agreement criteria have been recommended for approval by the Regional Development Charges Policy Task Force and corresponding motions are being considered by the Corporate Services Committee on June 15th, 2022.

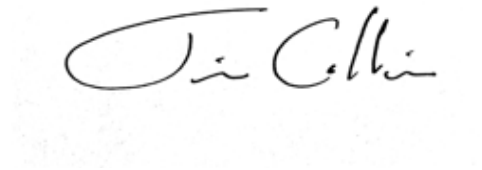
The development of the former Cytec Lands will not be able to meet the terms of the pre-payment agreement and as such its eligibility for the BDRC incentive is currently set to expire in August of this year. The remediation of brownfield properties of this scale is a very long and arduous process that does not align with the short timelines established by the current pre-payment agreements.

The removal of the BDCRP will have significant implications on the financial viability of the ongoing development of the former Cytec property. We formally request that either:

- 1. The Draft 2022 Niagara Region Development Charge Bylaw be revised to accommodate a grandfathering provision which will maintain the BDCRP for select projects, such as the former Cytec property; OR**
- 2. The terms and conditions of pre-payment agreements be revised and tailored on a case-by-case basis for eligible brownfield developments.**

Such a revision will ensure that the redevelopment of the former Cytec property remains eligible for this critical brownfield incentive. Please contact our office if you have any questions.

Prepared by,



Tim Collins
President
LANDx Developments Ltd.

CC: Mr. Jim Diodati. Mayor, City of Niagara Falls.
Mr. Bob Gale. Niagara Regional Councillor, City of Niagara Falls



Cytec Lands, Niagara Falls

Niagara Corporate Services Committee Meeting (Wednesday June 15th, 2022)

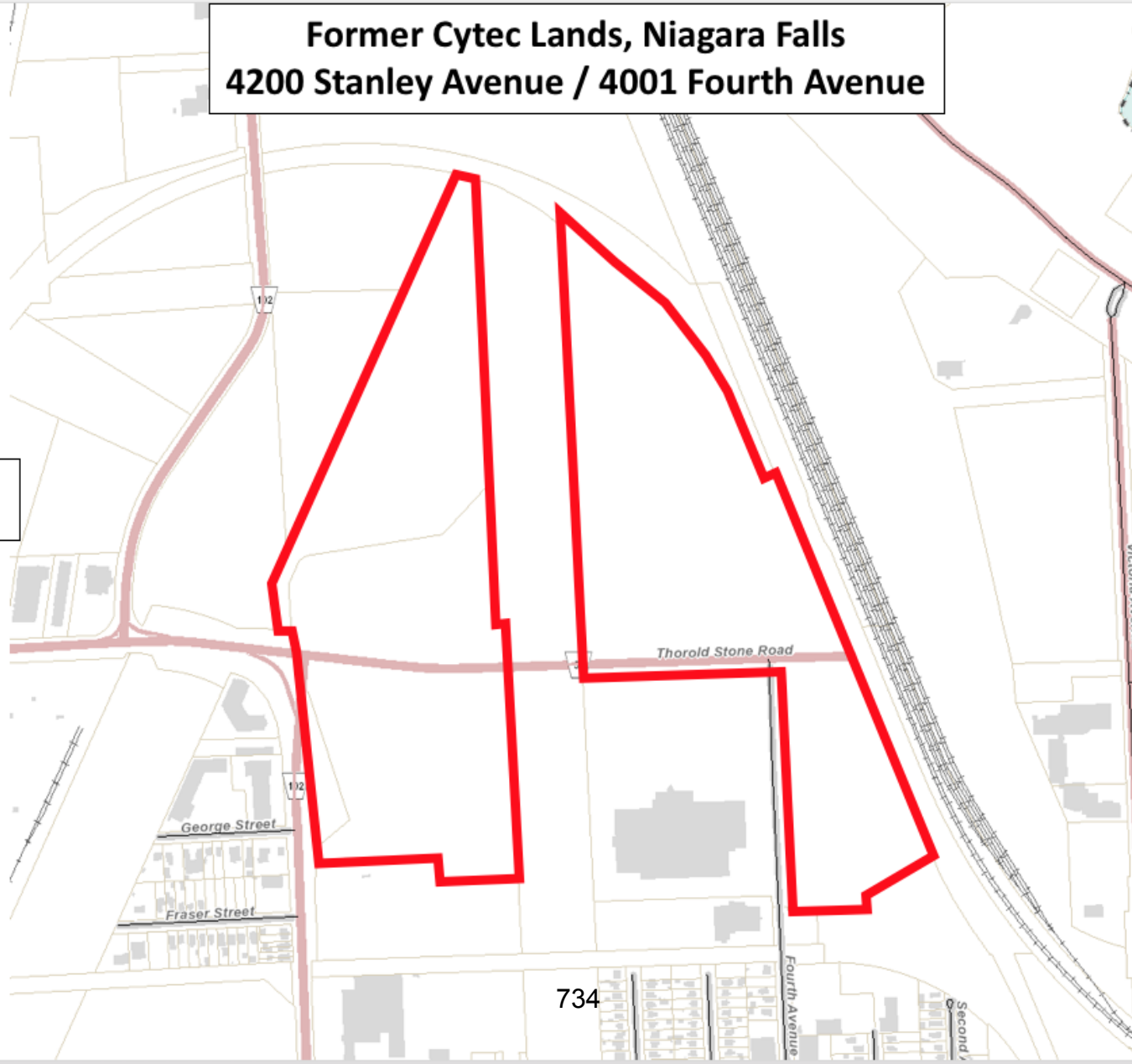
Attachment 1

Former Cytec Lands, Niagara Falls
4200 Stanley Avenue / 4001 Fourth Avenue

CSC-C 14-2022

LEGEND

 - Subject Property



734



Cytec Lands, Niagara Falls

Niagara Corporate Services Committee Meeting (Wednesday June 15th, 2022)

Attachment 2

In order to allow developments that are currently in progress and not able to draw building permits by August 31, 2022 to secure the existing DC Brownfield Reduction Program developments have the option to enter into a prepayment agreement to secure the current provisions. In order to be eligible to enter into a prepayment agreement with the Niagara Region the development must submit the below criteria # 1-5 by **June 30, 2022** and have their Record of Site Condition submitted to the Province and building permits executed by **December 31, 2022**. Subject to criteria 1-5 being acknowledges as received by the Region an agreement must be executed and prepayment must occur by **August 31, 2022**.

CSC-C 14-2022

| Criteria # | Criteria |
|------------|--|
| 1 | Proof that Owner is the registered and beneficial owner of the Property |
| 2 | A completed Phase 2 Environmental Site Assessment ("ESA") for the Property |
| 3 | Proof that Owner has commenced the mandatory remediation measures identified in the ESA and proof including a cost estimate that the Owner has retained qualified contractors to perform the mandatory remediation measures to remediate identified contaminants at the Property |

Page 1 of 2



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|---|---|
| 4 | A description of the proposed development including types of units proposed and total number of each unit type |
| 5 | Estimate of DC Charges payable with respect of the proposed development |
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| 7 | a) By December 1, 2022 reconciliation and proof of actual remediation costs incurred to December 31, 2022 b) By December 31, 2022 proof that the owner has submitted Record of Site Condition to the Province. |
| 8 | Agreements will expire if a building permit is not executed by December 31, 2022 and all DCs will be payable based on the DCs in effect on the date of first building permit issued. |

In order to receive a reduction in Regional Development Charges under the Brownfield Reduction program as outlined in By-law ~~736~~ 2017-98 all prepayment criteria must be achieved.

MEMORANDUM

CSC-C 12-2022

Subject: Information and Background with Respect to Regional Development Charge (RDC) Brownfield Requests

Date: June 15, 2022

To: Corporate Services Committee

From: Blair Hutchings, Senior Tax & Revenue Analyst

The purpose of this memorandum is to provide additional information and background with respect to the request to delegate to Corporate Services Committee (CSC) made by Christopher Lamb, Newcastle Communities and the letters received from Tim Collins, LandX Developments regarding Artisan Ridge, Thorold and Cyttec, Niagara Falls.

Background

In October 2021, Regional Council approved the Niagara Region Incentives Policy, which resulted in the approval of a new Brownfield RDC Deferral Program. Significant engagement and discussion has already occurred on the Incentives Policy programs, including the Brownfield RDC Deferral Program. The current Brownfield RDC Reduction program expires on August 31, 2022, and has been replaced by the Brownfield RDC Deferral Program. This program provides an interest free deferral of Regional Development Charges (RDC) for eligible Brownfield sites until an occupancy permit is issued or up to five years from signing of agreement.

As these developments are all brownfields and the intent is to gain financial assistance for the cost of remediation, these developments may be entitled to the Brownfield Tax Increment Grant (BTIG) Program. This program will continue to provide relief, up to the cost of remediation, with matching Regional BTIG funding for projects that have been approved for local municipal funding under a Community Improvement Plan (CIP) program, and which have an agreement executed between the municipality and the developer. As a result, these developments do not return any tax revenue to the Region generally for the first 10 years after completion.

All Brownfield RDC Reduction program applications in approved or pending status, have been made aware in writing from the Region that in order to remain eligible for the RDC reduction, building permits must be issued before the expiry of the Region's current RDC By-law on August 31, 2022. This notification has occurred in several formal letters issued to developers in addition to being communicated via email upon any inquiries made regarding applications.

At the RDC Task Force on April 7 and May 19, 2022, the criteria for prepayment agreement with developers in pending or approved status within the program was discussed and approved. The criteria originally required remediation to be complete and Record of Site Condition to be submitted to the province by August 31, 2022, with building permit deadline of December 31, 2022 (a four month extension from the current by-law requirement). This criteria was amended by the Task Force from staff's original recommendations to address concerns from the development community to give those developers, for which their developments are imminent, additional time for delays that are out of their control. Specific examples of potential delays include, those delays related to Provincial approval of the RSC or delays related to City building permit issuance. The date for completion of remediation, submission of Record of Site Condition (RSC) and obtaining Building Permits were all extended to December 31, 2022. The Region recognizes that submissions of RSC and obtaining building permits must happen sequentially, however both must be completed by the deadline of December 31, 2022.

It should be noted, that submissions of incomplete applications before the expiry of the by-law for developments that are not expected to occur until many years into the future, is not consistent with the prepayment concept or the new program design, and as such, is an unreasonable request of the program. In most cases, these applications are submitted by very experienced developers and consultants who are aware that the DC by-law expires every 5 years and that these discretionary incentives are not guaranteed.

Financial Impact

Based on the current request of the two projects (Riverside Dr. and Artisan Ridge) there is an estimated \$12 million in additional Brownfield RDC Reduction grants to be paid to developers and funded from the tax levy. In addition to the three properties seeking an extension, the Region is aware of three other developments who have similar circumstances therefore to mitigate any bonusing implications extension would extend to these as well. There is also a risk that other developments that we are not currently aware of that would benefit from the extension. When taking into account these

additional three developments, the total estimated grants to be funded by taxpayers is \$24 million. This figure excludes any grant for the Cytex property which given the scope of the project is estimated to be significant.

Newcastle Communities

- This developer has had 3 other Brownfield properties (1 complete and closed, 2 expected to pull permits by August 31, 2022). As a result, they have been aware of the programs August 31, 2022, expiry for some time.
- Upon permit issuance, developer will have obtained grants of approximately \$750,000.
- An incomplete application for the Riverside Dr., Welland property was received on June 9, 2022.
- This project has a total potential grant of \$2.6 million.
- This developer's concern appears to be that prepayment agreement criteria has the same date for submission of a Record of Site Condition to the Province and Building Permit issuance. Although the deadline is the same we recognize this must be sequential.

Artisan Ridge

- The Region received an application in April 2018,
- The project was approved in the program on November 8, 2018.
- The developer's approval letter issued in 2018, identified that in order to remain eligible for the reduction, the building permit must be issued before the expiry of the Region's current development charge By-law on August 31, 2022.
- The developer has been aware of the program expiry through subsequent letters issued to the developer in 2021 and 2022 and several emails since 2018.
- The Region has received all required documents from the developer and has audited total remediation costs of \$27 million. Total RDC estimated are \$9.3 million of which \$5.1 million will be granted through the RDC Reduction program for permits they anticipate to obtain by August 31, 2022.
- The remaining \$4.2 million for the next phase of development in 5-7 years falls outside parameters of current program but will be entitled to the BTIG.

Cyctec

- Region has not received a Brownfield RDC reduction application for this property.
- Finance and Planning Staff are not aware of any property details, timelines, remediation etc., other than those in the letter submitted by Tim Collins.
- This project appears to be a large scale brownfield, where remediation costs would likely be substantial resulting in a significant grant
- The timeframes of this project are unknown, therefore this extension request timeframe would likely be significant.

Respectfully submitted and signed by

Blair Hutchings, MBA, CPA
Senior Tax & Revenue Analyst

Minute Item No. 5.1

ED 6-2022

10 Year Economic Development Strategy

That Report ED 6-2022, dated June 15, 2022, respecting 10 Year Economic Development Strategy **BE RECEIVED** and the following recommendation **BE APPROVED**:

1. That the 10 Year Economic Development Strategy attached as Appendix 2 to Report ED 6-2022, **BE APPROVED**.

Minute Item No. 5.2

PDS 17-2022

Niagara Official Plan: Recommendation Report for Adoption

That Report PDS 17-2022, dated June 15, 2022, respecting Niagara Official Plan: Recommendation Report for Adoption, **BE RECEIVED** and the following recommendations **BE APPROVED**:

1. That the Niagara Official Plan (NOP) **BE DECLARED** to meet the requirements of Section 26(1)(a),(b) and (c) of the *Planning Act* as required by Section 26(7) of the *Planning Act*;
2. That the NOP, as summarized in Report PDS 17-2022 and attached as Schedule A to the proposed By-law listed as Appendix 1, **BE ADOPTED** in accordance with Section 17(22) of the *Planning Act*;
3. That the proposed By-law to adopt the new NOP **BE APPROVED**;
4. That the current NOP, as approved by By-law (828-785-73, as amended) **BE REPEALED** on the date the new NOP is approved by the Province of Ontario;
5. That the requirements of 17(15) and 17(16) of the *Planning Act* **BE DECLARED** to have been met and that no additional public meeting or open house be required;
6. That the notice of decision of Council's adoption of the NOP **BE GIVEN** in accordance with Section 17(23) of the *Planning Act*;
7. That a copy of this Report **BE PROVIDED** to local area municipalities; and
8. That a copy of this Report and supporting materials **BE PROVIDED** to the Ministry of Municipal Affairs and Housing for review and approval, in accordance with Section 17(31) and 26(6) of the *Planning Act*.

Minute Item No. 6
Consent Items for Information

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

PDS-C 43-2022

A letter from Chris Mason, Chief Operating Officer, Canadian Niagara Hotels Inc., dated June 9, 2022, respecting PDS 17-2022 Niagara Official Plan: Recommendation Report for Adoption Comments on Proposed Niagara Region Official Plan Canadian Niagara Hotels Inc. and related companies and persons ("CNH")

PDS-C 44-2022

A letter from Meaghan McDermid, Davies Howe LLP, on behalf of Mega Canada Ltd., dated June 9, 2022, respecting Request for Re-Inclusion in Settlement Area SABR ID: 1151 - Lands located on Garrison Road between Rosehill road and Municipal Centre Drive, Town of Fort Erie

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PDS-C 56-2022

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PDS-C 57-2022

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PDS-C 58-2022

A letter from Susan Rosenthal, Davies Howe LLP, on behalf of Niagara Falls Park Inc., dated June 14, 2022, respecting Request for Inclusion in Settlement Area, 5021 Garner Road, City of Niagara Falls

**THE REGIONAL MUNICIPALITY OF NIAGARA
PLANNING & ECONOMIC DEVELOPMENT COMMITTEE
MINUTES**

**PEDC 5-2022
Wednesday, June 15, 2022
Council Chamber / Video Conference
Niagara Region Headquarters, Campbell West
1815 Sir Isaac Brock Way, Thorold, ON**

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

Committee Members Present via Video Conference: Bradley (Regional Chair), Britton, Butters, Bylsma, Easton, Fertich, Foster, Greenwood, Junkin, Redekop, Sendzik, Ugulini, Zalepa

Absent/Regrets: Campion, Heit, Huson (Committee Chair)

Staff Present in the Council Chamber: E. Acs, Manager, Community Planning, G. Bowie, Senior Planner, D. Heyworth, Manager, Long Range Planning, V. Kuhns, Associate Director, Economic Development, P. Lambert, Director, Infrastructure Planning & Development Engineering, D. Morreale, Acting Director, Community and Long Range Planning, S. Norman, Senior Planner, A.-M. Norio, Regional Clerk, K. Scholtens, Manager, Business Development & Expedited Services, M. Sergi, Commissioner, Planning & Development Services, L. Sicoli, Economic Development Officer, G. Spezza, Director, Economic Development, J. Spratt, Administrative Assistant to the Regional Clerk, R. Tripp, Chief Administrative Officer

Staff Present via Video Conference: C. Banach, Manager, Housing Operations, E. Chou, Manager, Trade & Investment, B. Hutchings, Program Financial Analyst, Corporate Services, S. Madder, Manager, Corporate Performance & Strategy, M. Steele, Associate Director, Reporting & Analysis, A. Tikky, Senior Planner, C. Ventura, Legislative Coordinator, B. Zvaniga, Interim Commissioner, Public Works

1. CALL TO ORDER

Committee Vice-Chair Witteveen called the meeting to order at 1:02 p.m.

2. DISCLOSURES OF PECUNIARY INTEREST

There were no disclosures of pecuniary interest.

3. PRESENTATIONS

3.1 Inspire. Invest. Grow. Niagara's 10 Year Economic Development Strategy

Valerie Kuhns, Associate Director, Economic Development, Linda Sicoli, Economic Development Officer, and Ken Scholtens, Manager, Business Development & Expedited Services, provided information respecting Inspire. Invest. Grow. Niagara's 10 Year Economic Development Strategy. Topics of the presentation included:

- Strategy foundation & development
- Sector development and support
 - Emerging sectors
- Diversity, equity and inclusion
- Education and workforce development
- Business retention and expansion
- Green development and sustainability
- Infrastructure and transportation

There being no objection, Report ED 6-2022 (Agenda Item 5.1) respecting 10 Year Economic Development Strategy, was considered at this time.

5. ITEMS FOR CONSIDERATION

5.1 ED 6-2022

10 Year Economic Development Strategy

Moved by Councillor Easton

Seconded by Councillor Zalepa

That Report ED 6-2022, dated June 15, 2022, respecting 10 Year Economic Development Strategy **BE RECEIVED** and the following recommendation **BE APPROVED**:

1. That the 10 Year Economic Development Strategy attached as Appendix 2 to Report ED 6-2022, **BE APPROVED**.

Carried

3. **PRESENTATIONS**

3.2 **Niagara Official Plan: Recommendation for Adoption**

David Heyworth, Manager, Long Range Planning, provided information respecting Niagara Official Plan: Recommendation for Adoption. Topics of the presentation included:

- The new Niagara Official Plan
- A vision for Niagara
- How we protect the natural environment & agricultural land base
- How we grow
 - Regional structure
 - Expansion areas
- How we realize this vision
- Final revisions to the plan
- Opportunities and benefits
- Monitoring our progress

4. **DELEGATIONS**

4.1 **Niagara Official Plan: Recommendation Report for Adoption (Report PDS 17-2022 (Agenda Item 5.2))**

Moved by Councillor Foster
Seconded by Councillor Butters

That Gracia Janes, Jean Grandoni, and Patricia McGorman, **BE PERMITTED** to appear before Committee as individual delegates respecting Niagara Official Plan: Recommendation Report for Adoption.

Carried

4.1.1 John Basile, Resident, Town of Fort Erie

John Basile, Resident, Town of Fort Erie, requested that 4269 Michener Road, Town of Fort Erie, be included in the urban boundary expansion area.

4.1.2 Shawn Mazzuto, Resident, Town of Fort Erie

Steven Rivers, on behalf of Shawn Mazzuto, Resident, Town of Fort Erie, requested that Mr. Mazzuto's property be included in the urban boundary expansion area.

4.1.3 Stephen Fraser, A. J. Clarke and Associates Ltd.

Stephen Fraser, A. J. Clarke and Associates Ltd., on behalf of Marz Homes, thanked staff for their work on the Official Plan and for the inclusion of Marz Homes property, in the Town of Fort Erie, in the urban boundary expansion area.

4.1.4 Dan Gabriele, Marz Homes

Dan Gabriele, Marz Homes, thanked staff for their work on the Official Plan.

4.1.5 Susan Naylor and Jen Navaroli, Last Chance Horse and Pony Rescue and Sanctuary

Susan Naylor and Jen Navaroli, Last Chance Horse and Pony Rescue and Sanctuary, thanked Committee for removing the lands that the Last Chance Horse and Pony Rescue and Sanctuary occupy from the urban boundary expansion area.

4.1.6 Jim Harnum, Municipal VU Consulting Inc.

Jim Harnum, Municipal VU Consulting Inc., thanked staff for their work on the Official Plan and requested Committee approve Report PDS 17-2022.

4.1.7 Meaghan McDermid, Davies Howe LLP, and Maurizio Rogato, Blackthorn Development Corp.

Meaghan McDermid, Davies Howe LLP, and Maurizio Rogato, Blackthorn Development Corp., requested that 1 Municipal Drive, Town of Fort Erie, be included in the urban boundary expansion area, and that Committee defer the approval of the Official Plan until additional consultation regarding their property is completed.

4.1.8 Tom Richardson, Sullivan Mahoney LLP

Tom Richardson, Sullivan Mahoney LLP, on behalf of the Township of West Lincoln, thanked staff for their site specific policy work regarding the Smithville urban boundary expansion area, and asked Committee to support Report PDS 17-2022.

4.1.9 Mary Lou Tanner, NPG Planning Solutions Inc.

Mary Lou Tanner, NPG Planning Solutions Inc., on behalf of Nyon Oil Inc., thanked staff for their work on mapping rural employment lands, and requested Committee approve Report PDS 17-2022.

4.1.10 Dr. John Bacher, Researcher, Preservation of Agricultural Lands Society

Dr. John Bacher, Researcher, Preservation of Agricultural Lands Society, provided comments regarding PDS 17-2022, specifically the need for more diverse housing types to address demographic trends, the lack of need for new employment lands located on prime agricultural lands, and the availability of lands in the City of Welland and the City of Port Colborne that could be an alternative to the urban boundary expansion areas on prime agricultural lands in the City of Niagara Falls.

4.1.11 Gracia Janes, Niagara District Council of Women

Gracia Janes, Niagara District Council of Women, provided comments regarding PDS 17-2022, specifically that Committee reconsider the urban boundary expansion area south of the City of Niagara Falls, reduce the population projection for the Township of West Lincoln to protect prime agricultural lands, and accept the Provincial population target of 654,000 residents and any additional population increases be accommodated within the urban boundaries of the City of Port Colborne and the City of Thorold. Ms. Janes requested that Committee consider amending the Official Plan to include additional protections for prime agricultural lands, natural heritage lands, and climatically favoured fruit lands.

4.1.12 Jean Grandoni, Resident, City of Niagara Falls

Jean Grandoni, Resident, City of Niagara Falls, provided comments regarding PDS 17-2022, specifically that the Report does not conform to the Provincial policy statement regarding the urban boundary expansion areas north of the Welland River in the City of Niagara Falls. Ms. Grandoni requested that Committee refuse the urban boundary expansion area proposed for the City of Niagara Falls.

4.1.13 Patricia McGorman, Canada South Land Trust

Patricia McGorman, Canada South Land Trust, highlighted concerns with outstanding indigenous land claims, and the extent of future employment and residential lands near agricultural and natural heritage features.

5. ITEMS FOR CONSIDERATION

5.2 PDS 17-2022

Niagara Official Plan: Recommendation Report for Adoption

Moved by Councillor Fertich

Seconded by Councillor Redekop

That Report PDS 17-2022, dated June 15, 2022, respecting Niagara Official Plan: Recommendation Report for Adoption, **BE RECEIVED** and the following recommendations **BE APPROVED**:

1. That the Niagara Official Plan (NOP) **BE DECLARED** to meet the requirements of Section 26(1)(a),(b) and (c) of the *Planning Act* as required by Section 26(7) of the *Planning Act*;
2. That the NOP, as summarized in Report PDS 17-2022 and attached as Schedule A to the proposed By-law listed as Appendix 1, **BE ADOPTED** in accordance with Section 17(22) of the *Planning Act*;
3. That the proposed By-law to adopt the new NOP **BE APPROVED**;
4. That the current NOP, as approved by By-law (828-785-73, as amended) **BE REPEALED** on the date the new NOP is approved by the Province of Ontario;
5. That the requirements of 17(15) and 17(16) of the *Planning Act* **BE DECLARED** to have been met and that no additional public meeting or open house be required;
6. That the notice of decision of Council's adoption of the NOP **BE GIVEN** in accordance with Section 17(23) of the *Planning Act*;
7. That a copy of this Report **BE PROVIDED** to local area municipalities; and
8. That a copy of this Report and supporting materials **BE PROVIDED** to the Ministry of Municipal Affairs and Housing for review and approval, in accordance with Section 17(31) and 26(6) of the *Planning Act*.

Recorded Vote:

Yes (12): Britton, Butters, Bylsma, Easton, Fertich, Foster, Junkin, Redekop, Rigby, Ugulini, Witteveen, Zalepa.

No (0):

Carried

6. CONSENT ITEMS FOR INFORMATION

Moved by Councillor Easton
Seconded by Councillor Junkin

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

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PDS-C 58-2022

A letter from Susan Rosenthal, Davies Howe LLP, on behalf of Niagara Falls Park Inc., dated June 14, 2022, respecting Request for Inclusion in Settlement Area, 5021 Garner Road, City of Niagara Falls

Carried

7. OTHER BUSINESS

There were no items of other business.

8. NEXT MEETING

The next meeting will be held on Wednesday, July 13, 2022 at 1:00 p.m.

9. ADJOURNMENT

There being no further business, the meeting adjourned at 4:08 p.m.

Councillor Witteveen
Committee Vice-Chair

Chris Ventura
Legislative Coordinator

Ann-Marie Norio
Regional Clerk

10 Year Economic Development Strategy

Planning and Economic Development Committee

ED 6-2022
June 15, 2022

Valerie Kuhns, Associate Director, Economic Development



INSPIRE. INVEST. GROW.

NIAGARA'S 10 YEAR ECONOMIC DEVELOPMENT STRATEGY

2022-2032

Presented by: Valerie Kuhns | Linda Sicoli | Ken Scholtens

STRATEGY FOUNDATION

- Regional Council
Strategic Priority Project
- Team Niagara
Collaboration



STRATEGY DEVELOPMENT

“Niagara is where innovative businesses grow and community-minded individuals stay – coming together to build a more prosperous future.”



Economic Base
Analysis



Community and
Business Engagement



Vision statement and
attributes

Sector Development and Support

“ Goal: To foster resilient diversity in our economy through the development of emerging sectors and value-added opportunities while continuing to grow and support our strong industry clusters, uniquely established by our strategic location, natural assets and competitiveness. ”

Existing strong sectors:

- Agriculture
- Manufacturing
- Professional Services
- Tourism



Sector Development and Support

Emerging sectors

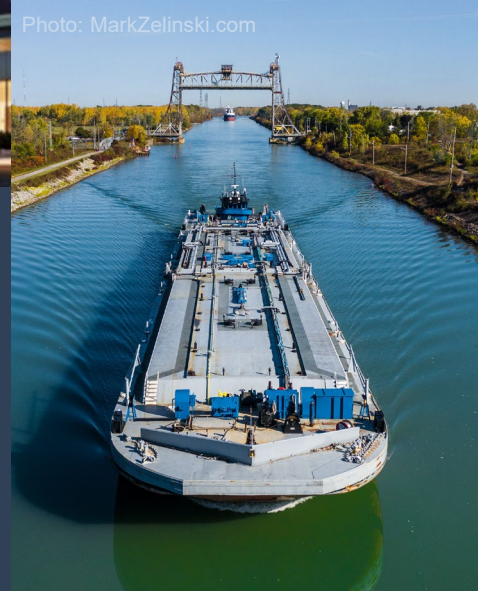
FILM INDUSTRY



HEALTHCARE



MARINE



ELECTRIC VEHICLES



SPORT TOURISM





National Day for Truth and Reconciliation at Regional Headquarters

Photo: Julie Jocsak/Torstar

Diversity, Equity and Inclusion

“ Goal: Consistently incorporate the principles of diversity, equity and inclusion throughout our goals to attract and sustain an inclusive society where everyone has the necessary tools to succeed and thrive. ”

- Growth of businesses owned by diverse individuals
- Integration of newcomers, women, youth and Indigenous people into the labour force
- Advocacy to increase crucial supports to enable participation in the labour force
- Regional Economic Development through DEI lens

Education and Workforce Development



“ Goal: Work with businesses, employment organizations and post-secondary institutions to ensure a robust workforce. ”

Mismatch between jobs and labour

- Continued studies vs. entering labour force
- Overqualified participants
- Lack of soft skills
- Need for micro credentials

Mitigate low participation rates

- Affordable and available childcare
- Affordable and attainable housing
- Availability of regional transit with routes and times to suit work schedules
- Employers offering flexible working arrangements around school hours
- Access to reliable broadband coverage across the region

Business Retention and Expansion

“ Goal: To ensure that municipal economic development offices have support from NED to encourage their businesses to stay and grow. ”

- Support municipal economic development
- Urban and Rural municipalities
- Gateway CIP in partnership with LAMs

Green Development and Sustainability

“ Goal: Niagara will look to not only preserve but also leverage its unique natural features to build a sustainable environment through innovative thinking and adopting new technologies. There will be alignment with climate change policies with all levels of government to achieve smart environmentally sustainable development. ”

- Official Plan
- Protecting the environment
- Climate Change committee
- Incentives structured to encourage green development
- FDI target
- Commitment to support and achieve 2050 targets



Infrastructure and Transportation

“

Goal: The transportation infrastructure network will support the efficient movement of goods, provide adequate connections to support the tourism industry, and provide high-quality access to employment for all residents. Achieve a higher and better use of infrastructure to support economic growth in Niagara. ”

Growth
Targets

Employment
Lands

Office
Vacancies

GO Train

Airport

Niagara to
GTA Corridor



Strategic Action Plan

Investment
Attraction

External
Marketing

Business and
Economic
Research and
Analysis

Expedited
Services and
Business
Development

LAM and Sector
Support

Strategic
Initiatives and
Advocacy

INSPIRE. INVEST. GROW.

Niagara's 10 Year Economic Development Strategy 2022-2032

- Team Niagara
- Innovation Eco-system
- Business/Downtown Improvement Associations
- Employment Organizations
- Post-secondary Institutions
- Tourism Organizations
- Chambers Of Commerce
- Provincial Government Ministries
- Industry Associations
- Niagara Workforce Planning Board
- Small Business Enterprise Centres
- St. Lawrence Seaway Management Corporation
- Hamilton Oshawa Port Authority
- Venture Niagara

Strategy Implementation

- Dynamic document
- Timeframes and Performance Metrics
- Annual report to PEDC





Valerie Kuhns
Associate Director, Economic Development
Valerie.Kuhns@NiagaraRegion.ca

Subject: 10 Year Economic Development Strategy

Report to: Planning and Economic Development Committee

Report date: Wednesday, June 15, 2022

Recommendations

1. That the 10 Year Economic Development Strategy attached as Appendix 2 to Report ED 6-2022, **BE APPROVED**.

Key Facts

- The purpose of this report is to seek Planning and Economic Development Committee's approval of Niagara Region's 10 Year Economic Development Strategy.
- The development of the Strategy is one of Regional Council's priority projects in its Strategic Plan, under Priority 1 Supporting Businesses and Economic Growth.
- The Economic Development Strategy has been developed collaboratively by the Strategy Advisory Council.
- The Strategy takes a long term view of the priorities and actions needed to achieve a strong and sustainable economy within a 10 year timeframe.
- The Strategy is in alignment with the new Regional Official Plan as well as the Transportation Master Plan and Water and Wastewater Plan and local area municipal economic development strategies.

Financial Considerations

The costs to complete the 10 Year Economic Development Strategy have been accommodated within the Council approved 2022 Economic Development operating budget.

Initiatives identified in the Strategy are expected to be accommodated within future Economic Development operating budgets. If additional cost requirements are identified, as the Niagara Region works with its partners to implement the Strategy, requests will be included for Council consideration through future Operating Budget submissions.

Analysis

The Economic Development Strategy outlines strategic directions, goals and actions that will guide the work of Niagara Economic Development (NED) going forward, working with its partners to ensure a strong and sustainable economy for Niagara. The Strategy is one of Regional Council's priority projects in its Strategic Plan – Supporting Businesses and Economic Growth. The development of the 10 Year Economic Development Strategy was led by the Strategy Advisory Council which has representation from Regional Economic Development and all the municipal economic development offices, as well as the Commissioner, Planning and Development Services, Niagara Region.

The Strategy aligns with municipal economic development strategies or strategic plans as well as the new Regional Official Plan, the Niagara Region Transportation Master Plan and the Water and Wastewater Master Servicing Plan.

There are two documents included as appendices to this report. Appendix 1 is a summary Strategy document which has been developed as a marketing brochure and will be promoted to the broader Niagara community and business groups. Appendix 2, is the full Strategy document and includes appendices on our Strategy Advisory Council Terms of Reference, Economic Base Analysis, Community and Business Engagement Final Report, Intelligent Futures (2022) and Niagara Official Plan 2022, Chapters 3, 4 and 5. Both will be posted on the www.niagaracanada.com (<http://www.niagaracanada.com>) website and will be downloadable.

A vision statement was created through the engagement process as an aspirational guide for the Strategy's implementation over the next 10 years.

“Niagara is where innovative businesses grow and community-minded individuals stay – coming together to build a more prosperous future”.

Strategic Directions

Strategic directions were established by combining input from the research conducted through background review, the economic and industrial base analysis and the community and business engagement. They build on strengths, address weaknesses and identify potential opportunities for the region. The objective is to achieve the

confident and positive business environment necessary to grow a strong and sustainable economy.

The six strategic directions are listed below. Each direction has a goal statement and description.

- Sector Development and Support
- Diversity, Equity and Inclusion
- Education and Workforce Support
- Business Retention and Expansion
- Green Development and Sustainability
- Infrastructure and Transportation

Strategic Action Plan

Implementation of the 10 Year Economic Development Strategy through the Strategic Action Plan will focus on the role of NED and its current mandate as defined in the Memorandum of Understanding (MOU). Most of the actions go beyond the key functions of Regional economic development and will be developed in collaboration and partnership with members of Team Niagara and the broader community and business groups in the region. Each action is given a specific timeline according to its priority level. Performance metrics are provided to measure the progress of the Strategy's implementation.

Alternatives Reviewed

All activities described in this report are key functions of Regional Economic Development and the tactics being used are consistent with accepted economic development practices.

Relationship to Council Strategic Priorities

The development of a 10 Year Economic Development Strategy is a priority project within Regional Council's Strategic Plan for this term of Council. It is aligned to Priority 1 Supporting Businesses and Economic Growth.

Other Pertinent Reports

ED 3-2022 Long Term Economic Development Strategy Update

ED 17-2021 Economic Development Strategy Update and Economic Base Analysis

Prepared by:

Valerie Kuhns
Associate Director
Economic Development

Recommended by:

George Spezza, EcD, CEcD
Director
Economic Development

Submitted by:

Ron Tripp, P.Eng.
Chief Administrative Officer

This report was prepared in consultation with Lyndsey Ferrell, Program Financial Specialist.

Appendices

| | |
|------------|--|
| Appendix 1 | Inspire Invest Grow |
| Appendix 2 | Inspire Invest Grow (Full Strategy document) |



NIAGARA'S 10 YEAR ECONOMIC DEVELOPMENT STRATEGY 2022-2032



INTRODUCTION

The 10 Year Economic Development Strategy is being written at a unique time for Niagara, as we emerge from the economic effects of the worldwide pandemic. In the last two years COVID-19 has accelerated many opportunities and reinforced numerous issues that existed pre-pandemic. Niagara is experiencing exceptional growth in terms of investment, development and forecasting dramatic population increases. Trends such as digitization, e-commerce, artificial intelligence and new work practices are emerging from the pandemic. Conversely, the region is facing many issues that are not unique to Niagara, but exist across Ontario, including low labour force participation, the effect of the pandemic on service based industries, availability of affordable housing, lack of comprehensive broadband coverage across the region and supply chain disruptions.

In this document, Niagara Economic Development (NED) outlines strategic directions, goals, and actions that will guide its work as it collaborates with its partners and to build a strong and sustainable economy together. In this time of opportunity, uncertainty and change, decisions made now will shape Niagara's future for years to come. The Strategy is a dynamic document, which will be iterated and updated as required, throughout its term. From a data perspective, the 2021 census data is to be released over the next few months and economic statistics from a full post-pandemic year are not yet available, all of which may influence the strategic directions. Consequently, the Strategy will be reviewed within the next two years to update the information presented and review the strategic directions and actions.

VISION STATEMENT

The Strategy's Vision Statement was created with input from over 500 participants from the private, not-for-profit, and government sectors and is an aspirational guide for its implementation over the next 10 years.

Niagara is where innovative businesses grow and community-minded individuals stay—coming together to build a more prosperous future.

NIAGARA REGION PROFILE

- Two-tier municipal structure
- 12 local area municipalities blending urban and rural
- Strategically located between the US and GTA with five border crossings
- 800 kilometres (500 miles) of 130 million people
- Foreign Trade Zone
- Multimodal transportation – road, rail, marine and air with the Welland Canal connecting Lake Ontario and Lake Erie



491,120
TOTAL POPULATION

Total Labour Force



217,000

Total Employer Businesses

13,641



Total Employment



204,300

Total Real GDP

\$15.8B



TRADE



Export
\$4.7B



Import
\$3.2B

\$6.0B



Total Retail Sales

TOTAL
CONSTRUCTION
INVESTMENT



\$1.8B TOTAL

\$1.3B Residential

\$333M Commercial

\$102.4M Industrial

\$46.2M Institutional

STRATEGIC DIRECTIONS

The strategic directions of the Economic Development Strategy were established by combining input from the research conducted through the background review, the economic and industrial base analysis and the community and business engagement. The Strategy builds on the strengths of the region, addresses weaknesses and identifies potential opportunities. The objective is to achieve a confident and positive business environment that is necessary to grow a strong and sustainable economy.

GOAL



To foster resilient diversity in our economy through the development of emerging sectors and value-added opportunities while continuing to grow and support our strong industry clusters, uniquely established by our strategic location, natural assets and competitiveness.



GOAL

Consistently incorporate the principles of diversity, equity and inclusion throughout our goals to attract and sustain an inclusive society where everyone has the necessary tools to succeed and thrive.

“

The Strategy builds on the strengths of the region, addresses weaknesses and identifies potential opportunities. ”



GOAL

Work with businesses, employment organizations and post-secondary institutions to ensure a robust workforce.



GOAL

To ensure that municipal economic development offices have support, as appropriate, from Niagara Economic Development (NED) to encourage their businesses to stay and grow. Recognize the differentiation between communities which are urban and rural and the opportunities and challenges they both face. Encourage collaboration between the two tiers of local government in support of BRE.

STRATEGIC DIRECTIONS



GOAL

Niagara will look to not only preserve but leverage the unique natural features to build a sustainable environment through innovative thinking and adopting new technologies. There will be an alignment with climate change policies with all levels of government to achieve smart environmentally sustainable development.



GOAL

The transportation infrastructure network will support the efficient movement of goods, provide adequate connections to support the tourism industry, and provide high-quality access to employment for all residents. Achieve a higher and better use of infrastructure to support economic growth in Niagara.

“

Niagara will look not only to preserve but leverage its unique natural features to build a sustainable environment through innovative thinking and adopting new technologies. ”



NIAGARA ECONOMIC STRATEGIC ACTION PLAN

Implementation of the 10 Year Economic Development Strategy through the Action Plan will focus on the role of NED and its current mandate as defined in the Memorandum of Understanding (MOU). Most of the actions go beyond the key functions of Regional economic development and will be developed in collaboration and partnership with members of Team Niagara and the broader community and business groups in the region.

The actions in the Strategic Action Plan directly support the Strategic Directions in the Economic Development Strategy. Each action is given a specific time frame according to its priority level. The time frames are: Ongoing (continuous); Immediate (1-3 years); Medium (3-6 years) and Long-Term (6-10 years).

Performance metrics are provided for the actions and are essential to measure the progress of the implementation within the Economic Development Strategy. The metrics can also be used to improve economic development programming and performance as well as inform policy development and decision making.

Within the profession of economic development, performance measures are recognized as important as well as being recognized as difficult to quantify. The metrics provided in this Strategy are measures of activities, for example leads generated, as well as outcomes, for example increased level of investment and jobs in the region. Outcomes are particularly difficult to measure because they generally relate to the region-wide economy and so it is challenging to attribute them specifically to Regional economic development or to any other organization.



PARTNERSHIPS

- Team Niagara • Innovation Eco-System • Business/Downtown Improvement Associations
- Employment Organizations • Post-Secondary Institutions • Tourism Organizations
- Chambers Of Commerce • Provincial Government Ministries • Industry Associations
- Niagara Workforce Planning Board • Small Business Enterprise Centres
- St. Lawrence Seaway Management Corporation • Hamilton Oshawa Port Authority • Venture Niagara

STRATEGY 1 INVESTMENT ATTRACTION



To grow and diversify the economy through targeted business attraction in sectors where Niagara has a competitive advantage, as well as in emerging sectors, where Niagara can demonstrate a strong business case for investment.

ACTIONS

ONGOING

- Conduct lead generation focused on sectors or subsectors where Niagara has an advantage as identified through research
- Build the investment pitch based on Niagara's advantages and unique assets (e.g. strategic location)
- Pro-actively engage in regular communication with local economic development offices to keep current on opportunities, successes and new assets to be promoted within the FDI pitch
- Responsible for developing the agenda, itinerary and content of inward missions and familiarization (FAM) tours to promote Niagara
- Development and planning of external trade and investment missions, events and trade shows to promote Niagara to potential investors
- Raise Niagara's profile to intermediary contacts, including the Consider Canada City Alliance (CCCA), Canadian Trade Commissioners, Ontario representatives abroad, foreign consuls, overseas Chambers of Commerce, Export Development Canada, etc.
- Promote the Niagara Foreign Trade Zone programs through marketing activities to local businesses to support the export diversification of Niagara's manufacturing companies into new foreign markets
- Continue to collaborate with the World Trade Centre Toronto to promote and facilitate the Trade Access Program (TAP)

IMMEDIATE

- Promote Niagara as a new destination for film and television production, identify resources and streamline the permit process
- Develop a Customer Relationship Management (CRM) system that is customized to the needs of NED and explore the opportunity to develop an integrated system with municipalities

IMMEDIATE/MEDIUM

- Understanding gaps in the supply chain and identifying value-added industries that could be investment targets

MEDIUM/LONG-TERM

- Identify opportunities in emerging and green technology sectors (e.g. alternative fuels, artificial intelligence, electrification of the automotive industry), where Niagara can demonstrate strengths and/or unique assets

LONG-TERM

- Partner with Foreign Trade Zone Points across Canada to advocate to the federal government for new resources and programs to increase Niagara's international competitiveness
- Leverage the Niagara Foreign Trade Zone Point designation as part of a business case for Niagara region to be designated a federal Economic Trade Corridor

PERFORMANCE METRICS

- Activity measures: Number of leads generated, meetings and events and number of prospects
- Increased level of investment and jobs in the region
- Identification of targets within emerging sectors to inform investment attraction programming
- Increased uptake in federal exporting programs
- Niagara FTZ increased value through new programming and services
- CRM used to develop reports track relationships with prospects and define sales funnel

STRATEGY 2 EXTERNAL MARKETING



Position and market Niagara region as a choice destination for businesses to locate and transform Niagara into a globally renowned community. Promote Niagara as a location for business and resident investment in key markets and sectors through marketing activities.

ACTIONS

ONGOING

- Leverage Niagara's membership of the CCCA to promote Niagara's brand and value proposition alongside other membership municipalities to an international audience
- Develop and maintain an asset inventory of marketing collateral across all 12 municipalities in partnership with local economic development offices to be used in internal and external marketing initiatives
- Work with the Local Immigration Partnership to promote www.welcomeniagaracanada.com as the primary online source for information to newcomers

“

Position and market Niagara region as a choice destination for businesses to locate and transform Niagara into a globally renowned community. ”

IMMEDIATE

- Develop, implement and monitor digital marketing campaigns to showcase Niagara as a location of choice for investment both nationally and internationally
- Develop, implement and monitor a resident attraction marketing campaign to grow and strengthen the local labour force
- Collaborate with Niagara Region's Strategic Communications and Public Affairs Division to develop a communications plan to promote Niagara business and investment successes

LONG-TERM

- Through strategic marketing, position Niagara as a premier location for investment in North America

“
Grow and diversify the economy through targeted business attraction in sectors where Niagara has a competitive advantage.”

PERFORMANCE METRICS

- Annual marketing plan is updated on an on-going basis and key metrics are reported
- Increased website and campaign analytics for www.niagaracanada.com and www.welcomeniagaracanada.com
- New web content is developed as needed to support new sectors and economic development initiatives, reported in website analytics
- Maintain an updated investment pitch package that showcases assets in all the Niagara municipalities

STRATEGY 3 BUSINESS AND ECONOMIC RESEARCH AND ANALYSIS



To interpret Niagara's economy through regional economic and business research and analysis and inform policy development and economic development initiatives.

ACTIONS

ONGOING

- Continue to monitor and provide analysis to ensure Strategy is relevant
- Support the work of Regional economic development and other partners across the region by providing the latest economic and business information
- Continually investigate new sources of data and tools to provide business and economic research and analysis to support NED projects
- Provide research and analysis to support projects in the local economic development offices
- Support internal departments, including the Chair's Office, by providing economic and business data

IMMEDIATE/ONGOING

- Support the Niagara Employment Inventory project led by the Planning and Development Services Department

IMMEDIATE

- Update the Economic Base Analysis once post-COVID data is available
- Update sector profiles once the 2021 census data has been released
- Use an evidence-based analysis to review and assess the success of the Strategy to ensure it remains aligned with economic development priorities

MEDIUM

- Monitor new labour force practices in Niagara including remote working
- Benchmark Niagara against other municipalities, locally, provincially, nationally and internationally

PERFORMANCE METRICS

- Economic and business data current on website, profiles and reports
- Analysis incorporated into NED initiatives
- Identification of opportunities and issues from the economic data
- Inform Council and partners on latest economic and business data and analysis
- Report on support to LAMs economic development offices, tracked through the CRM



STRATEGY 4

EXPEDITED SERVICES AND BUSINESS DEVELOPMENT



Collaborate with departments and municipalities to enable and support new industrial and residential investment to grow communities across Niagara.

ACTIONS

ONGOING

- Work with the LAMs to prioritize developments that include affordable and attainable housing through the development and planning process
- Planning and Application Expediting – Support companies investing in Niagara through the planning approvals process to ensure projects meet realistic timelines
- Continuous engagement with the industrial and commercial realtors and brokers to understand Niagara's real estate market
- Respond to inbound site selection requests and coordinate with local municipalities to provide complete responses
- Explore opportunities to fast track servicing and funding for employment lands and areas across Niagara
- Continue to be the local referral partner for the Global Skills Attraction program to fast-track foreign nationals with specific skills to jobs in Niagara

IMMEDIATE

- Collaborate and support both local and Regional planning departments in the development of secondary plans in both urban and employment areas to ensure economic development objectives are considered
- Introduce a new suite of incentives that will be administered by economic development to support business growth and new investment in the region
- Market and promote Niagara's employment-related incentive programs outside of Niagara region
- Affordable and Attainable Housing Incentives – Advocate and adopt new programs and policy to support affordable and attainable housing and new residential development and subdivisions to alleviate overall housing pressures
- Develop an online inventory of land to promote our investment attraction activities

MEDIUM

- Work with LAMs to standardize planning application intake, review, commenting, and approval to achieve shorter processing times
- Harmonize planning and development policies at the Regional and local municipal levels and zoning at the municipal level for employment lands and areas

LONG-TERM

- Ensure brownfield incentive programs remain relevant and competitive to attract redevelopment and investment in Niagara

PERFORMANCE METRICS

- Report on site selection requests received, report generated from the CRM and included in quarterly updates to Niagara Region Planning and Economic Development Committee (PEDC)
- Report on employment-related grants and incentives
- Meet with industrial and commercial real estate brokers and agents, report on number of meetings
- Introduce and maintain newly created incentive policies
- Harmonize planning and development policies for employment land uses
- New and existing employment areas are serviced
- Support existing and new business growth with foreign talent acquisition

STRATEGY 5 SECTOR AND LOCAL AREA MUNICIPALITY SUPPORT



Strengthen and support the key sectors of Niagara's economy. Build capacity within LAMs that do not have economic development resources.

ACTIONS

ONGOING

- Facilitate collaboration between local business, economic development and local tourism organizations to support region-wide tourism initiatives that draw visitors throughout the region
- Support to rural municipalities in facilitating enablers to development (i.e. transportation, servicing and broadband connectivity)
- Identify, pursue and report on sector specific sources of funding from other levels of government to support Niagara's priority sectors
- Funding local economic development initiatives/projects/applications and buy-local initiatives to support business retention and expansion within LAMs

IMMEDIATE

- Work closely with collaborative partners across the region to identify and advance the opportunities post-Canada Summer Games to leverage new infrastructure, existing natural assets in the active/sports economy

IMMEDIATE/MEDIUM

- Work with municipal and partner organizations to create and support policy that enables value-added agriculture and agri-tourism opportunities and intensification

MEDIUM/LONG-TERM

- Support agriculture sector related investment and diversification opportunities for value-add processing, co-location, and higher and better use of agriculture lands
- Showcase the agri-business and agri-food sector in its diversity. It has a unique ecosystem of innovation that is inherent to Niagara including emerging opportunities in vertical farming, support for local food and farm to table culinary.

PERFORMANCE METRICS

- Collaborate with partners to support an Active/Sports Economy Strategy to address potential opportunities and event bid administration
- “Grown in Niagara” website identifying assets across the value chain in the cluster, promoting local food to external and internal audiences, encouraging Niagara-sourcing by local governments and businesses, reported through website analytics
- Attend and support agri-business and tourism sector association events and meeting to leverage the opportunities and address the challenges for the continued growth of the cluster, number of meetings reported in quarterly update to PEDC
- Continue to build capacity at municipalities without economic development offices resulting in the creation of either economic development or a tourism-related position
- Attend technical funding briefings for federal and provincial programs and promote and support to local business sector organizations, reported though number attended in quarterly update to PEDC
- Reporting on matching funding allocated to partnering local municipalities on their defined initiatives, including buy local campaigns, and metrics as identified within their project scopes, reported to PEDC

STRATEGY 6 STRATEGIC INITIATIVES AND ADVOCACY



Achieve the Vision of the Strategy by focusing on projects of regional significance that are aligned with these goals that foster economic and business growth and retention.

ACTIONS

ONGOING

- Management of Niagara's 10 Year Economic Development Strategy including its implementation, revisions and reporting to PEDC and Team Niagara. Ensure the Strategy remains current and has continued alignment with municipal economic development strategies and Regional strategic plans
- Liaison with Regional departments/divisions to support the business case for major Regional projects with economic impact and funding applications e.g. National Trade Corridors Fund
- Develop regional and strategic initiatives that will strengthen the economy. These initiatives could include projects to: investigate opportunities in emerging sectors; build local supply chains; develop sector policy and planning; determine the economic impact of Niagara District Airport; and, research the feasibility of a ferry service between Toronto and Niagara
- Provide an Annual Review on the success of the Economic Development Strategy

“

Develop regional and strategic initiatives that will strengthen the economy. ”

IMMEDIATE

- Liaise with Regional departments/municipal economic development offices to support the business case for affordable and available childcare, affordable housing, comprehensive broadband coverage in the region to support equal employment opportunities and a strong labour force
- Provide business/employer input, particularly from rural communities, as decisions are made about integrated Regional transit to ensure it supports a growing labour force
- Support collaborative projects to increase inclusive participation in the labour force, re-skilling and up-skilling and the development of a talent attraction and retention strategy

MEDIUM

- Work with post-secondary institutions and employment organizations to support labour force development and participation, by understanding the labour force
- Explore the concept of a Regional forum for employment conversations
- Following the completion of the Niagara 2022 Canada Summer Games, explore the role for the Region in tourism/sports tourism that complements the existing ecosystem

LONG-TERM

- Advocacy to upper levels of government for infrastructure servicing to employment areas
- Build relationships with bi-national organizations to explore collaborative partnerships and projects

PERFORMANCE METRICS

- Implement and monitor the Economic Development Strategy which provides direction for policy and initiatives, report outcomes to PEDC
- Successful funding applications to upper levels of government for infrastructure projects, reported in number of applications and dollar amounts
- Successfully advocate for labour force supports including affordable childcare, Regional transit, broadband coverage, etc.
- Create a business case to identify the opportunities in tourism/sports tourism and the best approach to securing events



NIAGARA'S 10 YEAR ECONOMIC DEVELOPMENT STRATEGY 2022-2032

IN COLLABORATION WITH

Fort Erie • Grimsby • Lincoln • Niagara Falls • Niagara-on-the-Lake • Pelham • Port Colborne • St. Catharines
Thorold • Wainfleet • Welland • West Lincoln

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NIAGARA

ECONOMIC DEVELOPMENT

INSPIRE. INVEST. GROW.

NIAGARA'S 10 YEAR ECONOMIC DEVELOPMENT STRATEGY

2022-2032

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The Economic Development Strategy Advisory Council dedicates this Strategy to our friend and colleague, the late Mr. Adam Joon, in honour of his significant contributions to the economic development profession.

Adam lived his life with integrity, compassion and humour. This is a true reflection of his values which he brought into his work everyday. He will be missed.

INTRODUCTION

Escapment Lincoln

The 10 Year Economic Development Strategy is being written at a unique time for Niagara, as we emerge from the economic effects of the worldwide pandemic. In the last two years COVID-19 has accelerated many opportunities and reinforced numerous issues that existed pre-pandemic. Niagara is experiencing exceptional growth in terms of investment, development and forecasting dramatic population increases. Trends such as digitization, e-commerce, artificial intelligence and new work practices are emerging from the pandemic. Conversely, the region is facing many issues that are not unique to Niagara, but exist across Ontario, including low labour force participation, the effect of the pandemic on service based industries, availability of affordable housing, lack of comprehensive broadband coverage across the region and supply chain disruptions.

In this document, Niagara Economic Development (NED) outlines strategic directions, goals, and actions that will guide its work as it collaborates with its partners and to build a strong and sustainable economy together. In this time of opportunity, uncertainty and change, decisions made now will shape Niagara's future for years to come. The Strategy is a dynamic document, which will be iterated and updated as required, throughout its term. From a data perspective, the 2021 census data is to be released over the next few months and economic statistics from a full post-pandemic year are not yet available, all of which may influence the strategic directions. Consequently, the Strategy will be reviewed within the next two years to update the information presented and review the strategic directions and actions.

REGIONAL COUNCIL STRATEGIC PRIORITIES

In 2019, Regional Council developed Strategic Priorities for the next four years. Priority One is ‘Supporting Businesses and Economic Growth’ and the four objectives connected to it are: Economic Growth and Development; Support Retention and Development of a Skilled Labour Force; Collaborative Approach to Business Growth and Retention and Strategically Target Industry Sectors. The development of a Long-Term Economic Development Strategy is one of Regional Council’s supporting priority projects. However, in May 2020, Niagara Region Planning and Economic Development Committee, passed a motion to pause the development of a new Strategy. Instead, NED was directed to focus on the creation of an Economic Recovery Plan and its implementation, in order to support local businesses and the economy throughout the pandemic.



Downtown, St. Paul Street, St. Catharines

ECONOMIC RECOVERY PLAN

The Economic Recovery Plan was developed in collaboration with the Economic Rapid Response Team (ERRT) which was formed by the Regional Chair and the Mayors, in March 2020. The core ERRT group includes all the municipal economic development staff and the Regional economic development team. However, the broader ERRT group includes an extensive range of external partners, who work with businesses across the region, for example, Chambers of Commerce, industry associations, employment offices, Niagara Workforce Planning Board, Business Improvement Areas (BIAs), Downtown Improvement Areas (DIAs), Destination Marketing Organizations (DMOs), Brock University and Niagara College. Although, NED provided leadership for the Plan’s development, implementation and project management, the effort was a collaboration involving all the economic development offices and the ERRT group.

The actions in the Economic Recovery Plan were organized under three pillars: Research and Information; Advocacy; and Resilience. Each pillar has Immediate, Mid-Term and Long-Term actions. This time-line was intended to progress and align with the Province’s Framework for Business Re-opening.

In September 2021, the implementation of the Economic Recovery Plan was almost finalized with many of the actions completed or remaining ongoing to continue to support local businesses. The actions that had not been completed are longer term and will be considered within the context of the new 10 Year Economic Development Strategy. The Region continues to collaborate with the broader ERRT group.

COLLABORATION

At the direction of Regional Council, the development of the Long-Term Economic Development Strategy has been a collaboration between all the municipal economic development professionals across the region. External consultants were only brought in for one component; the community and business consultation process. This component is labour intensive and benefits from being led by a third party. Formal commitments to collaborate were received from all eight municipalities, who have economic development offices. The other four municipalities, who do not have economic development offices, were represented by a NED team member who is dedicated to providing them with advisory services.

In September 2021, the Economic Development Strategy Advisory Council was created and the Terms of Reference are provided in Appendix 1. The membership includes: representation from all eight municipalities by the director or senior manager; the Regional Economic Development Officer supporting the four municipalities without economic development offices; the Commissioner, Niagara Region Planning and Development Services Department, the Director, NED and the Associate Director, NED, who is the Project Manager.

The Strategy Advisory Council met monthly since September 2021, to provide input and direction on the Strategy development. It was chaired by the Manager, Economic Development, City of Thorold, and the Vice-Chair was the Director, Economic Development and Communications, Town of Lincoln.



REGIONAL MANDATE IN ECONOMIC DEVELOPMENT

NED’s mandate is defined in the Memorandum of Understanding (MOU) signed by the Chief Administrative Officers (CAOs) of all 12 municipalities. The key functions of Regional economic development in the MOU are: Investment Attraction; External Marketing including Resident Attraction; Expedited Services and Business Development, Business and Economic Research and Analysis as well as Strategic Initiatives, which are projects with a region-wide scope. The action plan to implement the Strategy is based on the key functions identified in the MOU.

BACKGROUND REVIEW

The Strategy was developed in alignment with municipal economic development strategies and seeks to support their direction where appropriate. It is also directly aligned with the new **Regional Official Plan** in which there has been strong collaboration with Niagara Region’s Planning and Development Services Department as well as alignment with Niagara Region’s **Transportation Master Plan** and **Water and Wastewater Master Servicing Plan**.

The Strategy is one of Regional Council’s priority projects supporting the Strategic Priority: Supporting Businesses and Economic Growth, as described in the **Shape Niagara Plan**.

Appendix 1 – Strategy Advisory Council Membership and Terms of Reference



Welland Canal, Lock 3, Welland

VISION NIAGARA 2032

Hydrogen Plant

VISION STATEMENT

The Strategy's vision statement was created with input from over 500 participants from the private, not-for-profit, and government sectors and is an aspirational guide for its implementation over the next 10 years.

Niagara is where innovative businesses grow and community-minded individuals stay – coming together to build a more prosperous future.

VISION ATTRIBUTES

Participants in the community and business consultations provided feedback, listed below, on key phrases in the vision statement. The elements of the vision have been considered in the development of the Strategy.

- Existing and emerging markets and sectors are leveraged as part of a holistic economic development strategy
- Mixed representation in ownership and leadership of organizations and businesses (gender, ethnicity, ability)
- Sustainable use of natural resources
- Growth and retention of local talent
- Business incubation (entrepreneurship)
- Seamless approach to doing business across the municipalities in the region (smooth business environment)
- Investment comes from forward-thinking businesses
- Residents driven by community involvement
- Quality of life realized (live, work, play)
- Cross-community partnerships and collaboration
- Leveraging academia and educational institutions (skilled labour, technology, innovation, entrepreneurship and more)

NIAGARA'S PROFILE AND ECONOMY

Welland International Flatwater Centre

NIAGARA REGION PROFILE

Niagara is strategically located on the Canada/U.S. border between the Greater Toronto Area (GTA) and the U.S. Northeast. The economies of both Canada and the United States are connected by the flow of goods, services and people between the two countries through the region. Niagara is situated within 800 kilometres (500 miles) of 130 million people at the heart of one of North America's business trade corridors. Recognizing the important role that the region plays in facilitating trade, it has been awarded the federal designation of a Foreign Trade Zone Point. It has five international border crossings with over one million trucks crossing each year. Transportation includes road, rail, marine and air. The Welland Canal connects Lake Ontario with Lake Erie and through the St. Lawrence Seaway, it enables access to markets globally. Niagara District Airport provides a regular commuter service between the GTA and Niagara through Fly GTA Airways and is within 100 kms of three international airports. This infrastructure and Niagara's strategic location are key to retaining and attracting future investment.

Niagara is governed by a two-tier municipal structure with responsibilities divided between the Region and 12 local area municipalities (LAMs). The municipalities are a mix of urban and rural with distinct and unique characteristics.

ECONOMIC BASE ANALYSIS

To measure the progress of the actions in the Strategy, an economic and industrial analysis has been completed as a baseline to benchmark Niagara's economy going forward. The data used is from 2019 and provides the latest pre-COVID picture of the economy. Data from 2020/2021 would have reflected the effects of the pandemic. 2021 is also a census year and all data has not yet been released. Consequently, the economic and industrial analysis will be revisited when post-COVID data is available, as well as the full 2021 census data.

DEMOGRAPHICS

Population



Niagara's population has historically grown slowly when compared to Ontario. From 2011 to 2016, Niagara's population grew by 3.8 per cent compared to 4.6 per cent for Ontario. However, Niagara's population growth has been increasingly rapidly since 2016. From 2016 to 2021, Niagara's population grew by 6.7 per cent where Ontario's grew by 5.8 per cent.

All of Niagara municipalities, except for two, showed a rate of growth greater than Ontario as a whole.

Thorold, in particular, had an exceptionally high growth rates at 27 per cent. Thorold was the fourth fastest growing municipality in Ontario behind New Tecumseh (28 per cent), The Blue Mountains (34 per cent), and East Gwillimbury (44 per cent). Here is a breakdown of population growth rate for the local municipalities in Niagara: Thorold 29 per cent; Port Colborne 9.4 per cent; Niagara-on-the-Lake 9.0 per cent; Lincoln 8.1 per cent; Wainfleet 8.1 per cent; Niagara Falls 7.2 per cent; Fort Erie 7.1 per cent; Welland 6.6 per cent; West Lincoln 6.6 per cent; Pelham 6.3 per cent; Grimsby 5.7 per cent and St. Catharines is 2.8 per cent.

Population Growth by Municipality

| MUNICIPALITY | 2016 | 2021 | CHANGE | % CHANGE |
|---------------------|---------|---------|--------|----------|
| Thorold | 18,801 | 23,816 | 5,015 | 26.7% |
| Port Colborne | 18,306 | 20,033 | 1,727 | 9.4 |
| Niagara-On-The-Lake | 17,511 | 19,088 | 1,577 | 9.0% |
| Lincoln | 23,787 | 25,719 | 1,932 | 8.1% |
| Wainfleet | 6,372 | 6,887 | 515 | 8.1% |
| Niagara Falls | 88,071 | 94,415 | 6,344 | 7.2% |
| Fort Erie | 30,710 | 32,901 | 2,191 | 7.1% |
| Niagara | 447,888 | 477,941 | 30,053 | 6.7% |
| Welland | 52,293 | 55,750 | 3,457 | 6.6% |
| West Lincoln | 14,500 | 15,454 | 954 | 6.6% |
| Pelham | 17,110 | 18,192 | 1,082 | 6.3% |
| Grimsby | 27,314 | 28,883 | 1,569 | 5.7 % |
| St. Catharines | 133,113 | 136,803 | 3,690 | 2.8% |

Source: Statistics Canada, Census 2021

Niagara is forecast to experience substantial growth going forward. **A Place to Grow: Growth Plan for the Greater Golden Horseshoe** (2019, as amended) projects a significant increase in population and employment by 2051. Niagara is expected to see the region’s population grow to a minimum of 694,000 with 272,000 jobs. The forecasted population for 2021 is 491,120.

Niagara has an older population compared to Ontario. The median age of the Niagara population in 2016 was 45.7 years, compared to 41.3 years in Ontario. Niagara has a higher portion of seniors with the population aged 65 years and over accounting for 21.4 per cent of the total population. In comparison, seniors accounted for only 16.7 per cent of the population in Ontario. Niagara’s portion of the population 85 years and over (3.1 per cent) is slightly higher than Ontario. Niagara has a lower portion of population in the prime working age group (25 to 44 years) at 22.2 per cent compared to 25.7 per cent for Ontario in 2016.

Educational Attainment



Niagara is home to two post-secondary institutions Niagara College and Brock University with a combined student population of 29,600. Niagara has lower educational attainment levels compared to Ontario. In 2016, a lower portion of the Niagara population aged 25 to 64 years had a postsecondary certificate, diploma or degree (60 per cent) compared to Ontario (65.1 per cent). Niagara has a notably smaller portion of population aged 25 to 64 years who have attained a university certificate, diploma or degree at the bachelor level or higher at 20.7 per cent, compared to Ontario at 31.9 per cent. A higher portion of the Niagara population have College, CEGEP or non-university certificates or diplomas at 29.1 per cent compared to Ontario at 24.7 per cent. Niagara also has a higher portion of people with an apprenticeship, trade certificate or diploma at 8.4 per cent compared to 6.2 per cent for Ontario, as well as a certificate of apprenticeship or certificate of qualification at 4.4 per cent compared to 3.1 per cent for Ontario.

Commuting Patterns



In 2016, 144,485 people, or 84.5 per cent of the commuting population in Niagara, commuted to work within Niagara. 15.5 per cent of Niagara residents that commute to work commuted to work outside of Niagara. The top 10 destinations for Niagara commuters included Hamilton at 11,845 (6.9 per cent), Halton at 6,125 (3.6 per cent), Peel at 2,495 (1.5 per cent), Toronto at 2,395 (1.4 per cent), Haldimand-Norfolk at 1,000 (0.6 per cent), Waterloo at 515 (0.3 per cent), York at 490 (0.3 per cent), Brant at 275 (0.2 per cent), Wellington at 270 (0.2 per cent), and Middlesex at 170 (0.1 per cent).

Commuting patterns will change with the introduction of the regular GO Train service; changing work practices following the pandemic; the approval of an integrated regional transit system; student travel; active transportation; proposed ferry service between Toronto and Niagara, and the introduction of private services like FlyGTA and Uber.

LABOUR FORCE

In 2019, Niagara’s labour force was 216,900. From 2016 to 2019, Niagara’s labour force declined by 4,000 or 1.8 per cent. Males accounted for 900 or (0.8 per cent) while females accounted for 4,900 or 4.5 per cent of the decline. Niagara’s employed population was 204,300 in 2019, which was a decline of 600 or 0.3 per cent over 2016. Male employment grew during this period by 2,900 or 2.7 per cent, while female employment declined by 3,600 or 3.5 per cent. Total full-time employment declined by 700 or 0.4 per cent, while part-time employment grew by 100 or 0.2 per cent. Full-time employment for males grew by 2,100 or 2.4 per cent, while full-time employment for females declined by 2,700 or 3.8 per cent. Part-time employment for males grew by 900 or 6.0 per cent, while it declined for females by 800 or 2.6 per cent.

There is a low participation rate in the labour force, particularly women, as a result of the pandemic. Mitigation strategies could include the provision of affordable and available childcare, affordable housing, innovative employment attraction by employers, regional transit and flexible working options. Policy announcements, at both the provincial and federal level, are already forth coming. Succession planning and newcomer attraction could also help to increase the labour force.

In 2019, there were 16,000 unemployed people in Niagara’s labour force. From 2016 to 2019, there were 3,400 or 21.3 per cent fewer unemployed people in Niagara. Unemployment for males declined by 2,000 or 20.8 per cent, while unemployment for females declined by 1,500 or 23.4 per cent. The unemployment rate made steady progress declining by 1.4 per cent to 5.8 per cent in 2019. The unemployment rate for males declined by 1.8 per cent and 1.2 per cent for females. From 2016 to 2019, the participation rate for Niagara declined by 4 per cent to 62.9 per cent. It declined by 4.6 per cent for males and 3.7 per cent for females. The employment rate also declined by 2.9 per cent from 2016 to 2019 to 55.6 per cent. It declined evenly for both males and females at 3.0 per cent.

In 2019, there were 219,245 total jobs in Niagara, which includes both the employed and self-employed. Job growth in Niagara was 16,854 or 8 per cent from 2016 to 2019. Anecdotally, there is a mismatch between the jobs available and the skills of the job seekers. There are jobs available but businesses are struggling to fill vacancies. The skills and employment needs of the job seekers are a complex challenge that has been exacerbated by the pandemic.

Labour Force Characteristics, Niagara CMA, 2016 to 2019

| | | SEX | 2016 | 2017 | 2018 | 2019 | CHANGE | CHANGE % |
|----------------------|---------|------------|-------|-------|-------|-------|--------|----------|
| INDICATOR | | PERSONS | | | | | | |
| Labour Force | Total | | 220.9 | 215.2 | 220.4 | 216.9 | -4.0 | -1.8% |
| | Males | | 112.8 | 112.7 | 116.1 | 113.7 | 0.9 | 0.8% |
| | Females | | 108.1 | 102.5 | 104.3 | 103.2 | -4.9 | -4.5% |
| Employment | Total | | 204.9 | 200.8 | 205.7 | 204.3 | -0.6 | -0.3% |
| | Males | | 103.2 | 103.9 | 108.2 | 106.1 | 2.9 | 2.8% |
| | Females | | 101.8 | 96.9 | 97.5 | 98.2 | -3.6 | -3.0% |
| Full-Time Employment | Total | | 159.1 | 155.5 | 156.3 | 158.4 | -0.7 | -0.4% |
| | Males | | 88.0 | 86.4 | 91.1 | 90.1 | 2.1 | 2.4% |
| | Females | | 71.0 | 69.1 | 65.1 | 68.3 | -2.7 | -3.8% |
| Part-Time Employment | Total | | 45.8 | 45.3 | 49.4 | 45.9 | 0.1 | 0.2% |
| | Males | | 15.1 | 17.4 | 17.1 | 16.0 | 0.9 | 6.0% |
| | Females | | 30.7 | 27.9 | 32.4 | 29.9 | -0.8 | -2.6% |
| Unemployment | Total | | 16.0 | 14.4 | 14.7 | 12.6 | -3.4 | -21.3% |
| | Males | | 9.6 | 8.8 | 7.9 | 7.6 | -2.0 | -20.8% |
| | Females | | 6.4 | 5.5 | 6.8 | 4.9 | -1.5 | -23.4% |
| | | PERCENTAGE | | | | | | |
| Unemployment Rate | Total | | 7.2 | 6.7 | 6.7 | 5.8 | -1.4 | .. |
| | Males | | 8.5 | 7.8 | 6.8 | 6.7 | -1.8 | .. |
| | Females | | 5.9 | 5.4 | 6.5 | 4.7 | -1.2 | .. |
| Participation Rate | Total | | 63.1 | 60.5 | 61.0 | 59.1 | -4.0 | .. |
| | Males | | 67.5 | 65.0 | 64.9 | 62.9 | -4.6 | .. |
| | Females | | 59.1 | 56.3 | 57.1 | 55.4 | -3.7 | .. |
| Employment Rate | Total | | 58.5 | 56.5 | 56.9 | 55.6 | -2.9 | .. |
| | Males | | 61.7 | 59.9 | 60.5 | 58.7 | -3.0 | .. |
| | Females | | 55.7 | 53.2 | 53.3 | 52.7 | -3.0 | .. |

Source: Statistics Canada, Table: 14-10-0385-01

Top 10 Sectors by Total Jobs in 2019



The top 10 sectors by total jobs in 2019 included accommodation and food services (28,323 jobs); retail trade (27,059 jobs); health care and social assistance (6,539 jobs); manufacturing (16,445 jobs); educational services (14,949 jobs); construction (14,635 jobs); administrative support, waste management and remediation, public administration (11,218 jobs); professional, scientific and technical services (10,727 jobs); other services (9,691 jobs).

The top 10 sectors by real job growth from 2014 to 2019 included accommodation and food services with 4,314 jobs; health care and social assistance with 3,375 jobs; public administration with 1,629 jobs; educational services with 1,566 jobs; professional, scientific and technical services with 1,162 jobs; construction with 1,101 jobs; unclassified with 954 jobs; retail trade with 830 jobs; transportation and warehousing with 788 jobs; and, administrative support, waste management and remediation with 632 jobs.

The top 10 sectors by highest provincial location quotient in 2019 included agriculture, forestry, fishing and hunting at 2.2 jobs; accommodation and food services at 1.9 jobs; arts, entertainment and recreation at 1.9 jobs; retail trade at 1.2 jobs; health care and social assistance at 1.1 jobs; other services at 1.1 jobs; unclassified at 1.0 jobs; educational services at 1.0 jobs; construction at 1.0 jobs; construction at 1.0 jobs; and administrative support, waste management and remediation at 1.0 jobs.

Employment by Sector, Niagara CMA, 2016 to 2019

| NORTH AMERICAN INDUSTRY CLASSIFICATION SYSTEM | 2016 | 2017 | 2018 | 2019 | CHANGE | CHANGE % |
|---|-------|-------|-------|-------|--------|----------|
| Wholesale and Retail Trade | 34.5 | 32.3 | 32.5 | 31.4 | -3.1 | -9.0% |
| Health Care and Social Assistance | 28.2 | 24.9 | 25.7 | 26.6 | -1.6 | -5.7% |
| Accommodation and Food Services | 24.2 | 24.5 | 25.1 | 24.3 | 0.1 | 0.4% |
| Manufacturing | 19.8 | 22.4 | 18.6 | 19.0 | -0.8 | -4.0% |
| Construction | 17.5 | 13.2 | 18.7 | 18.7 | 1.2 | 6.9% |
| Educational Services | 12.3 | 13.5 | 14.7 | 14.6 | 2.3 | 18.7% |
| Finance, Insurance, Real Estate, Rental and Leasing | 8.6 | 9.6 | 9.6 | 9.7 | 1.1 | 12.8% |
| Information, Culture, and Recreation | 11.0 | 9.4 | 9.7 | 9.7 | -1.3 | -11.8% |
| Other Services | 7.2 | 9.7 | 8.8 | 9.3 | 2.1 | 29.2% |
| Business, Building and Other Support Services | 10.7 | 10.1 | 11.7 | 8.9 | -1.8 | -16.8% |
| Transportation and Warehousing | 8.9 | 8.2 | 9.2 | 8.9 | 0.0 | 0.0% |
| Public Administration | 9.0 | 8.0 | 7.4 | 8.4 | -0.3 | -3.3% |
| Professional, Scientific and Technical Services | 8.1 | 9.9 | 7.7 | 8.4 | 0.3 | 3.7% |
| Agriculture | 3.7 | 3.2 | 3.6 | 4.0 | 0.3 | 8.1% |
| Utilities | x | 1.7 | 1.6 | 1.5 | x | x |
| Forestry, Fishing, Mining, Quarrying, Oil and Gas | x | x | x | x | x | x |
| Total | 204.9 | 200.8 | 205.7 | 204.3 | -0.6 | -0.3% |

Source: Statistics Canada, Table: 14-10-0384-01

INDUSTRIAL BASE ANALYSIS

Job Growth and Location Quotients

In 2019, there were 219,245 total jobs in Niagara, which includes both the employed and self-employed. Job growth in Niagara was 16,854 or 8 per cent from 2016 to 2019.

Ontario provincial location quotients (LQ) are used to identify sectors and industries with some form of specialization. LQ are ratios that show the concentration of jobs relative to total jobs in an area compared to the concentration of jobs in a larger geographical area. In this case, the location quotients are comparing the concentration of jobs by sector and industry in Niagara relative to Ontario. For example, a LQ of 1.0 means that Niagara has the same concentration of jobs in a sector or industry relative Ontario (1:1). A LQ of 2.0 means that Niagara has 2.0 times the concentration of jobs in a sector or industry relative to Ontario (2:1). A LQ less than 1.0 means that Niagara has a lower concentration of jobs in a sector or industry relative to Ontario.

The top 10 sectors by highest provincial LQ in 2019 included agriculture, forestry, fishing and hunting at 2.2; accommodation and food services at 1.9; arts, entertainment and recreation at 1.9; retail trade at 1.2; health care and social assistance at 1.1; other services at 1.1; unclassified at 1.0; educational services at 1.0; construction at 1.0;; and administrative support, waste management and remediation at 1.0.

Although manufacturing has a relatively low LQ of 0.8 and a decline in jobs during 2014 and 2019. It did see job growth in some sub-sectors as well as relatively high LQs. These sub-sectors include sugar and confectionery product manufacturing, beverage manufacturing and cannabis product manufacturing. Cannabis product manufacturing emerged as a brand new industry in Niagara during this period.













Peach Farm, Niagara-on-the-Lake

Business Counts data is organized by number of businesses without employees and number of business with employees by employment size range. In 2019, Niagara had 13,641 businesses with employees and 28,153 businesses without employees.






90 per cent of Niagara businesses have less than 50 employees. Therefore, the region is a small business economy with two Small Business Enterprise Centres (SBECS) supporting start-up, education and connection to resources.

In regards to businesses with employees, 71 per cent had 1 to 9 employees, 23 per cent had 10 to 49 employees, 5 per cent had 50 to 199 employees, and 1 per cent had more 200 plus employees.

Top 10 Sectors by Total Business with Employees

| | | |
|---|-------|--|
|  | 1,877 | Retail Trade |
|  | 1,694 | Construction |
|  | 1,356 | Health Care and Social Assistance |
|  | 1,271 | Other Services |
|  | 1,146 | Accommodation and Food Services |
|  | 1,055 | Professional, Scientific and Technical Services |
|  | 662 | Unclassified |
|  | 639 | Manufacturing |
|  | 616 | Real Estate, Rental and Leasing |
|  | 601 | Administrative Support, Waste Management and Remediation |

Top 10 Sectors by Total Business without Employees

| | | |
|---|-------|---|
|  | 7,458 | Real Estate, Rental and Leasing |
|  | 3,224 | Unclassified |
|  | 2,606 | Construction |
|  | 2,543 | Professional, Scientific and Technical Services |
|  | 1,838 | Other Services |
|  | 1,798 | Finance and Insurance |
|  | 1,317 | Health Care and Social Assistance |
|  | 1,274 | Retail Trade |
|  | 1,120 | Agriculture, Forestry, Fishing and Hunting |
|  | 1,107 | Transportation and Warehousing |

The top 10 sectors with the largest employers in Niagara were accommodation and food services with 21 businesses employing 200 plus people, followed by health care and social assistance with 17; retail trade with 11; manufacturing with 9; professional, scientific and technical services with 8; public administration with 8; administrative support, waste management and remediation with 7; and, transportation and warehousing with and management of companies tied with 3.

Business Counts by NAICS, Niagara Region, June 2019

NAICS = North American Industry
Classification System

NE No Employees
E Employees

EMPLOYMENT RANGE

| NAICS | DESCRIPTION | NE | E | 1-9 | 10-49 | 50-199 | 200+ |
|-------|---|-------|-------|-------|-------|--------|------|
| 11 | Agriculture, Forestry, Fishing and Hunting | 1,120 | 517 | 330 | 149 | 35 | 3 |
| 21 | Mining, Quarrying, Oil, Gas | 11 | 12 | 7 | 5 | 0 | 0 |
| 22 | Utilities | 76 | 25 | 16 | 6 | 3 | 0 |
| 23 | Construction | 2,606 | 1,694 | 1,399 | 260 | 33 | 2 |
| 31-33 | Manufacturing | 464 | 639 | 324 | 213 | 93 | 9 |
| 41 | Wholesale | 498 | 511 | 335 | 149 | 25 | 2 |
| 44-45 | Retail Trade | 1,274 | 1,877 | 1,180 | 557 | 129 | 11 |
| 48-49 | Transportation and Warehousing | 1,107 | 555 | 419 | 109 | 24 | 3 |
| 51 | Information and Culture | 241 | 162 | 114 | 40 | 8 | 0 |
| 52 | Finance and Insurance | 1,798 | 484 | 346 | 130 | 8 | 0 |
| 53 | Real Estate, Rental and Leasing | 7,456 | 616 | 544 | 65 | 7 | 0 |
| 54 | Professional, Scientific and Technical Services | 2,543 | 1,055 | 905 | 130 | 12 | 8 |
| 55 | Management of Companies | 305 | 48 | 26 | 15 | 4 | 3 |
| 56 | Admin, Support, Waste and Remediation | 858 | 601 | 432 | 133 | 29 | 7 |
| 61 | Educational Services | 252 | 134 | 81 | 40 | 6 | 7 |
| 62 | Health Care and Social Assistance | 1,317 | 1,356 | 954 | 334 | 51 | 17 |

Source: Statistics Canada, Canadian Business Counts, June 2019

NAICS = North American Industry
Classification System

NE No Employees
E Employees

EMPLOYMENT RANGE

| NAICS | DESCRIPTION | NE | E | 1-9 | 10-49 | 50-199 | 200+ |
|-------|------------------------------------|--------|--------|-------|-------|--------|------|
| 71 | Arts, Entertainment and Recreation | 508 | 259 | 170 | 63 | 24 | |
| 72 | Accommodation and Food Services | 653 | 1,146 | 475 | 517 | 133 | |
| 81 | Other Services | 1,838 | 1,271 | 1,086 | 169 | 16 | |
| 91 | Public Administration | 2 | 17 | 1 | 1 | 7 | |
| X0 | Unclassified | 3,224 | 662 | 596 | 60 | 5 | |
| | Total | 28,153 | 13,641 | 9,740 | 3,145 | 652 | |

INTERNATIONAL TRADE AND INVESTMENT

In 2019, Niagara had 625 exporting establishments. This was an increase of 12 or 2.0 per cent over 2016. In the same year, Niagara had 1,752 importers, which was an increase of 56 or 3.3 per cent over 2016.

In 2019, total export values for Niagara exporting establishments were \$4.7 billion. This was an increase of 13 per cent over 2016. Total import values were \$3.2 billion, which was an increase of \$1.2 billion over 2016. In 2019, Niagara had a net trade balance of \$1.5 billion. This was a decrease of \$606 million or 29 per cent over 2016.

Niagara has had a strong trade balance which is starting to be eroded. The growth in the number of exporters is slower than the growth in the number of importers.

MACROECONOMIC CHARACTERISTICS

Gross Domestic Product

Total real Gross Domestic Product (GDP) for Niagara was \$15.8 billion in 2019. This was an increase of \$492.8 million over 2016. Niagara’s top 10 sectors by total GDP included real estate at \$3.7 billion; manufacturing at \$1.8 billion; health care and social assistance at \$1.4 billion; construction at \$1.3 billion; educational services at \$1.1 billion; retail trade at \$1.1 billion; primary and utilities (which includes agriculture) at \$882.1 million; public administration at \$880.9 million; accommodation and food services at \$852.7 million; and, wholesale trade at \$821.9 million.

Sectors showing GDP growth between 2016 and 2019 were health care and social assistance, which would have been affected by the new hospital in St. Catharines as well as real estate, which has seen growth not just in Niagara, but also Ontario and Canada. The manufacturing sector is also growing in output; therefore, becoming more productive.



Automotive Manufacturing, St. Catharines

Household Income



Income outpaced inflation.



This low growth demonstrates that the population is growing slower than income.

Consumer Price Index (CPI)



CPI slightly outpaced household income per capita in 2017 and 2019, which means cost of living accelerated more than income.

Retail Sales



Some of the growth is explained by the opening of the Niagara Outlet Mall.

Investment in Construction

From 2016 to 2019, Niagara experienced very strong growth in investment in building construction across all types of construction, except for institutional, which includes government funded building construction. Total investment in building construction was \$1.8 billion in 2019, which was an increase of \$543.4 million or 43 per cent over 2016. Investment in residential building construction was \$1.3 billion in 2019, which was an increase of \$371.0 million or 39 per cent over 2016. Investment in industrial building construction was \$102.4 million in 2019, which was an increase of \$44.3 million or 76 per cent over 2016. Investment in commercial building construction was \$333.0 million, which was an increase of \$169.3 million or 103 per cent over 2016. Investment in institutional building construction was \$46.2 million, which was a decrease of \$41.2 million or 47 per cent over 2016. This latter will have increased with the building of Canada Games Park.

More recent data reported in the fall of 2020 ‘COVID-19 Impact on Investment and Development in Niagara’ recorded that investment and construction activity remained strong for Niagara going into 2020. However, investment values were drastically affected in April 2020 due to COVID-19. Interestingly, they rebounded almost immediately and remained stable. This is a good sign that Niagara may not have lost momentum in new investment and development in Niagara.



Residential Development, Grimsby

Investment in residential and commercial building construction were impacted drastically more than industrial, and government and institutional building types. This is likely due to the nature of residential and commercial developments compared to industrial and institutional. Commercial and residential projects are much higher in volume and react more quickly to market conditions. Industrial and institutional projects are typically larger, fewer and take longer to complete.

Industrial, and institutional and government construction remained relatively stable throughout the COVID-19 restrictions period. As evident in the results from the Niagara COVID-19 Business Impact Surveys and the results from the Statistics Canada Labour Force Survey, the goods producing sector which included manufacturing, construction and agriculture, were not negatively affected as much as the service sector when it came to lost jobs and revenue.

Investment in building construction returned to pre-pandemic levels as of July 2020 and was higher for residential and commercial building types.

Investment remains strong, but there are economic challenges on the horizon that could affect this including the end of support programs for individuals and business, as well as the end of mortgage and other debt payment deferral programs. This will have negative macroeconomic implications that may affect business confidence, access to capital, and new investment into the future.

Residential building permits remain strong, but there is softening in commercial, industrial, and government and institutional values, which is a sign that investment levels may decline into the future, if conditions do not improve.



New Development, Lincoln

REGIONAL BENCHMARKING

Niagara census metropolitan area (CMA) was benchmarked with the Hamilton CMA; Waterloo CMA; London CMA and Windsor, across indicators including population growth, labour force characteristics, international trade and construction investment. Generally, Niagara is growing at a lower rate than these neighbouring CMAs. These CMAs were chosen because they have similar economic characteristics to the region.

Appendix 2 – Economic Base Analysis, July 2021

COMMUNITY AND BUSINESS ENGAGEMENT

Consultation is a critical component of strategy development. The objective, with this engagement, was to undertake a broad, extensive consultation to ensure that everyone had the opportunity to participate. A diverse range of groups were to participate including: Regional and Municipal Councillors; Chambers of Commerce; Business Improvement Areas/Downtown Improvement Areas (BIA/DIA); employment organizations; Small Business Enterprise Centres; post-secondary institutions; economic development offices and their networks; Destination Marketing Organizations; industry associations; financial organizations; groups representing women, youth as well as Francophone, multicultural, Indigenous and LGBTQ+ communities; home-based businesses and private-sector businesses through the Niagara Employment Inventory.

The objective of the engagement was to understand perspectives on the strengths and opportunities for economic growth and the barriers that are currently preventing those opportunities from being realized. The feedback helped to understand the local context and uniqueness of Niagara.

Over the last two years, in-person interviews and workshops have become virtual and many new tools and methods of engagement have been developed. Intelligent Futures, a company based in Alberta which specializes in this type of engagement, was contracted through a competitive Request for Proposals (RFP) process, to undertake this component of the strategy development.



Rendering of Wainfleet Fire Station

The engagement methods included:

- Participation in an online survey, on niagaracanada.com
- Individual participation through a series of one-on-one interviews
- Participation in a Data Walk workshop and one of five Future of the Economy workshops

VOICE OF
NIAGARA

A communications plan was developed to promote the engagement opportunities and included:

- An Economic Development Strategy webpage on niagaracanada.com
- Direct email or phone invitation to over 10,000 businesses, elected officials, Chambers of Commerce, industry associations, employment offices, Niagara Workforce Planning Board, BIAs, DIAs, DMOs, Brock University, Niagara College, financial organizations; groups representing women, youth as well as Francophone, multicultural, Indigenous and LGBTQ+ communities; home based businesses to participate
- Media release
- Promotion through social media channels

The online survey was available from Oct. 14 to Nov. 13, 2021, and explored key issues impacting the economy in Niagara and the potential vision for Niagara’s future.

A three-hour Data Walk workshop asked participants to respond to a series of data and trends from the Economic Base Analysis (Appendix 2) related to the current state of the economy in Niagara. Participants were able to explain why they thought specific trends were occurring, which helped to interpret the statistics.



Cruise Ship, Port Colborne

The Future of the Economy workshops invited participants to share the opportunities and issues they thought were effecting the economy and develop an aspirational vision statement to describe the future state of the economy. This was done through a rich-picturing exercise. Finally, participants brainstormed what actions were necessary to make the Vision a reality.

Based on the engagement feedback from participants and a review of the economic base analysis data, five vision statements were created, in partnership with the Strategy Advisory Council. They were refined by Intelligent Futures and re-circulated to the Strategy Advisory Council, for a vote. The results of the vote were put out to a ‘pulse check’ using a survey asking those who had participated in the consultations, to rate three Vison Statements. Feedback was collected through an online questionnaire and individual interviews with Regional Councillors.

KEY THEMES FROM COMMUNITY AND BUSINESS CONSULTATIONS

Participants were asked about Niagara’s greatest assets, top barriers and future opportunities. Their direct feedback is summarized below.

Niagara Region’s greatest assets:

- The proximity of the region to major markets, including the GTA and the USA
- The food and agriculture industry in the region and all that is associated with it
- The tourism economy draws millions of visitors per year due to the growing number of attractions and reasons to visit creating an economy that is larger than just visiting Niagara Falls

Niagara Region’s top barriers:

- Too much government leads to an inefficient tiered system and added red tape, leading to redundancies and duplication
- The lack of affordable housing with the rising cost of living in the region makes it challenging for lower-income families to reside in the region
- A lack of diversity in the labour force and skill sets, with an aging population, a mismatch of labour force and top talent moving to bigger markets due to opportunities

Niagara Region’s future opportunities:

- Opportunity to bolster the technology and innovation sector in the region and provide support for start-ups, innovation ecosystems and grow the post-secondary institutions located in the region
- Improve the quality of life in the region by providing more affordable housing and childcare, support for newcomers, regional transportation and more equity, diversion and inclusion
- Build on the tourism draw in the region and expand it into other year-round attractions, including eco-tourism, wellness-tourism and agri-tourism

ACTION RECOMMENDATIONS FROM THE COMMUNITY AND BUSINESS ENGAGEMENT

Key themes emerged from the consultations that have been considered as part of the new Strategy. A summary of the main points is provided under each theme.

Agribusiness, Manufacturing and Tourism



- Sector support, value-added opportunities, support agri-tech, diversification and emerging sector opportunities, protection of natural heritage and the Greenbelt
- Opportunities in transportation and logistics, advocacy for broadband, build on strategic location

Diversity and Inclusivity



- Prioritize affordable housing, engage with Indigenous communities, employment opportunities for newcomers, affordable childcare, engage with people representing a broad cross section of interests

Governance and Finance



- Reduce bureaucracy and red tape, Economic Development Strategy collaboration with all municipalities, innovation through policy and planning, financial incentives to support downtown redevelopment and business attraction, increase industrial tax base

Employment, Business and Investment



- Talent attraction and retention strategy, showcase Niagara's story nationally and internationally, increase value-added industries and sectors in the region, enhanced workforce development, support for small businesses

Education and Support for Workforce



- Regional transit, broadband coverage, affordable housing, available and affordable childcare, flexible working hours, work with post-secondary institutions to fulfill labour market demands and support existing workforce

Infrastructure and Transportation



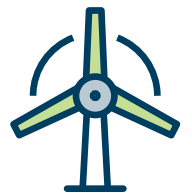
- Regional transit system, zero-emission transportation, GO train service, development paying for infrastructure, advocacy to upper levels of government for funding, enhancements to roads, rail and ports, opportunities for Niagara District Airport

Business Growth and Retention



- Strengthen the technology and innovation ecosystem, support new business start ups, partnerships with post-secondary institutions

Green Development and Sustainability



- Encourage sustainable, off-grid, smart development, manufacture clean renewable energy, sustainable technologies in municipal government and climate change

Community



- Encourage community pride, focus on wellness as a key value for Niagara, place-making opportunities, and consult with the whole community

Appendix 3 – Community and Business Engagement, Intelligent Futures Final Report

ECONOMIC DEVELOPMENT STRATEGY

Advanced Manufacturing, Grimsby

The strategic directions of the Economic Development Strategy were established by combining input from the research conducted through the background review, the economic and industrial base analysis and the community and business engagement. The Strategy builds on the strengths of the region, addresses weaknesses and identifies potential opportunities. The objective is to achieve a confident and positive business environment that is necessary to grow a strong and sustainable economy.

STRATEGIC DIRECTIONS

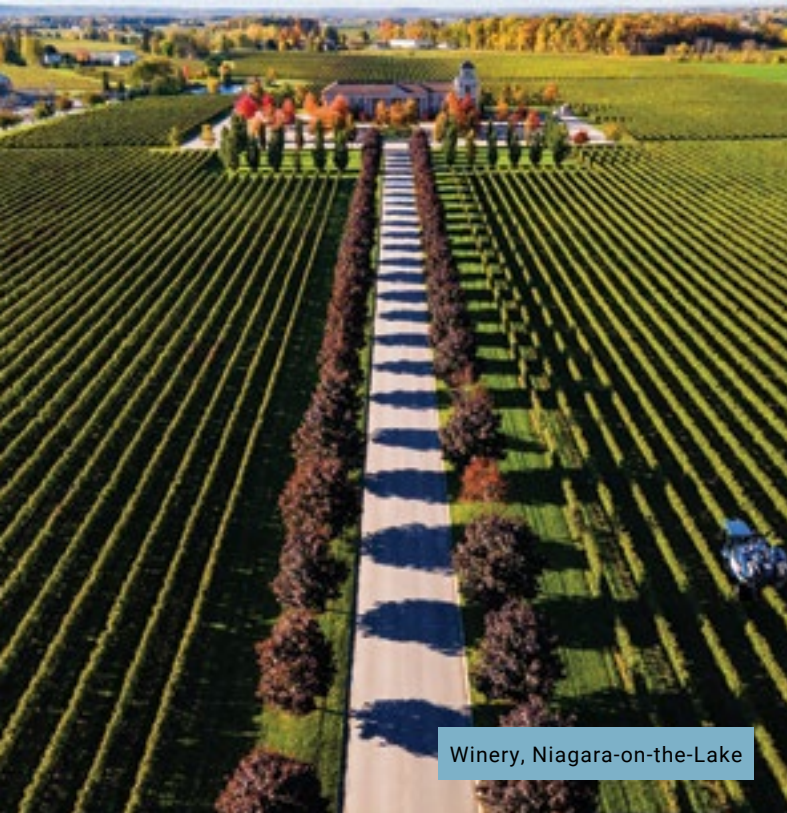
SECTOR DEVELOPMENT AND SUPPORT

GOAL: To foster resilient diversity in our economy through the development of emerging sectors and value-added opportunities while continuing to grow and support our strong industry clusters, uniquely established by our strategic location, natural assets and competitiveness.

Agriculture

Niagara region hosts a well established and thriving agri-business sector that contributes significantly to the economic prosperity and quality of life in Niagara. With an abundance of agricultural land and as a major component of both the Greenbelt and the Greater Golden Horseshoe food and farming cluster, it is one of the most significant agri-food clusters in North America. Niagara region is positioned

Vineland Research and Innovation Centre



Winery, Niagara-on-the-Lake

Photo: MarkZelinski.com

as a prominent target for new investment, relocation, or expansion of agri-businesses. Niagara's strengths in the agriculture sector include: greenhouse growers; cash crops; poultry; tender fruit and grape growers and it has some of the highest gross farm receipts in the Greater Golden Horseshoe.

Niagara Region has always supported and promoted its agricultural sector by maintaining a supportive policy environment, seeking to attract, retain and expand agri-food business, engaging in ongoing outreach to the sector and pursuing ways to support and address challenges in the agricultural labour force. Niagara also has the climate, land base, experienced operators, research capacity and skills to expand its position as a leader in the production of agri-food products. Broadband

coverage and technology innovation can help farmers better analyze their crops for growth and any potential diseases yielding in more crops annually.

The eco-system supporting agri-innovation in Niagara includes: Vineland Research and Innovation Centre, a world renowned research centre focused on forwarding a vibrant, prosperous and sustainable horticultural industry driven by innovation; Niagara College's Food and Wine Institute, supporting education and agri-business start-up with hands-on learning at the on-site 40 acres of vineyards, hop yard, culinary gardens, apiary, fruit tree orchard, greenhouse and micro-processing facility and Niagara College's Agriculture & Environmental Technologies Innovation Centre, working with public and private sector partners to develop innovative solutions in precision agriculture, GIS, sustainable food production, plant growth, horticultural practices, greenhouse operations, aquaponics, environmental management and renewable energies.

Brock University's Niagara Community Observatory (NCO) is engaged in ongoing research and analysis focused on agri-tech innovation to inform and influence public policy to further support the sector.

In the future, Niagara will have the opportunity to capitalize on its existing base and move forward successfully through progressive innovation, support of value-added agriculture and agri-tourism, and deeper development of the agri-food supply chain.

Niagara Region's Official Plan recognizes and protects the agriculture sector as an essential component of Niagara's economy. This includes supporting the use of agricultural lands for farming, processing, research and development and agri-tourism. Niagara Region's Agriculture Policy and Action Committee is committed to supporting actions and strategies needed to advance the local agricultural sector.

Manufacturing

Manufacturing has traditionally been an important sector of Niagara's economy with a diverse base of companies, employing tens of thousands of people in automotive, paper and steel manufacturing. Historically, it consisted of many branch plant facilities employing large numbers of people in each facility, the sector is now predominantly comprised of small and medium-sized enterprises (SMEs) and has diversified. It has strengths in food and beverage processing, wood products, chemical manufacturing, steel production and fabricated metal.

The manufacturing sector is one of the largest contributors to Niagara's GDP at \$1.8 billion, which is 11 per cent of total GDP. The sector is the fourth largest in Niagara in terms of employment with 16,445 jobs. Although it has fewer jobs than accommodation and food services, retail, health care and social assistance, manufacturing has much higher job multipliers than the service producing sectors. It is estimated that each manufacturing job in Niagara supports an additional 3.2 jobs in other industries. The sector has also seen job growth during the pandemic.

Manufacturing companies capitalize on Niagara's strategic location on the Canada/U.S. border and there has seen growth in exports as well as imports. It is supported by a growing transportation and warehousing sector. Exporting activity is strengthened by international trade agreements, for example, Canada-United States-Mexico agreement (CUSMA) and the Canada-European Union Comprehensive Economic and Trade agreement (CETA) and supported locally by services provided through the Niagara Foreign Trade Zone point.



Manufacturing, Niagara Falls

The sector is supported by Niagara College’s Walker Advanced Manufacturing Innovation Centre that assists manufacturers with engineering design, 3D technology, lean manufacturing processes and additive manufacturing. The Niagara Industrial Association (NIA) was formed in 2007 and has around 200 members. The NIA provides a voice for the sector in the region and advocates for policy changes that reflect current market conditions.

Investment activity in the manufacturing and industrial sector was high before the pandemic started and, despite an initial dip, has returned to high levels indicating confidence in the sector and its future.

NED supports the manufacturing sector through: investment attraction; planning and policy development in the Official Plan which protects employment areas; advocacy of identified sectors e.g. marine sector; promotion of the Niagara Foreign Trade Zone which provides support to exporters through federal programing and connects exporting businesses to federal agencies such as Canada Border Services Agency, Canada Revenue Agency and Export Development Canada (EDC).

Tourism

Niagara is an important tourism destination for Canada and a major global attraction. The region is home to an abundance of natural scenery, diverse geography that includes hiking trails (including portions of the Bruce Trail), small waterfalls and powerful rapids, and one of the world’s natural wonders, Niagara Falls, and its many attractions. Niagara Falls is the leading leisure destination in Canada. Outdoor enthusiasts can indulge in extensive activities such as cycling trails, watersports, golf and much more. Additionally, the environment supports vineyards and agri-tourism assets annually drawing over 13 million visitors, nationally and internationally.



Niagara Falls

With over 140 wineries, breweries and distilleries and setup in an agri-food cluster bringing farm to table experiences, Niagara also boasts a world-class culinary paradise. The region also encompasses a rich and fascinating history showcased by monuments, museums, former battlefields, forts and heritage structures due to its riveting heritage. From Lincoln to Niagara Falls, there’s much to see and experience throughout Niagara, including local markets, festivals and events, live theatre, movies, orchestras, visual arts and more.

Tourism is a major economic contributor in Niagara generating a significant amount of business activity, jobs, and other economic benefits. While historically, visitors were attracted to the natural wonders and assets, prominent Canadian wine region and the tourism attractions, the pressure created by COVID to focus on local tourism and outdoor activities has also introduced visitors to the charming local downtowns, beaches, agri-tourism and farm to table opportunities.

The current tourism ecosystem identifies multiple partnering organizations across the sector, with the majority engaged in tourism marketing and about half involved in product development. The Tourism Partnership of Niagara leads the marketing efforts with the support of the local DMOs, Niagara Parks Commission and industry associations as well as Chambers, BIAs and local area municipal economic development offices who also engage in product development. NED supports the sector through investment attraction, planning and policy development and advocacy.

Professional Services

Professional services are a growing sector in Niagara, in terms of employment and one of the top, in terms of number of businesses. Professional services has been identified as one where there is potential to attract higher skilled finance, technical, professional and scientific services jobs. Due to physical constraints, some Niagara municipalities face challenges to growth and are looking for intensified and higher use development in their downtowns by attracting companies in the professional services sector.



Professional Services, St. Catharines

Emerging Sectors

Sectors that are considered emerging have been identified because they offer new and growing opportunities to Niagara’s economy. These sectors are described below and include health care, film industry, sport tourism, marine sector and electric vehicles. Investments in these emerging sectors have not traditionally been a focus of Regional Economic Development and therefore will require research to understand the assets and develop actions going forward.

Health Care

Niagara has seen considerable investment in the broad health care sector in recent years. Over the last decade investments have included: the Niagara Health System’s completion of a new state-of-the-art hospital for the St. Catharines area providing more than a million square feet of care; the expansion of McMaster University’s Michael G. DeGroote School of Medicine to include a regional campus located inside Brock University; Roy and Lois Cairns Health and Biosciences Research Complex at Brock University; the redevelopment of the West Lincoln Memorial Hospital and most recently the announcement and release of an Request For Proposal for the new South Niagara Hospital. Health care is an emerging sector in Niagara and has the potential to become a hub in the future.

The new South Niagara Hospital complex will consolidate and expand acute care services; replacing outdated infrastructure with high tech facilities and supporting better, connected care in the region. In addition to emergency, critical care and surgical services, South Niagara

Hospital will feature several centres of excellence specializing in stroke, complex care, geriatrics and geriatric psychiatry and wellness in aging. Cutting-edge technology will transform and improve the patient experience at the future South Niagara Hospital.

The West Lincoln Memorial Hospital (WLMH) redevelopment project is also moving forward with construction beginning in 2022. The new WLMH will be a state-of-the-art 120,000 sq. ft. site featuring an expanded 24-hour emergency department, several acute inpatient beds, increased outpatient care, continued maternal and newborn services, day surgery services, and advanced diagnostics, including X-ray, mammography, echocardiography, ultrasound and CT scanning capabilities.

These assets come together to offer new economic opportunities in the health care sector for the region as well as high quality health care services for Niagara residents. NED has worked with the Niagara Health System to develop a local business directory to help promote supplier opportunities to local businesses, which will maximize the economic impact of the new hospital in Niagara.

The broader life sciences sector, which includes health care, is currently very nascent in the region. This includes notable companies that focus on: biotechnology; pharmaceutical manufacturing; vector-borne pathogen testing, identification and surveillance; hygiene product dispenser manufacturing, and prosthetics and orthotics manufacturing.

Film Industry

Across all municipalities, Niagara is seeing interest from the film industry. The region has much to offer in terms of unique locations. There are economic benefits from the hiring of local people and services to the fees paid to municipalities and property owners and increased tourism.

Marketing the region as a potential film location and streamlining the process for film companies could increase the economic benefits from the film industry. Niagara already has a base of 259 businesses in this sector and between 2015 and 2019 saw huge increases in the jobs associated with the film industry.



Rendering of South Niagara Hospital



Film Production, St. Paul Street, St. Catharines

Sport Tourism/Active Economy

Niagara has hosted large international sport events such as the Royal Canadian Henley Regatta, the Lightning North American Sailing Championship, the Pan American Games, World Dragonboat Championships, IIHF Ice Hockey Women’s U18 World Championships and FIBA U18 Americas Basketball Championships. All have left a legacy of sports infrastructure as well as adding economic benefits in increased hotel room nights, business to local restaurants as well as business development opportunities associated with showcasing investment opportunities to business delegations. Niagara is also home to Brock University’s Sport Management program, which is considered one of the best in Canada.

The Canada Summer Games are being hosted in Niagara in August 2022 and has created the local capacity to attract, organize and run large sporting events in the future, contributing to the growing sector of sport tourism. The four consortium partners of City of Thorold, City of St. Catharines, Regional Municipality of Niagara and Brock University are working in conjunction with the Canada Games Host Society to develop Canada Games Park which will be a legacy facility for the community after the Games.

The City of St. Catharines, in partnership with St. Catharines World Rowing and Rowing Canada Aviron (RCA), will be hosting the 2024 World Rowing Senior, Under 23 and Junior Championships in 2024. This will be the third time that the championship has been held in St. Catharines.

This may be the time to consider how to focus on this sector and maximize the economic benefits across the region. The broader perspective would position sport as an economic driver when considered as a part of the Active Economy. The Active Economy incorporates all enterprises participating in, or contributing to, improving individual or community prosperity through the development and delivery of active living, organized sports, active recreation, and health and wellness experiences.



Marine Sector

Niagara has many assets in the marine sector, including access to the Great Lakes, the opportunities associated with the Welland Canal (including the potential on employment lands) and the recent investment in a multimodal hub by the Hamilton Oshawa Port Authority (HOPA). Development of the hub in the City of Thorold is the initial phase of the ‘Niagara Ports’ plan to create a corridor of multimodal industrial hubs along the Welland Canal. HOPA has invested in a 200 acre complex adjacent to the Welland Canal which has 500,000 sq. feet of privately-owned warehousing.

The local impact of the Welland Canal on Niagara’s economy is significant. It supports the activities of over 50 businesses and over 2,400 jobs, creating substantial business revenue in the region.

Many of Niagara’s manufacturing companies and services industries are suppliers to the marine industry. This includes, major players like, Heddle Marine who own and operate the Port Weller Dry Docks facility, which is the largest Canadian-owned dry dock facility on the Great Lakes as well as smaller machining and metal working companies.

Recent advocacy to the province, spearheaded by municipalities, marine businesses and industry associations within Niagara, has resulted in the Ontario government’s confirmation of its intention to develop a maritime strategy for the province that would make the industry more competitive against other provinces (e.g. Quebec and British Columbia) who already support the marine sector.





Electric Vehicles (EV)

‘Driving Prosperity: The Future of Ontario’s Automotive Sector’ positions the province to be a leader in North America in developing and building the car of the future through emerging technologies and advanced manufacturing processes.

Recent announcements show that automakers are investing around \$4 billion in transformative electric vehicle investments at their Ontario assembly plants. Premier Doug Ford has solidified his commitment to Ontario by announcing \$1.8 billion to produce battery EVs at its Oakville assembly complex, including the production of five new electric vehicle models. Stellantis announced it will invest up to \$1.5 billion to upgrade its assembly plant in Windsor to build new electrified vehicles. GM announced it would invest \$1 billion in its plant in Ingersoll to produce their BrightDrop EV delivery van – the first all-electric vehicle produced by a mainstream automaker in Canada. In November 2021, Tesla announced that they were opening a battery manufacturing facility in Markham.

The most recent announcement in March 2022, more than doubles that investment amount. A \$4.9 billion investment is being made by LG Energy Solutions and Stellantis in Windsor, to produce lithium based batteries for electric vehicles. This is the largest single investment in manufacturing to be made in Ontario and will serve as a catalyst for the establishment of a strong battery supply chain. With Niagara’s strengths in the automotive sector, there are opportunities that should be explored with EV battery manufacturers and their supply chains.

DIVERSITY, EQUITY AND INCLUSION

GOAL: Consistently incorporate the principles of diversity, equity and inclusion throughout our goals to attract and sustain an inclusive society where everyone has the necessary tools to succeed and thrive.

In 2020, Niagara Region and the 12 municipalities signed a joint declaration to join the Coalition for Inclusive Municipalities. This confirmed that all municipalities in Niagara would view policy development and municipal practices through the lens of diversity, equity and inclusion (DEI). It recognizes that Niagara’s population is becoming increasingly diverse. The current DEI work is focused on creating an action plan to guide the work in the Region for the next five years, and the initial steps being taken to advance DEI in Niagara.

There is a role for Regional economic development to encourage the growth of businesses owned by members of underrepresented groups and support equal opportunities for participation in the labour force. It is important to encourage the integration of newcomers, women, youth and Indigenous people into the labour force. Supporting initiatives to increase the supply of affordable housing, ensuring affordable and available childcare is accessible, providing an economic perspective into Regional transit etc., is crucial to ensure that diversity, equity and inclusion are a reality in Niagara’s labour force.

NED currently views its work through the lens of DEI, particularly in developing survey questions and in engaging with groups representing all interests in Niagara to provide input into the new Economic Development Strategy and other projects.



Photo: Julie Jocsak/Torstar

EDUCATION AND WORKFORCE SUPPORT



GOAL: Work with businesses, employment organizations and post-secondary institutions to ensure a robust workforce.

As the economy moves to higher skilled wage jobs, NED will work with businesses, employment organizations and post-secondary institutions to ensure Niagara’s labour force has access to targeted training aligned with the skills needed to create a high quality and more effective labour force. NED will continue to develop a compelling business case to inform projects in regional transit, broadband expansion, affordable housing, childcare, and flexible working hours as they relate to the goal of increased participation in the labour force.

Between 2019 and 2020, our labour force decreased from 216,900 to 211,200 continuing a trend that started in 2016. However, the latest data released by Statistics Canada in March 2022, shows an increase in the labour force to 234,600. Niagara’s

unemployment rate rose from a low of 5.8 per cent in 2019 to 9.8 per cent in 2020. Niagara’s labour market participation rate fell to 56.9 per cent in 2020 from 59.1 per cent in 2019, and the local employment rate fell to 51.3 per cent in 2020 from 55.6 per cent in 2019. 2021 shows a growing trend. Not all sectors were affected equally during the pandemic with the greatest losses in the accommodation and food service, arts, entertainment, and recreation and retail/wholesale trade sectors.

2020 represented a year of considerable employment disruption. Annual data estimates that 13,700 people lost employment between 2019 and 2020. COVID-19’s employment impacts also were unequal across the labour force, with women carrying the larger share of employment disruption. Monthly employment trends demonstrate that men briefly saw their level of employment rise above pre-pandemic levels in the summer of 2020, employment for women surpassed pre-pandemic employment in September of 2021.

While it is expected that employment levels will rebound in 2022, some issues are continuing to emerge. These are issues that are not unique to Niagara, but exist in the province and across Canada. They also existed before the pandemic but have been accelerated by it.

Mismatch Between Jobs and Labour

Although there are jobs available and there are people looking for jobs, people are not finding work and employers are not filling positions. The reasons for this mismatch are not completely understood. Pre-COVID, one explanation was that students were staying in school rather than entering the labour force and studying subjects that didn’t equip them for employment. In turn these over-qualified employees were taking jobs from lesser qualified employees who were a better fit. Another explanation for the mismatch is that potential employees have unrealistic expectations and/or are less tolerant of existing working conditions since the pandemic. Some employers may also be unaware of changing expectations, not necessarily pay but, for example, flexible working hours. In some cases they are asking for a higher level of education than is needed and preventing capable people from applying.

Mitigate Low Participation Rates

From 2016 to 2019, the participation rate in Niagara’s labour force declined by 4 per cent to 62.9 per cent. It declined by 4.6 per cent for males and 3.7 per cent for females. In 2020 the participation rate fell further to 56.9 per cent with men and women not being affected equally. It fell by 1.8 per cent for men and 2.8 per cent for women. This is a trend that began before the pandemic and has been accelerated by its disruption in 2020 and 2021. However, the participation rate has rebounded to 62.5 per cent in March 2022.

There are many social issues that need to be addressed to increase participation in the labour force and ensure equal employment opportunities for everyone. These issues include the provision of affordable and available childcare, availability of affordable and attainable housing, the availability of integrated regional transit with routes and times to suit work schedules, employers offering flexible working arrangements around school hours and access to reliable broadband coverage across the region. These are areas where NED is playing a supporting role by providing the economic development perspective to others who take the lead.

In the last few months, progress has been made in a number of areas. On March 28, 2022, the Ontario government signed a childcare deal with the federal government; a move that will see



child-care fees cut in half by the end of the year and rebates (retroactive to April 1) handed out to parents in May. By December 2022 there will be another reduction in childcare costs and in September 2024, families will see further cost reductions, with the price for child care falling to an average of \$10 a day by September 2025. The deal also includes a plan to create 86,000 new childcare spaces in Ontario by 2026, with the priority on not-for-profit operators.

The Niagara Region Transit system is a significant move forward to improve and modernize public transit by creating one integrated system. Upon implementation, the system will provide improved access to employment and services in the region, as well as expand the potential for residents to explore work opportunities in neighbouring communities. It will also support the expansion and connectivity of the GO Transit service to the region.

Construction is underway to connect more than 4,800 homes, farms and businesses in Fort Erie, Grimsby, Lincoln, West Lincoln, Niagara-on-the-Lake, Niagara Falls, Pelham and Wainfleet, to reliable high-speed internet services by December 2022. This \$17.9 million initiative to build three new infrastructure networks in Niagara region will help ensure that farms and businesses in the region will have the ability to attract new customers, grow their business, create new jobs and stay competitive in an increasingly digital marketplace. Another initiative announced in July 2021 will enable the roll out of 5G service to Pelham, Thorold and Welland.

All of these initiatives are positive steps towards enabling equal employment opportunities to Niagara residents and increasing the participation rate in the labour force. NED will monitor ongoing announcements in these areas and continue to insert the economic development perspective where appropriate, working with other Regional departments.

Reference: 2021-2022 Labour Market Planning Report, Niagara Workforce Planning Board



BUSINESS RETENTION AND EXPANSION (BRE)

GOAL: To ensure that municipal economic development offices have support, as appropriate, from NED to encourage their businesses to stay and grow. Recognize the differentiation between communities which are urban and rural and the opportunities and challenges they both face. Encourage collaboration between the two tiers of local government in support of BRE.

BRE is the priority of the LAMs. It is agreed within the profession that 80 per cent of economic growth comes from existing business retention and expansion and 20 per cent from new investment. NED supports BRE through the following areas of focus.



Technology and Innovation Eco-system/Partnerships with Post-secondary Institutions

Entrepreneurs are critical to our economy because they create jobs, as well as diversifying and strengthening it. In order to succeed, these new businesses need the support of a robust innovation ecosystem. Niagara has a strong ecosystem including several nationally renowned innovation centres who work with local companies across a number of sectors.

The region has a strong research network through the two post-secondary institutions, Brock University and Niagara College as well as the McMaster Michael G. DeGroote School of Medicine campus. Brock University, based in St. Catharines, is recognized as one of Canada's top five institutions for co-operative education. Its transdisciplinary approach to research bring together different disciplines. Brock recently established the Brock LINC as a home for creativity, innovation, research and entrepreneurship. The Cool Climate Oenology and Viticulture Institute (CCOVI) is focused on the research priorities of the Canadian grape and wine industry and in the past two years Brock University has received federal funding to create the Brock-Niagara Validation, Prototyping and Manufacturing Institute (VPMI).

Niagara College programs are divided between two campuses in Welland and Niagara-on-the-Lake. Its research and innovation division brings together the Walker Advanced Manufacturing Innovation Centre, the Canadian Food and Wine Institute and the Agricultural and Environmental



Niagara College

Technologies Innovation Centre. The Greenhouse Technology Network is a collaboration between Niagara College, the University of Guelph and Vineland Research and Innovation Centre.

Funded provincially and federally, Vineland Research and Innovation Centre focuses on horticultural science and innovation. Innovate Niagara is the Regional Innovation Centre and has access to its network of resources across Ontario. The Niagara Falls-Ryerson Innovation Hub (NFRIH) was formed through a partnership between The City of Niagara Falls, Spark Niagara and Ryerson University.

McMaster University, based in Hamilton, has created strong links with Niagara. McMaster's Niagara regional School of Medicine campus, which is located at Brock University, offers practical hospital experience occurs at hospital sites within Niagara.

There have been a number of local initiatives to explore the opportunities for incubation-related support facilities for the agri-food sector in Niagara. Port Colborne recently conducted a study looking at the introduction of commercial kitchen facilities and a food-related incubator. Lincoln plans to renew efforts to consider the development of a food hub in 2022 and is focused on a model that includes warehouse space and technical equipment, as well as incorporating elements of their successful agri-tech hackathon.

In addition, early stage companies often need access to capital. As well as federal funding programs, the Niagara Angel Network is an independent consortium of over 40 individual accredited angel investors mainly from Niagara, and throughout Southern Ontario. The Niagara Angels typically invest \$100,000-\$1,000,000 in seed/early stage companies, and syndicate deals with other Angel groups across Ontario.

For established businesses to remain competitive and be successful, it is critical to employ new technology and embrace innovation. Since 2011, Niagara has seen double-digit growth in an emerging tech sector. This includes jobs in computer systems design, scientific research and development, and architecture and engineering. There has been a job growth of 81 per cent in the information and technology sector.

NED recognizes the importance of encouraging growth through entrepreneurship and will continue to support the innovation ecosystem and its development by supporting projects, promoting programing and providing corporate funding. Work within the Foreign Direct Investment (FDI) program will also target businesses that focus on new technologies, including automation and artificial intelligence as well as continuing to support increased connectivity through the expansion of broadband coverage.

Funding Opportunities (Incentives and Grants)

Niagara Region formed a Grants and Incentives Review Committee in 2019. The purpose of the committee was to review the efficacy of existing grant programs and to determine if new programs needed to be created. Due to the success of the Gateway Economic Zone and Centre Community Improvement Plan (CIP) there have been millions of dollars of new investment by companies focused on manufacturing and food processing in participating municipalities. To support increased investment throughout the region, a new 'Niagara Business Attraction' program is being created to provide matching dollars to the seven municipalities outside of the Gateway Economic Zone and Centre should they decide to implement similar CIPs.

The decision to match local municipal employment-related CIPs will improve Niagara region's competitiveness; support the local economic development initiatives; and leverage the local sector strengths of Niagara's economy.

Staff at Niagara Region and across all the local municipalities are acutely aware of the importance of supporting new residential developments to address increasing housing prices that is affecting affordability and to accommodate the forecasted growth of the region over the next 30 years. Homeownership and housing affordability contribute to healthy communities. To address these pressing challenges a range of incentives and policies have been updated to meet Niagara's changing needs.

Niagara is home to a number of different downtowns, each of which have their own sense of character. Niagara Region provides support to local municipalities through secondary plans, infrastructure upgrades and accessing other sources of funding. The Region is in the process of adapting its brownfield remediation and development grants to incentivize the provision of attainable and affordable housing in residential developments which, although not specific to downtowns, will assist their redevelopment and growth.

Niagara Region remains focused and committed to attracting and retaining manufacturers that create jobs in the region. These efforts will continue to increase the industrial tax base through higher and better uses of existing and future employment lands. The provision of both development charge and tax increment-based grants or deferrals provides Niagara with a unique value proposition that provides a competitive business climate.



Thorold Multimodal Hub

Streamline Development Processes

Niagara Region is a two-tier municipality comprised of 12 local municipal governments and Regional government. As a result of this structure, the majority of development applications are received, reviewed, and approved by local planning departments. Niagara Region’s Planning and Development Services Department primarily collaborates with local planning departments to ensure developments adhere to both Regional and provincial planning requirements.

A new Official Plan for Niagara Region will be completed in 2022. This is the first time that a brand new plan has been drafted in nearly 50 years. The 12 local municipalities will be required to update their own Official Plans to ensure that they are in conformity with the new Regional Official Plan.

This provides a unique opportunity to harmonize municipal and Regional planning requirements and local zoning bylaws and for Niagara’s employment lands and areas to create a made in Niagara solution to support new and future investment. This level of conformity between both tiers of government would place us in a similar category as single-tier municipalities in terms of doing business. Niagara Region will work with local area municipalities to streamline the development approvals process.

Expanding Local Supply Chain

A recent survey conducted by Canadian Manufacturers and Exporters (CME), March 2022, found that nine out of ten companies in the manufacturing sector are struggling with supply chain issues. Canadian manufacturers say supply chain disruptions are cutting into their production and putting the recovery of the sector at risk. To facilitate economic recovery, build manufacturing capacity and mitigate against future pandemics, it is necessary to have resilient supply chains.

The third COVID-19 survey to Niagara businesses conducted by the ERRT in 2021 also identified that sourcing critical supplies was one of the top five business needs as well as finding more local suppliers and service providers. Throughout the pandemic, the ERRT, led by NED, promoted local businesses in Niagara through the creation of online directories, including a PPE directory,

and there are plans to continue to support ‘buy local’ campaigns. In a recent project, NED has partnered with Niagara Health to highlight Niagara businesses in preparation for the South Niagara Site construction phase. A new online tool will connect the project team with local Niagara businesses able to supply services or materials for the project.

NED’s FDI program will work with industry associations to identify supply chain gaps in the region as a focus for investment attraction.



Canada/US Border Crossing



Peace Bridge, Fort Erie

Photo: MarkZelinski.com

Cross Border Collaboration

Niagara is at the centre of a binational corridor that runs from Toronto to Buffalo. This geographic area facilitates billions of dollars in trade between Canada and the United States every year and supports jobs on both sides of the border. It presents a unique opportunity for Niagara to explore potential partnerships and collaborations to strengthen our economy. Previously, opportunities for collaboration within this binational geography have been explored by a number of organizations, in areas such as the innovation eco-system, health sciences, investment attraction and tourism. Buffalo Niagara is home to one of only five World Trade Centres that span an international border. The World Trade Centre Buffalo Niagara is licensed by the World Trade Centres Association to serve as a binational region that includes Western New York, the Southern Tier, the Finger Lakes and Southern Ontario.

NED will continue to build relationships across the border and investigate opportunities for collaboration with partners in Niagara.

GREEN DEVELOPMENT AND SUSTAINABILITY



Sir Adam Beck Hydroelectric Generating Station

GOAL: Niagara will look to not only preserve but leverage its unique natural features to build a sustainable environment through innovative thinking and adopting new technologies. There will be an alignment with climate change policies with all levels of government to achieve smart environmentally-sustainable development.

The Niagara peninsula, located in between Lakes Erie and Ontario, is defined by the Greenbelt and the Niagara Escarpment. Home to Ontario’s tender fruit farms and Canada’s grape growing region inherently means that environmental stewardship goes hand-in-hand with economic development. The region’s unique agricultural strengths will make it a destination for future investments across all levels of the food cultivation and processing sector. As companies look to localize and shorten their supply chains Niagara’s agricultural strengths make it a top destination for investment.

To accommodate increased investment, Niagara will have to promote and leverage its strength as one of North America’s largest green energy providers. For over 100 years,

hydroelectric generators at Niagara Falls have been producing green, renewable, emission-free electricity. As an increasing number of companies begin to evaluate the triple bottom line of their businesses, Niagara can become a choice destination. However, in order to meet Canada’s target of net-zero emissions by 2050 and the more ambitious target of reducing emissions by 40-45 per cent by 2030 it will take new and innovative investments.

The Ontario government announced its Hydrogen Strategy in April 2022, alongside an announcement that Atura Power, a subsidiary of Ontario Power Generation, has chosen Niagara Falls as its first Ontario site for large-scale hydrogen production. Hydrogen is a versatile fuel that can be used for vehicles, industrial processes and heating homes and businesses while emitting little or no greenhouse gases and other pollution. It is important in the fight against climate change. This investment decision positions Niagara at the forefront of the clean energy



Niagara region Wind Farm, West Lincoln

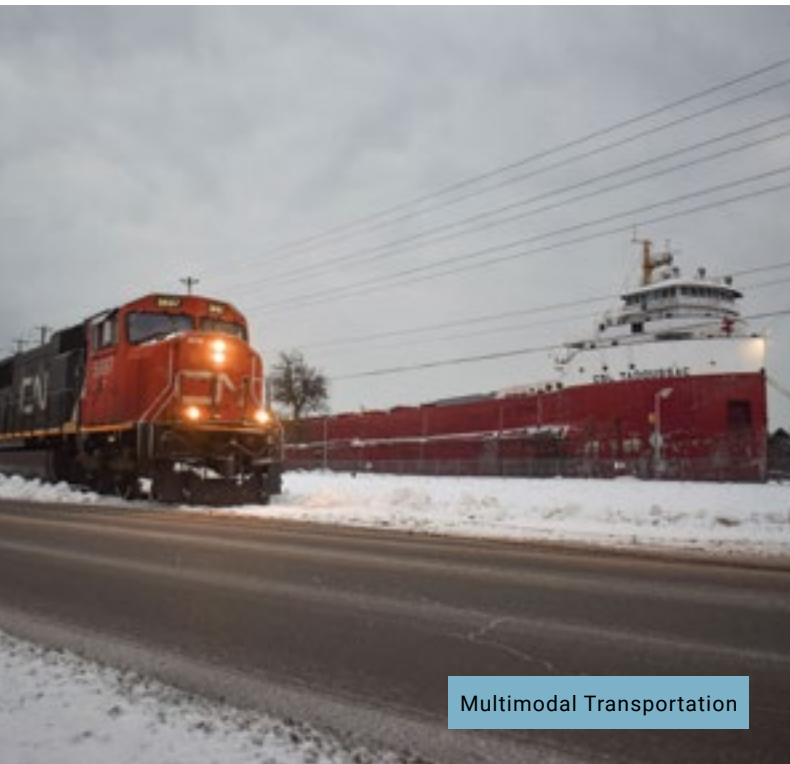
and hydrogen economy, as one of Canada’s largest green energy hubs. It will have a positive direct and indirect economic impact in Niagara with jobs created during construction and operation as well as further employment potential in the supply chain.

NED will support sustainable developments through the Gateway Economic Zone and Centre Community Improvement Plan (Gateway CIP). A core component of the Gateway CIP is to attract new investment to Niagara that will leverage our location and natural advantages. Importantly, the Gateway CIP encourages the investment and implementation in sustainable technologies, site design, and infrastructure to reduce the environmental impacts of business operations on the environment.

The economic growth of Niagara cannot come at the cost of the local environment. Green development and sustainability is important to overall community wellbeing, identified in the Vision statement. Niagara Region supports new and innovative uses of new technologies that will lower our carbon footprint as demonstrated in this Economic Development Strategy and the new Official Plan. This includes permitting and encouraging the adoption of new clean and renewable technologies in residential, commercial, and industrial developments.

Appendix - Official Plan, Chapter 3 - Sustainable Region

INFRASTRUCTURE AND TRANSPORTATION



Multimodal Transportation

GOAL: The transportation infrastructure network will support the efficient movement of goods, provide adequate connections to support the tourism industry, and provide high-quality access to employment for all residents. Achieve a higher and better use of infrastructure to support economic growth in Niagara.

Niagara region is planning to add 214,000 new residents by 2051, which will result in a total population of nearly 700,000 people and a total of 272,000 jobs. The City of St. Catharines is the only identified Urban Growth Centre by the Province of Ontario in Niagara. Accommodating this growth will require municipalities to re-evaluate not only their urban boundaries, but housing densities in

order to make the best use of the land and the infrastructure in Niagara. As communities across Niagara continue to grow adding affordable and attainable housing stock will be needed to address the growing challenge of housing affordability across Niagara.

As Niagara’s new Official Plan comes into effect and local municipalities bring their Official Plans into conformity. This will allow municipalities to re-evaluate how they will meet their own growth targets and for communities such as Lincoln, Grimsby, St. Catharines, and Niagara Falls the continued expansion of the GO Train service will enable new types of transit-orientated development planning policies. This is an opportunity to realize new types of high-density developments to generate economic development growth. Creating and leveraging new and forward thinking and permissive mixed-use developments will make better use of Niagara’s existing and future infrastructure, increase municipal tax base and create more affordable and environmentally sustainable communities.

The updated Employment Lands Needs Assessment that is used in Niagara region’s new Official Plan identified that between 2021 and 2051 the region will require an additional 210 hectares of new employment lands to meet growth forecasts. Future employment corridors along the Queen Elizabeth Way (QEW), between Fort Erie and Niagara Falls and along the Niagara–Hamilton-GTA Corridor between Fort Erie and Welland, have also been identified in the Official Plan.

This will require Niagara Region in collaboration with local municipalities to fund the necessary infrastructure to provide services to existing and new employment lands.

Two key pieces of needed infrastructure include the new water treatment facility in South Niagara Falls that will enable the extension of servicing to northern Fort Erie. This investment by Niagara Region will enable the development of land in Niagara Falls’ urban boundary expansion. Critically, this will be bringing online a new 210 hectare employment area along the QEW transportation corridor. The servicing of this new employment area will not only support new investment attraction to the region, but also support the growth of local businesses.

The second economic priority is the lack of servicing to the employment lands on the east side of the Welland Canal in the City of Port Colborne. Niagara Region has planned to invest in the construction of a tunnel under the Welland Canal to bring the necessary services to enable new industrial investment in the city. The success of this project will require both inter-departmental and inter-municipal collaboration to ensure that the infrastructure investment occurs on time.

Investments to service employment lands will ultimately enable Niagara’s future economic growth and will leverage the region’s unique location to attract new investment as well as support the expansion of local manufacturers. The combination of Niagara’s potential for multimodal transportation (air, rail, marine, and road), access to sustainable and net-zero electricity and proximity to some of the largest markets in North America will position the region as an ideal location to do business.

Office Vacancies

The COVID-19 pandemic has accelerated demographic and economic changes across the globe. In southern Ontario there has been an exodus of people from the Toronto-area and into surrounding municipalities seeking more affordable housing options. This has been referred to by individuals in the real estate and housing construction sectors as the ‘Drive to Qualify’ phenomenon. The investment by the Province into Transit Oriented Communities and the fact that Niagara is increasingly part of the larger Greater Golden Horseshoe provides a new opportunity to redevelop and grow communities across Niagara.

People migrating to surrounding communities has been fueled by many companies switching to remote or hybrid models that no longer require staff to be physically present in offices. This new remote work reality has



Grimsby on the Lake

resulted in all-time high office vacancy rates as companies decide how they will pivot their businesses. Ottawa-based Shopify is a leading example of a Canadian company that has transitioned to a digital by default work model.

Moving to a more digitalized work environment could result in an increase in office vacancy rates across southern Ontario, which may create an excess supply of commercial real estate. The significant forecasted growth of Niagara region will continue to place pressure on housing. Regional staff should begin investigating the creation of conversion policies to allow existing commercial zoning to be easily converted to residential uses. By enacting proactive planning to address supply and demand challenges would be one step to addressing the region’s housing shortage and rapidly increasing housing costs. This could provide an opportunity to convert under-used space in downtowns and urban cores to more mixed-use commercial and increased residential densities.

GO Train



GO Train Service in Niagara

In 2019, Metrolinx provided the business case for expanding GO Train service to Niagara region with a plan to build a new GO Station in Grimsby and make improvements at both the existing train stations in St. Catharines and Niagara Falls. These investments are part of larger plan of creating a more integrated transportation network across the Greater Golden Horseshoe Area and supporting Destination Orientated Communities. This will increase Niagara’s connectivity to the GTA and provide new development opportunities around the proposed stations. In March 2022, Metrolinx released its Initial Business Case (IBC) for a new GO train station in Beamsville. The IBC confirms the feasibility of a Beamsville GO station and is the first step in a multi-year planning process.

The investments by Metrolinx and private sector developers provides new economic development opportunities to create new mixed-use communities that will leverage the connectivity that GO service will provide. Currently, both local and regional governments are developing and implementing secondary plans to promote mixed-use developments around these transportation nodes. The resulting investments will increase Niagara’s competitiveness in attracting remote and hybrid workers that will require easy access to the GTA.

Airport

Airports are recognized as being important economic drivers within a region. There have been a number of academic studies to assess their contribution to regional economic development. These studies support the belief that airports, and specifically scheduled airline services, contribute significantly to the growth of local economies.

Niagara has two airports, Niagara District Airport (NDA) in Niagara-on-the-Lake and Niagara Central Dorothy Rungeling Airport (NCDRA) in Pelham. The two airports serve different roles, however both are important economic drivers. While fewer business development opportunities have been identified for Niagara Central Airport, the facility plays an important role by supporting air ambulance, law enforcement, flight training, and general aviation commercial and recreational activities. The presence of almost 100 based aircraft, demand for affordable aircraft hangars across southern Ontario, and the steady rate of historical development suggests that there is continued demand for this facility. In September 2021, the City of Welland announced that it would finance the construction of 10 hangers at NCDRA and that nine of the hangers already have tenants lined up.

Recent reports have suggested that the NDA has not been able to leverage its full economic potential because the financial support to expand and develop the facility is not available. The Niagara District Airport Commission (NDAC) and its municipal partners: Niagara Falls, St. Catharines and Niagara-on-the-Lake are currently looking for an operator to manage the airport. The Commission would like to ensure the growth of the facility to support the regional economy.

Transportation access to and from the GTA has been identified as a potential barrier to economic growth in Niagara, particularly in the tourism sector. Current scheduled passenger air services operating at NDA offer quick and efficient connections to downtown Toronto and have the potential to expand.

Reference: Feasibility Study and Business Care for Niagara District Airport and Niagara Central Dorothy Rungeling Airport, HM Aero, 2022



Niagara District Airport, Niagara-on-the-Lake



Garden City Skyway, QEW

Niagara to GTA Corridor

The trade relationship between Canada and the US is dependent on strategically located transportation and trade hubs that facilitate supply chains that are highly integrated with manufacturing plants, warehouses and distribution centres situated on either side of the border. Trade flows across the Niagara international borders total \$93 billion with 81 per cent of the integrated trade value transported by truck. In 2021, 1.1 million trucks (2-way) crossed the Peace Bridge using the QEW Corridor, which represents approximately 17 per cent of total international truck movements observed at Canada-US border crossings.

Niagara Region's Transportation Master Plan indicated that truck volumes are expected to increase by 50 per cent over the next 25 years for truck trips either traveling through Niagara to border crossings or between Niagara and GTHA. Niagara Region's Foreign Trade Zone Point designation promotes the region as an International Trade Hub with tariff and tax exemptions, which requires improved transportation capacity, system fluidity, redundancy, and reliability while reducing supply-chain costs.

The QEW is a major trade, tourism and commuter corridor traversing Niagara region, which experiences significant traffic congestion during peak work and tourist travel periods especially through the cities of St. Catharines and Niagara Falls. Planned growth along the QEW Corridor and increased trade values crossing Niagara border crossings, without additional infrastructure, will affect the fluidity of the transportation system and supply chain management, due to longer periods of traffic congestion, increased truck travel times and increased safety issues. It is recommended that the Region advocate with the provincial and federal governments to advance the Niagara-Hamilton Trade Corridor and NGTA East Corridor, providing an efficient trade route connecting Niagara region to the GTHA and the US. This will provide a key link of an alternate truck route to the QEW that provides travel time reliability, road safety, and network redundancy, which improves supply chain efficiency as well as incorporates design elements to address a changing climate and new technology including an Integrated Truck Corridor Management System. Analysis completed for the Transportation Master Plan confirmed the need for an improved crossing of the Niagara Escarpment to accommodate the movement of people and goods. It would act as a link between the QEW and the Niagara to GTA Corridor.

Appendix 4 – Official Plan: Chapter 3 Sustainable Region; Chapter 4 Competitive Region and Chapter 5 Connected Region.

NIAGARA ECONOMIC STRATEGIC ACTION PLAN

Implementation of the 10 Year Economic Development Strategy through the Action Plan will focus on the role of NED and its current mandate as defined in the Memorandum of Understanding (MOU). Most of the actions go beyond the key functions of Regional economic development and will be developed in collaboration and partnership with members of Team Niagara and the broader community and business group in the region.

PARTNERSHIPS

Team Niagara

Innovation Eco-System

Business/Downtown Improvement Associations

Employment Organizations

Post-Secondary Institutions

Tourism Organizations

Chambers Of Commerce

Provincial Government Ministries

Industry Associations

Niagara Workforce Planning Board

Small Business Enterprise Centres

St. Lawrence Seaway Management Corporation

Hamilton Oshawa Port Authority

Venture Niagara

The actions in the Strategic Action Plan directly support the Strategic Directions in the Economic Development Strategy. Each action is given a specific timeframe according to its priority level. The timeframes are: Ongoing (continuous); Immediate (1-3 years); Medium (3-6 years) and Long-Term (6-10 years).

Performance metrics are provided for the actions and are essential to measure the progress of the implementation within the Economic Development Strategy. The metrics can also be used to improve economic development programming and performance as well as inform policy development and decision making.

Within the profession of economic development, performance measures are recognized as important as well as being recognized as difficult to quantify. The metrics provided in this Strategy are measures of activities, for example leads generated, as well as outcomes, for example increased level of investment and jobs in the region. Outcomes are particularly difficult to measure because they generally relate to the region-wide economy and so it is challenging to attribute them specifically to regional economic development or to any other organization.

STRATEGY 1

INVESTMENT ATTRACTION

GOAL: To grow and diversify the economy through targeted business attraction in sectors where Niagara has a competitive advantage, as well as in emerging sectors, where Niagara can demonstrate a strong business case for investment.

Actions

ONGOING

- Conduct lead generation focused on sectors or subsectors where Niagara has an advantage as identified through research
- Build the investment pitch based on Niagara’s advantages and unique assets (e.g. strategic location)
- Pro-actively engage in regular communication with local economic development offices to keep current on opportunities, successes and new assets to be promoted within the FDI pitch
- Responsible for developing the agenda, itinerary and content of inward missions and familiarization (FAM) tours to promote Niagara
- Development and planning of external trade and investment missions, events and trade shows to promote Niagara to potential investors
- Raise Niagara’s profile to intermediary contacts, including the CCCA, Canadian Trade Commissioners, Ontario representatives abroad, foreign consuls, overseas Chambers of Commerce, Export Development Canada etc.
- Promote the Niagara Foreign Trade Zone programs through marketing activities to local businesses to support export diversification of Niagara’s manufacturing companies into new foreign markets. Continue to collaborate with the World Trade Centre Toronto to promote and facilitate the Trade Access Program (TAP).

IMMEDIATE

- Promote Niagara as a new destination for film and television production, identify resources and streamline the permitting process
- Develop a Customer Relationship Management (CRM) system that is customized to the needs of NED and explore the opportunity to develop an integrated system with municipalities

IMMEDIATE/MEDIUM

- Understanding gaps in the supply chain and identifying value-added industries that could be investment targets

MEDIUM/LONG

- Identify opportunities in emerging and green technology sectors (e.g. alternative fuels, artificial intelligence, electrification of the automotive industry), where Niagara can demonstrate strengths and/or unique assets

LONG-TERM

- Partner with Foreign Trade Zone Points across Canada to advocate to the federal government – for new resources and programs to increase Niagara’s international competitiveness
- Leverage the Niagara Foreign Trade Zone Point designation as part of a business case for Niagara region to be designed a federal Economic Trade Corridor

Performance Metrics

- Activity measures: number of leads generated, meetings and events and number of prospects
- Increased level of investment and jobs in the region
- Identification of targets within emerging sectors to inform investment attraction programming
- Increased uptake in federal exporting programs
- Niagara FTZ Increased value through new programming and services
- CRM used to develop reports track relationships with prospects and define sales funnel

STRATEGY 2

EXTERNAL MARKETING

GOAL: Position and market Niagara region as a choice destination for businesses to locate and transform Niagara into a globally renowned community. Promote Niagara as a location for business and resident investment in key markets and sectors through marketing activities.

Actions

ONGOING

- Leverage Niagara’s membership of the CCCA to promote Niagara’s brand and value proposition alongside other membership municipalities to an international audience
- Develop and maintain an asset inventory of marketing collateral across all 12 municipalities in partnership with local economic development offices to be used in internal and external marketing initiatives
- Work with the Local Immigration Partnership to promote welcomeniagaracanada.com as the primary online source for information to newcomers

IMMEDIATE

- Develop, implement and monitor digital marketing campaigns to showcase Niagara as a location of choice for investment both nationally and internationally
- Develop, implement and monitor a resident attraction marketing campaign to grow and strengthen the local labour force
- Collaborate with Niagara Region’s Strategic Communications and Public Affairs Division to develop a communications plan to promote Niagara business and investment successes

LONG-TERM

- Through strategic marketing, position Niagara as a premier location for investment in North America

Performance Metrics

- Annual marketing plan is updated on an on-going basis and key metrics are reported
- Increased website and campaign analytics for niagaracanada.com and welcomeniagara.com
- New web content is developed as needed to support new sectors and economic development initiatives, reported in website analytics
- Maintain an updated investment pitch package that showcases assets in all Niagara municipalities



Promotional Video Production in Fort Erie

STRATEGY 3

BUSINESS AND ECONOMIC RESEARCH AND ANALYSIS

GOAL: To interpret Niagara’s economy through regional economic and business research and analysis and inform policy development and economic development initiatives.

Actions

ONGOING

- Continue to monitor and provide analysis to ensure Strategy is relevant
- Support the work of regional economic development and other partners across the region by providing the latest economic and business information
- Continually investigate new sources of data and tools to provide business and economic research and analysis to support NED projects
- Provide research and analysis to support projects in the local economic development offices
- Support internal departments, including the Chair’s Office, by providing economic and business data

IMMEDIATE/ONGOING

- Support the Niagara Employment Inventory project led by the Planning and Development Services Department

IMMEDIATE

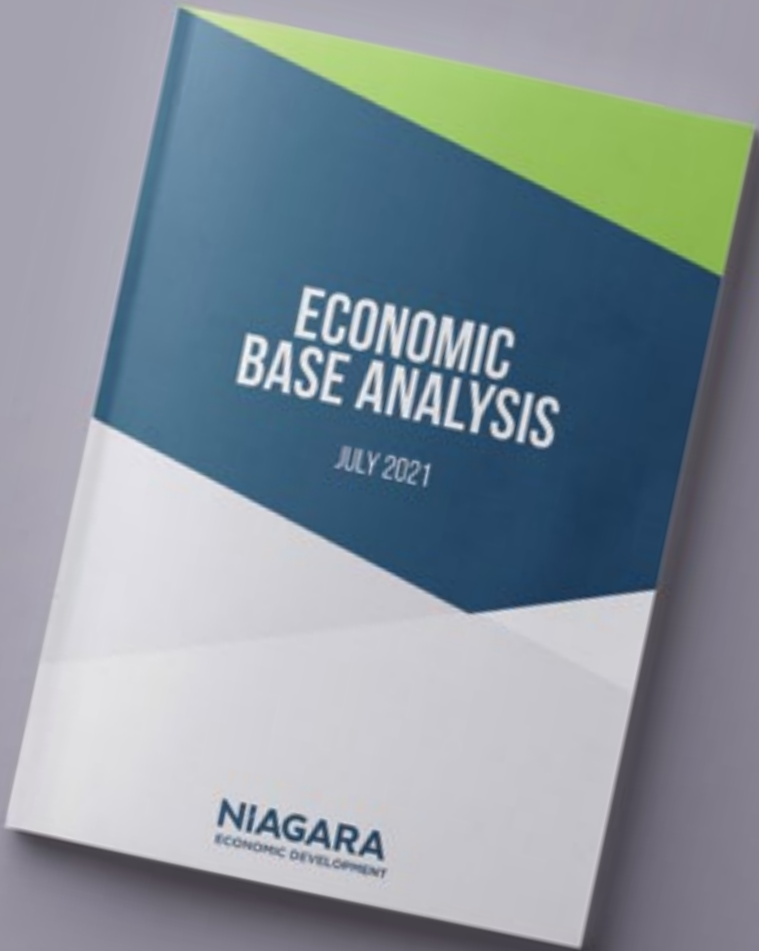
- Update the Economic Base Analysis once post-COVID data is available
- Update sector profiles once the 2021 census data has been released
- Use an evidence-based analysis to review and assess the success of the strategy to ensure it remains aligned with economic development priorities

MEDIUM

- Monitor new labour force practices in Niagara including remote working
- Benchmark Niagara against other municipalities, locally, provincially, nationally and internationally

Performance Metrics

- Economic and business data current on website, profiles and reports
- Analysis incorporated into NED initiatives
- Identification of opportunities and issues from the economic data
- Inform Council and partners on latest economic and business data and analysis
- Report on support to LAMs economic development offices, tracked through the CRM



STRATEGY 4

EXPEDITED SERVICES AND BUSINESS DEVELOPMENT

GOAL: Collaborate with departments and municipalities to enable and support new industrial and residential investment to grow communities across Niagara.

Actions

ONGOING

- Work with the LAMs to prioritize developments that include affordable and attainable housing through the development and planning process
- Planning and Application Expediting – Support companies investing in Niagara through the planning approvals process to ensure projects meet realistic timelines
- Continuous engagement with the industrial and commercial realtors and brokers to understand Niagara’s real estate market
- Respond to inbound site selection requests and coordinate with local municipalities to provide complete responses
- Explore opportunities to fast track servicing and funding for employment lands and areas across Niagara
- Continue to be the local referral partner for the Global Skills Attraction program to fast-track foreign nationals with specific skills to jobs in Niagara

IMMEDIATE

- Collaborate and support both local and regional planning departments in the development of secondary plans in both urban and employment areas to ensure economic development objectives are considered
- Introduce a new suite of incentives that will be administered by economic development to support business growth and new investment in the region
- Market and promote Niagara’s employment-related incentive programs outside of Niagara region
- Affordable and Attainable Housing Incentives – Advocate and adopt new programs and policy to support affordable and attainable housing and new residential development and subdivisions to alleviate overall housing pressures
- Develop an online inventory of land to promote our investment attraction activities

MEDIUM

- Work with LAMs to standardize planning application intake, review, commenting, and approval to achieve shorter processing times
- Harmonize planning and development policies at the regional and local municipal levels and zoning at the municipal level for employment lands and areas

LONG-TERM

- Ensure brownfield incentive programs remain relevant and competitive to attract redevelopment and investment in Niagara

Performance Metrics

- Report on site selection requests received, report generated from the CRM and included in quarterly updates to PEDC
- Report on employment-related grants and incentives
- Meet with industrial and commercial real estate brokers and agents, report on number of meetings
- Introduce and maintain newly created incentive policies
- Harmonize planning and development policies for employment land uses
- New and existing employment areas are serviced
- Support existing and new business growth with foreign talent acquisition



Aerial View of Port Colborne

STRATEGY 5

LAM AND SECTOR SUPPORT

GOAL: Strengthen and support the key sectors of Niagara’s economy. Build capacity within LAMs that do not have economic development resources.

Actions

ONGOING

- Facilitate collaboration between local business, economic development and local tourism organizations to support region-wide tourism initiatives that draw visitors throughout the region
- Support to rural municipalities in facilitating enablers to development (i.e. transportation, servicing and broadband connectivity)
- Identify, pursue and report on sector specific sources of funding from other levels of government to support Niagara’s agricultural and tourism sectors
- Funding local economic development initiatives/projects/applications and buy-local initiatives to support business retention and expansion within LAMs

IMMEDIATE

- Work closely with collaborative partners across the region to identify and advance the opportunities post-Canada Games to leverage new infrastructure, existing natural assets in the active/sports economy

IMMEDIATE/MEDIUM

- Work with municipal and tourism partners to create and support policy that enables value-added agriculture and agri-tourism opportunities and intensification

MEDIUM/LONG-TERM

- Support agriculture sector related investment and diversification opportunities for value-add processing, co-location, and higher and better use of agriculture lands
- Showcase the agri-business and agri-food sector in its diversity. It has a unique ecosystem of innovation that is inherent to Niagara including emerging opportunities in vertical farming, support for local food and farm to table culinary.

Performance Metrics

- Collaborate with partners to support an Active/Sports Economy Strategy to address potential opportunities and event bid administration
- “Grown in Niagara” website identifying assets across the value chain in the cluster, promoting local food to external and internal audiences, encouraging Niagara-sourcing by local governments and businesses, reported through website analytics
- Attend and support agri-business and tourism sector association events and meeting to understand the opportunities and address the challenges for the continued growth of the cluster, number of meetings reported in quarterly update to PEDC
- Continue to build capacity at municipalities without economic development offices resulting in the creation of either economic development or a tourism-related position
- Attend technical funding briefings for federal and provincial programs and promote and support to local business sector organizations, reported though number attended in quarterly update to PEDC
- Reporting on matching funding allocated to partnering local municipalities on their defined initiatives, including buy local campaigns, and metrics as identified within their project scopes, reported to PEDC



Soybean Farm, Wainfleet

STRATEGY 6

STRATEGIC INITIATIVES AND ADVOCACY

GOAL: Achieve the Vision of the Strategy by focusing on projects of regional significance that are aligned with these goals that foster economic and business growth and retention.

Actions

ONGOING

- Management of Niagara’s10 Year Economic Development Strategy including its implementation, revisions and reporting to PEDC and Team Niagara. Ensure the Strategy remains current and has continued alignment with municipal economic development strategies and Regional strategic plans
- Liaison with Regional departments/divisions to support the business case for major Regional projects with economic impact and funding applications e.g. National Trade Corridors Fund
- Develop regional and strategic initiatives that will strengthen the economy. These initiatives could include projects to: investigate opportunities in emerging sectors; build local supply chains; develop sector policy and planning; determine the economic impact of Niagara District Airport; and, research the feasibility of a ferry service between Toronto and Niagara.
- Provide an Annual Review on the success of the Economic Development Strategy

IMMEDIATE

- Liaise with Regional departments/municipal economic development offices to support the business case for affordable and available childcare, affordable housing, comprehensive broadband coverage in the region to support equal employment opportunities and a strong labour force
- Provide business/employer input, particularly from rural communities, as decisions are made about integrated regional transit to ensure it supports a growing labour force
- Support collaborative projects to increase inclusive participation in the labour force, re-skilling and up-skilling and the development of a talent attraction and retention strategy

MEDIUM

- Work with post secondary institutions and employment organizations to support labour force development and participation, by understanding the labour force
- Explore the concept of a regional forum for employment conversations
- Following the completion of the Niagara 2022 Canada Summer Games, explore the role for the Region in tourism/sports tourism that complements the existing ecosystem

LONG-TERM

- Advocacy to upper levels of government for infrastructure servicing to employment areas
- Build relationships with binational organizations to explore collaborative partnerships and projects

Performance Metrics

- Implement and monitor the Economic Development Strategy which provides direction for policy and initiatives, reported outcomes to PEDC
- Successful funding applications to upper levels of government for infrastructure projects, reported in number of applications and dollar amounts
- Successfully advocate for labour force supports including affordable childcare, regional transit, broadband coverage, etc
- Create a business case to identify the opportunities in tourism/sports tourism and the best approach to securing events



Aerial View of St. Catharines

APPENDICES

Meridian Community Centre, Pelham

APPENDIX 1

Economic Development Long-Term Strategy Advisory Council Terms of Reference (2021)

APPENDIX 2

Economic Base and Industrial Analysis (July 2021)

APPENDIX 3

Community and Business Engagement Final Report, Intelligent Futures (2022)

APPENDIX 4

Niagara Official Plan 2022, Chapters 3, 4 and 5

INSPIRE. INVEST. GROW.

NIAGARA'S 10 YEAR ECONOMIC DEVELOPMENT STRATEGY

2022-2032

niagaracanada.com

Niagara Official Plan: Recommendation for Adoption

Planning and Economic Development Committee

PDS 17-2022

Wednesday, June 15, 2022

David Heyworth, Manager, Long Range Planning



Niagara Official Plan

Recommendation for Adoption

PDS 17-2022 • PEDC • Wednesday, June 15, 2022

THE NEW NIAGARA OFFICIAL PLAN

In 2017, the Niagara Region initiated a comprehensive review of its Official Plan to address the challenges facing our communities today.

Report PDS 17-2022 has been brought forward to request the adoption of the final Niagara Official Plan for Provincial approval.



how we got here



STEP ONE

2018:
Special Regional
Council Meeting

STEP TWO

2018-2020:
Background Studies
and Key Policy
Directions

STEP THREE

2021:
Draft Policy
Sections and
Mapping

STEP FOUR

January 2022:
Draft Consolidated
Official Plan

STEP FIVE

April 2022:
Proposed
Official Plan

STEP SIX

June 2022:
Final Plan for
Adoption

a vision for niagara

The new Niagara Official Plan sets a vision for our communities over the next few decades. Its policies and mapping establish key principles for future development will allow us to create more complete communities.



DIVERSE

housing types, jobs and population



EXCEPTIONAL

development and communities



THRIVING ECONOMY

prosperous agricultural industry, employment areas, and job creation



RESILIENT

urban and natural areas



how we protect

ADDRESSING CLIMATE CHANGE

Interconnected policies throughout the plan that take meaningful action on climate change and transition to net-zero, climate-resilient communities.

STRENGTHENING THE ENVIRONMENT

Extensive background review and consultation have resulted in policies and mapping that provide stronger protections for Niagara's natural environment system.

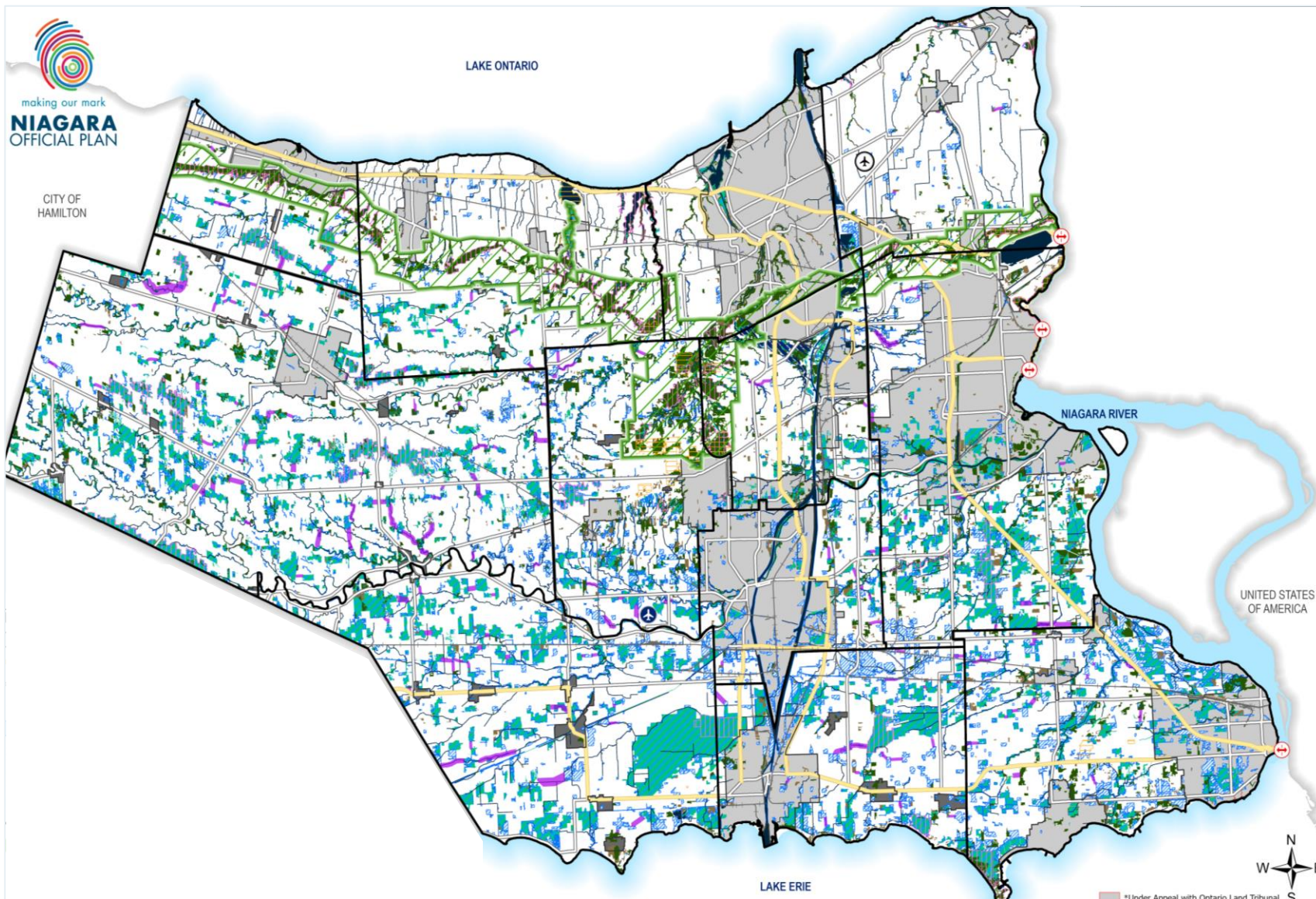
ADDING PRIME AGRICULTURAL AREAS

The new Niagara Official Plan adds 3,791 hectares of land to the Prime Agricultural Area.

“

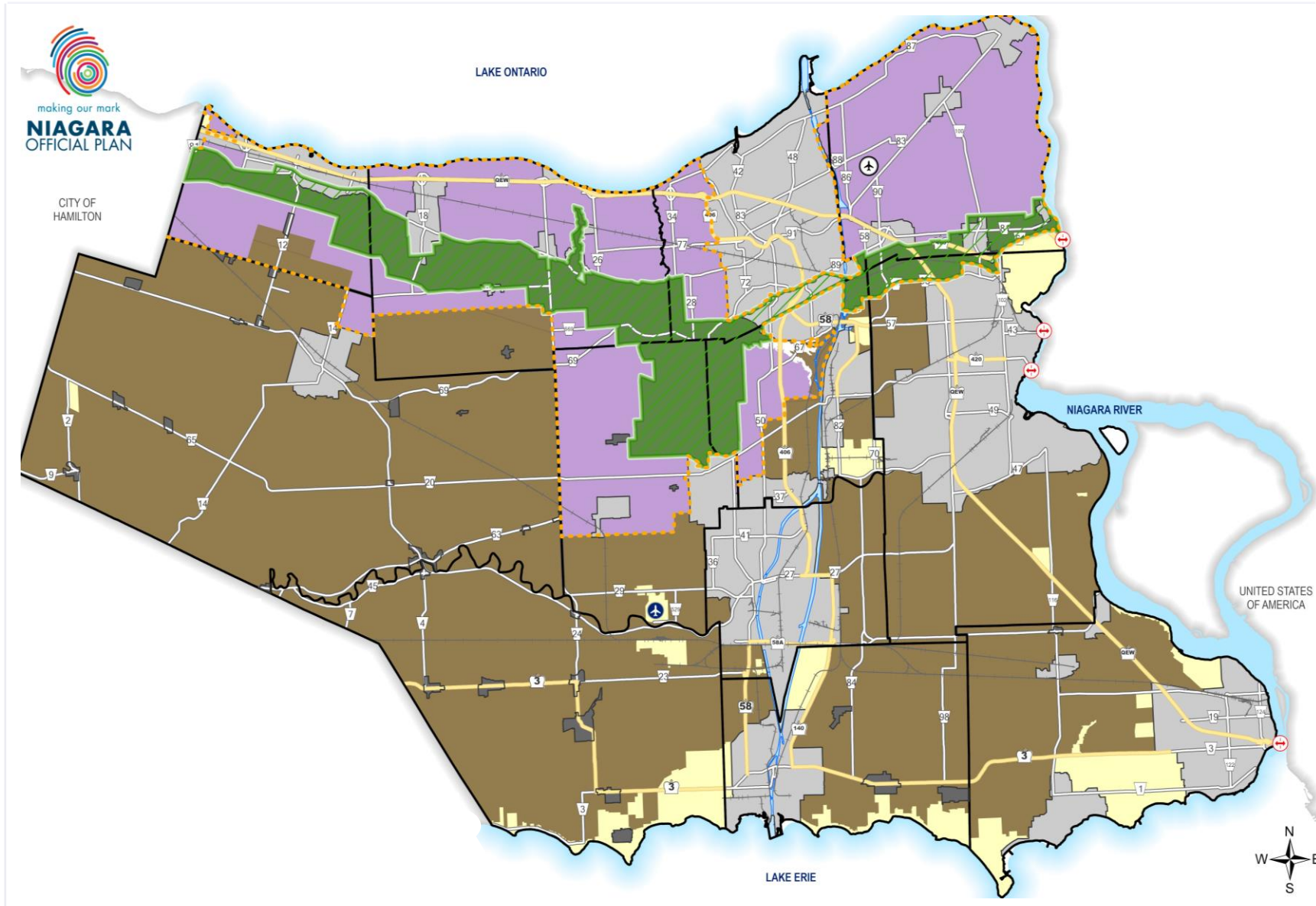
“A holistic and flexible approach to environmental stewardship and consideration of the natural environment, such as in infrastructure, planning and development, **aligned with a renewed Official Plan**”

Objective 3.2, Council's Strategic Plan 2019-2022



LEGEND

- Urban Area
- Rural Settlement Area
- Niagara Escarpment Plan Area
- Linkages
- Life Science ANSI
- Earth Science ANSI
- Significant Woodlands
- Other Woodlands
- Other Wetlands and Non Provincially Significant Wetlands
- Provincially Significant Wetlands
- Permanent and Intermittent Streams
- Inland Lakes



LEGEND

- - - Greenbelt Plan Boundary
- Specialty Crop Area
- Niagara Escarpment Plan Area
- Prime Agricultural Area
- Rural Lands
- Urban Area
- Rural Settlement Area



how we grow



“Retain, protect and increase the supply of affordable housing stock to provide a broad range of housing to meet the needs of the community”

Objective 2.3, Council’s Strategic Plan 2019-2022

GROWTH MANAGEMENT GUIDANCE

By establishing a new Regional Structure, the Official Plan will provide clearer direction for urban development, including the identification of strategic growth areas.

INCREASING OUR HOUSING SUPPLY

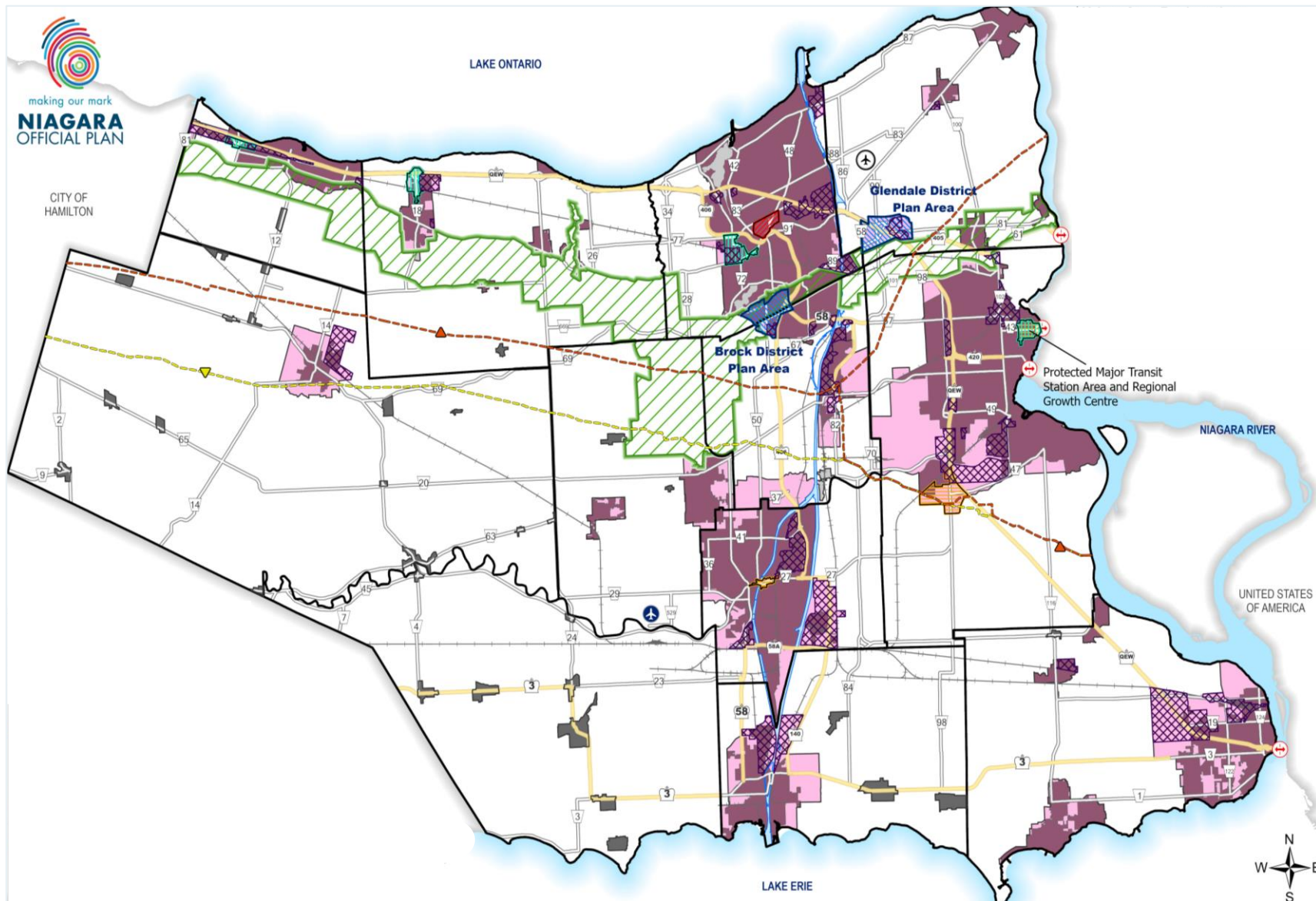
Intensification, density, and affordable housing targets will provide measurable guidance for the development of a range of housing options and tenures.

SETTLEMENT AREA EXPANSIONS

60% intensification rate is established and settlement area expansions have been identified to address community housing and employment needs.

PROTECTING EMPLOYMENT AREAS

Employment areas are identified and protected for a range of employment uses, including heavy industrial, light industrial, knowledge and innovation industries, and rural employment.



LEGEND

- Built-Up Area
- Greenfield Area
- Employment Area
- Rural Settlement Area
- Rural Area
- Niagara Escarpment Plan Area

Strategic Growth Areas

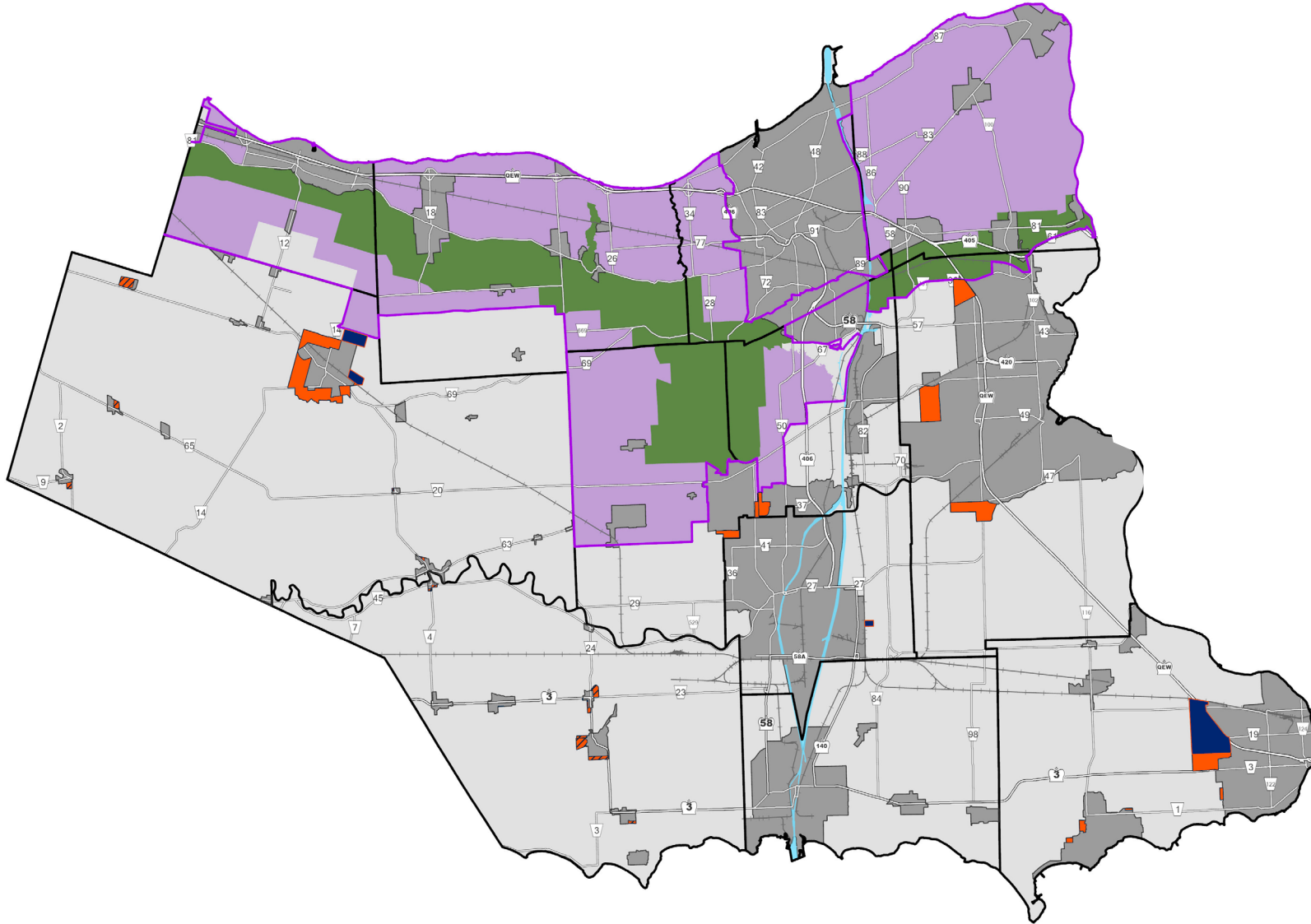
- Urban Growth Centre
- District Plan Area
- Major Transit Station Area
- Regional Growth Centre

expansion areas



LEGEND

-  Community Area Expansion
-  Employment Area Expansion
-  Rural Settlement Expansion
-  Greenbelt Area Boundary
-  Specialty Crop Area
-  Niagara Escarpment Plan Area
-  Settlement Area



how we realize this vision



URBAN DESIGN

New policies added that outline the design standards to be used for buildings, streetscaping, and the public realm.



SECONDARY PLANS

Secondary plans or equivalent work will help to manage land use and promote complete communities.



STUDY COORDINATION

The Official Plan informs and is informed by key infrastructure management plans to coordinate where and how we grow.

final revisions to the plan

01

Added policies to permit urban boundary adjustments with no net gain to developable land through an amendment to this Plan.

02

Clarified Provincial exemptions for agricultural uses within or adjacent to natural areas.

03

Added text box and objective related to transit-supportive development.

04

Highlighted key sections and policies associated with climate change through the Plan.

05

Added site specific policy for an urban expansion in West Lincoln to ensure future residential development respects minimum distance separation.

06

Added 0 Nigh Road to expansion area in the Town of Fort Erie.

07

Removed the two westerly parcels, including the Horse and Pony Rescue Operation. (Crystal Beach Expansion Area)

08

Added a site specific policy to ensure updated Regional TMP conclusions are reflected in Local Official Plans. (Crystal Beach Expansion Area)

09

Updated base mapping and combined schedules for clarity.

10

Added employment areas to the Regional Structure schedule.

opportunities and benefits



202,000
more people

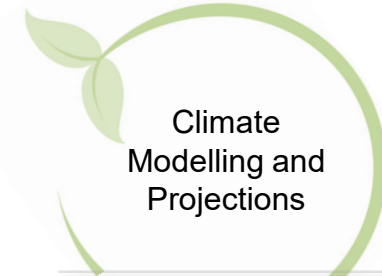


85,000
more jobs



Over a **third** of all growth will be directed to the region's **strategic growth areas**.

A new **climate change work program**



A net total of

1,190ha

will be added to the Prime
Agricultural Area land base.

Natural Environment System **OPTION 3C**

With Council's direction, the new Plan includes detailed policies and mapping that strongly protects the environment.



intensification rate,
higher than Provincial
(50%) and the current
ROP target (40%)

20% **10%**

affordable rental
housing target

affordable ownership
housing target



MONITORING OUR PROGRESS



A monitoring programs will be used to track Official Plan targets and objectives.

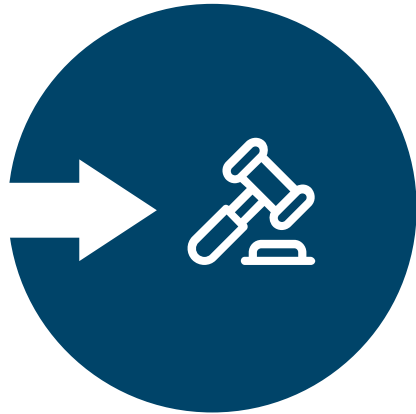


We have the ability to review our plan and adjust forecasts where necessary.



Updates to the Official Plan will be tied to updates to other key infrastructure studies.

moving forward



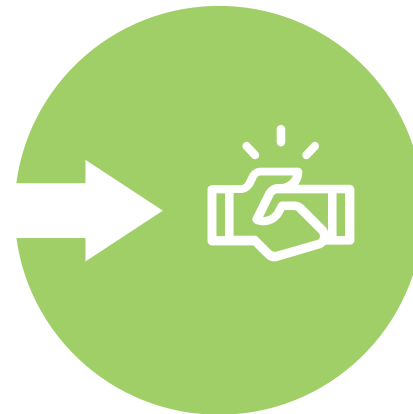
COUNCIL ADOPTION

Council to decide to
repeal and replace the
current Official Plan.



SUBMIT TO PROVINCE

The Official Plan will
be circulated to the
Province for approval.



PROVINCIAL APPROVAL

The Province will
approve final changes.
There are no appeals.



LOCAL CONFORMITY

Local Official Plans will
be updated to conform
to the Region's.

From: Niagara Region Website

Sent: Friday, 03 June 2022 11:01:20 (UTC-05:00) Eastern Time (US & Canada)

To: Clerks

Subject: Online Form - Request to Speak at a Standing Committee or Regional Council

Request to Speak at a Standing Committee or Regional Council

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

Name

John Basile

Address

[REDACTED]

City

Crystal Beach

Postal

[REDACTED]

Phone

[REDACTED]

Email

[REDACTED]

standing committee

Planning and Economic Development Committee

Presentation Topic

Urban Boundry Expansion : Crystal Beach

Presentation includes slides

Yes

Previously presented topic

No

Presentation Details

I am part owner of 4269 Michener Rd. in Ridgeway, ON. We lease the property to LCHPR. They are against the expansion. There is a lot of opposition. I / we want to be involved in the expansion. We have no intention of evicting LCHPR. They have the option to purchase - and 1st right of refusal if we did get an offer. We would like to be included for the future. Thank you.

Video Consent

Yes



From: [PF-Mailbox-01](#)
To: [Norio, Ann-Marie](#); [Spratt, Jenna](#)
Subject: FW: Online Form - Request to Speak at a Standing Committee or Regional Council
Date: Wednesday, June 08, 2022 6:51:34 PM
Attachments: [LETTER FROM REGION.pdf](#)

From: Niagara Region Website
Sent: Wednesday, 08 June 2022 18:50:23 (UTC-05:00) Eastern Time (US & Canada)
To: Clerks
Subject: Online Form - Request to Speak at a Standing Committee or Regional Council

Request to Speak at a Standing Committee or Regional Council

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

Name
Shawn Mazzuto

Address
[Redacted]

City
Ridgeway

Postal
[Redacted]

Phone
[Redacted]

Email
[Redacted]

standing committee
Regional Council

Presentation Topic
Exclusion of Land from Urban Boundary Expansion Report

Presentation includes slides

No

Previously presented topic

No

Presentation Details

Town of Fort Erie identified a part of our land (approximately 10.3 ha. assessment roll # 270302001755700) to be included in the urban boundary expansion. In fact, addendum #2, dated May 31, 2021 placed our parcel of land under priority #1. On December 13, 2021, my late father and my brother (Michael) received a letter from the region basically stating that our land has been identified for boundary expansion and regional staff recommended it. It is also optically strange that the parcel which joined our land that is owned by a developer did in fact get the approval but our land as well as the Pony Farm next door were mysteriously removed and we did not receive any valid reason for this change. We would like to have this decision reversed.

Video Consent

Yes

Support_File_1

LETTER FROM REGION.pdf



December 13, 2021

*Sent by Canada Post only***MAZZUTO FAUSTO; MAZZUTO MICHAEL****RIDGEWAY ON**

Dear Property Owner(s),

**Re: Niagara Official Plan Process
Settlement Area Boundary Review****Assessment Roll Number: 270302001755700**

We're writing to provide you an update on Niagara Region's new Official Plan as it relates to your property noted above.

As part of the new Official Plan, the Region is reviewing urban and rural boundaries. We are considering changing boundaries to meet Provincial requirements.

In December 2021, Regional Staff released its draft recommendations that identify proposed boundary changes. This letter is to inform you that the Region has identified the property or properties noted above for a boundary expansion as part of its December recommendations.

This means that Regional staff have recommended these lands; however, no decision by Regional Council has been made yet. Consultation is ongoing through February 7, 2022. We anticipate Regional Council will make a decision as part of its new Official Plan in Spring 2022. Regional Council's decision may or may not align with Staff's current recommendations.

Information on our boundary review program and recommendations is available in the Region's Reports PDS 41-2021 and PDS 42-2021 at <https://www.niagararegion.ca/official-plan/settlement-area-boundary-review-dec-2021.aspx>

To view your property electronically, you may use Niagara Navigator at <https://maps.niagararegion.ca/Navigator/>, click the "Assessment Parcel" check box in the left pane, and enter the Assessment Roll Number number provided above into the search field at top right.

We would be pleased to provide you with any further information or to set a virtual meeting to discuss further.

Also, we invite you to sign up for the Region's Niagara Official Plan Newsletter by completing the "Stay Informed" information at the following link:
<https://www.niagararegion.ca/official-plan/> .

Respectfully,



Chris Millar, MCIP, RPP, CNU-A
Senior Planner, Long Range Planning, Niagara Region
e-mail: chris.millar@niagararegion.ca

From: [PF-Mailbox-01](#)
To: [Norio, Ann-Marie](#); [Spratt, Jenna](#)
Subject: FW: Online Form - Request to Speak at a Standing Committee or Regional Council
Date: Monday, June 06, 2022 4:11:57 PM

From: Niagara Region Website
Sent: Monday, 06 June 2022 16:08:53 (UTC-05:00) Eastern Time (US & Canada)
To: Clerks
Subject: Online Form - Request to Speak at a Standing Committee or Regional Council

Request to Speak at a Standing Committee or Regional Council

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

Name

Stephen Fraser

Address

25 Main St W, Suite 300

City

Hamilton

Postal

L8P 1H1

Phone

19055288761

Email

steve.fraser@ajclarke.com

Organization

A. J. Clarke and Associates Ltd.

standing committee

Planning and Economic Development Committee

Presentation Topic

Report PDS-17-2022. Urban Boundary Expansion for Crystal Beach

Presentation includes slides

No

Previously presented topic

No

Presentation Details

To express support of the Region's inclusion of the lands on the southwest corner of Schooley Road and Michener Road, in the Town of Fort Erie into the settlement area as part of the Community Area expansion lands.

Video Consent

Yes



From: [PF-Mailbox-01](#)
To: [Norio, Ann-Marie](#); [Spratt, Jenna](#)
Subject: FW: Online Form - Request to Speak at a Standing Committee or Regional Council
Date: Wednesday, June 08, 2022 12:17:35 PM

From: Niagara Region Website
Sent: Wednesday, 08 June 2022 12:17:32 (UTC-05:00) Eastern Time (US & Canada)
To: Clerks
Subject: Online Form - Request to Speak at a Standing Committee or Regional Council

Request to Speak at a Standing Committee or Regional Council

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

Name
Dan Gabriele

Address
825 North Service Road, Suite 200

City
Stoney Creek

Postal
L8E 0J7

Phone
905-662-3039

Email
dannyg@marzhomes.com

Organization
Marz Homes

standing committee
Planning and Economic Development Committee

Presentation Topic

Report PDS-17-2022. Urban Boundary Expansion for Crystal Beach

Presentation includes slides

No

Previously presented topic

No

Presentation Details

To express support of the Region's inclusion of the lands on the southwest corner of Schooley road and Michener Road, in the Town of Fort Erie into the settlement area as part of the Community Area expansion lands.

Video Consent

Yes



From: [PF-Mailbox-01](#)
To: [Norio, Ann-Marie](#); [Spratt, Jenna](#)
Subject: FW: Online Form - Request to Speak at a Standing Committee or Regional Council
Date: Wednesday, June 08, 2022 6:41:35 PM

From: Niagara Region Website
Sent: Wednesday, 08 June 2022 18:41:28 (UTC-05:00) Eastern Time (US & Canada)
To: Clerks
Subject: Online Form - Request to Speak at a Standing Committee or Regional Council

Request to Speak at a Standing Committee or Regional Council

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

Name
Susan Naylor

Address
[REDACTED]

City
Fort Erie

Postal
[REDACTED]

Phone
[REDACTED]

Email
[REDACTED]

Organization
Last Chance Horse and Pony Rescue & Sanctuary

standing committee
Planning and Economic Development Committee

Presentation Topic
Urban Boundary Expansion, Fort Erie

Presentation includes slides
No

Previously presented topic
Yes

Presentation only new info
Yes

Presentation Details
Jen Navarroli and myself are volunteers with Last Chance Horse and Pony Rescue and Sanctuary (Rescue). We are requesting to speak as a delegation on behalf of the Rescue at the meeting of the Planning and Economic Development Committee on June 15. We support the final recommendation of the Official Plan Team to keep the properties that include the Rescue operations out of the urban boundary expansion. The Rescue is at 4269 Michener Road, Ridgeway, L0S 1N0. President: Sharron Allen Wallace Tel: [REDACTED]

Video Consent
Yes



From: [PF-Mailbox-01](#)
To: [Norio, Ann-Marie](#); [Spratt, Jenna](#)
Subject: FW: Online Form - Request to Speak at a Standing Committee or Regional Council
Date: Tuesday, June 07, 2022 4:15:51 PM

From: Niagara Region Website
Sent: Tuesday, 07 June 2022 16:14:14 (UTC-05:00) Eastern Time (US & Canada)
To: Clerks
Subject: Online Form - Request to Speak at a Standing Committee or Regional Council

Request to Speak at a Standing Committee or Regional Council

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

Name
Jim Harnum

Address
14 Ramsgate Crt

City
Brampton

Postal
L6Z 1W4

Phone
905-464-5800

Email
jim.harnum@municipalvu.ca

Organization
Municipal VU Consulting Inc.

standing committee
Planning and Economic Development Committee

Presentation Topic
PDS 17-2022, Nigh road property SABR iID#1137

Presentation includes slides
No

Previously presented topic
Yes

Presentation only new info
Yes

Video Consent
Yes



From: [PF-Mailbox-01](#)
To: [Norio, Ann-Marie](#); [Spratt, Jenna](#)
Subject: FW: Online Form - Request to Speak at a Standing Committee or Regional Council
Date: Thursday, June 09, 2022 8:45:10 AM

From: Niagara Region Website
Sent: Thursday, 09 June 2022 08:45:05 (UTC-05:00) Eastern Time (US & Canada)
To: Clerks
Subject: Online Form - Request to Speak at a Standing Committee or Regional Council

Request to Speak at a Standing Committee or Regional Council

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

Name

Meaghan McDermid (Davies Howe LLP) & Maurizio Rogato (Blackthorn Development Corp.)

Address

425 Adelaide St. W (Toronto, M5V 3C1) & PO Box 943 (Kleinburg, L0J 1C0)

City

Toronto & Kleinburg

Postal

M5V 3C1

Phone

416-888-7159

Email

meaghanm@davieshowe.com & mrogato@blackthorncorp.ca

Organization

Davies Howe LLP & Blackthorn Development Corp.

standing committee

Planning and Economic Development Committee

Presentation Topic

Niagara Official Plan: Recommendation Report for Adoption (PDS 17-2022)

Presentation includes slides

Yes

Previously presented topic

No

Presentation Details

Request Committee for Re-Inclusion in proposed Settlement Area for lands identified as SABR ID: 1151 and located on Garrison Road between Rosehill Road and Municipal Centre Drive, Town of Fort Erie. Written Comments are also being provided under separate cover and will be referenced.

Video Consent

Yes



From: [PF-Mailbox-01](#)
To: [Norio, Ann-Marie](#); [Spratt, Jenna](#)
Subject: FW: Online Form - Request to Speak at a Standing Committee or Regional Council
Date: Wednesday, June 08, 2022 10:45:32 AM

From: Niagara Region Website
Sent: Wednesday, 08 June 2022 10:45:29 (UTC-05:00) Eastern Time (US & Canada)
To: Clerks
Subject: Online Form - Request to Speak at a Standing Committee or Regional Council

Request to Speak at a Standing Committee or Regional Council

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

Name
Tom Richardson

Address
40 Queen Street, P.O. Box 1360

City
St Catharines

Postal
L2R 6Z2

Phone


Email
tarichardson@sullivanmahoney.com

Organization
Sullivan Mahoney LLP

standing committee
Planning and Economic Development Committee

Presentation Topic

Niagara Official Plan - Recommendation Report for Action

Presentation includes slides

No

Previously presented topic

Yes

Presentation Details

I wish to speak to Report PDS 17-2022

Video Consent

Yes



From: [PF-Mailbox-01](#)
To: [Norio, Ann-Marie](#); [Spratt, Jenna](#)
Subject: FW: Online Form - Request to Speak at a Standing Committee or Regional Council
Date: Wednesday, June 08, 2022 2:14:06 PM

From: Niagara Region Website
Sent: Wednesday, 08 June 2022 14:13:59 (UTC-05:00) Eastern Time (US & Canada)
To: Clerks
Subject: Online Form - Request to Speak at a Standing Committee or Regional Council

Request to Speak at a Standing Committee or Regional Council

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

Name
Mary Lou Tanner

Address
4999 Vltoria Ave

City
Niagara Falls

Postal
L2E 4C9

Phone


Email
mtanner@npgsolutions.ca

Organization
NPG Planning Solutions

standing committee
Planning and Economic Development Committee

Presentation Topic
PDS 17-2022

Presentation includes slides
No

Previously presented topic
No

Presentation Details
I will be providing support on the report on behalf of Nyon Oil Inc.

Video Consent
Yes



Response by Preservation of Agricultural Lands Society (PALS) to Niagara Regional Official Plan, June 2022.

By Dr. John Bacher (PhD) Researcher PALS.

1. It is Unfortunate that Issue of Urban Boundary Expansion was Combined with Task of Developing a New Niagara Regional Official Plan.

It is unfortunate that the task of developing a new Niagara Regional Official Plan has been combined with that of urban boundary expansions, which normally under the Planning Act, are part of five-year comprehensive reviews. The problems with this dual mission have been compounded by the cramming of possible urban boundary expansions into the latter six months of consultations on this topic.

2. Watershed Studies were Promised to Guide Urban Boundary Expansions

During the earlier phases of consultations on the Niagara Official Plan the public who took part in the consultation were promised that urban boundary expansions would be guided by the input of watershed plans. No such meetings were held as part of the process to determine urban boundary expansions, nor were the findings of any such reports cited as reasons to justify the proposed urban boundary expansions.

3. Planning Department Report Cites Only Unpublished Watershed Study to Justify Urban Boundary Expansions.

In its response to criticisms of the lack of watershed studies to guide the issue of proposed urban boundary expansions, the Planning Department made the following comment. This is that *“The Watershed study was completed in support of the SABR process (Settlement Area Boundary Review) and the new Niagara Official Plan. The study is known as the Niagara Watershed Plan (NWP) The NWP is being published in three volumes: characterization, management, and growth analysis. Consultation with public and other stakeholders, was undertaken during the completion of the NWP project.”*

From the above quotation, any findings of the NWP project are still unpublished. No information from the project was cited by the Planning Department to justify their recommended urban boundary expansions that impact environmentally significant watersheds. Such information could have been used to counter public concerns of negative impacts on urban expansions on the Twenty Mile Creek, the Ten Mile Creek, Black Greek, Frenchman’s Creek, and Miller Creek. All these streams with significant wildlife habitat would be negatively impacted by the urban boundary expansions supported by the Planning Department.

Findings from the NWP could also have been used by the Planning Department to criticize alternative areas for urban expansion proposed by PALS on lands we have proposed for urban expansion in Port Colborne and Welland. No information disputes our view that these lands have been long ago disrupted by the Welland Canal and fail to provide habitat for significant species.

1
The SABR process tells us very little in terms of either land quality for agriculture or biodiversity. It is silent as to whether the ditches on lands proposed for expansion have Chorus Frogs, possess turtles, or provide habitat for the Northern Pike, or a similar Species at Risk, the Green Pickerel.

4. Urban Boundary Expansions Would Impact Negatively Watersheds for Impacted by Urbanization

It is a basic scientific truth that urbanization degrades watersheds and streams from the standpoint of water quality and biodiversity. This truth was given local empirical verification by Dr. Michael Dickman, when the Ontario Municipal Board, (OMB), considered an urban expansion, now being recommended by the Planning Department. This involves the headwaters of the Ten Mile Creek in the Northwest Quadrant Lands of the City of Niagara Falls. Here, Dr. Dickman took E Coli samples from waters completely free of urbanization, the heavily urbanized Shriners Creek, and the Beaverdam's Creek, (which is also heavily urbanized). He found E Coli counts in the Ten Mile to be negligible, while grimly high in the two urbanized streams. Dickman also heard calls from the Wood Frog, Chorus Frog and Spring Peeper in the Northwest Quadrant lands, when he prepared his expert testimony for the OMB. He also visited other urbanized streams in proximity and found that they were silent during the frog breeding season.

Much of the land proposed for urban expansion in Niagara Falls south of the Welland River is a protected wetland. It is protected largely because it is habitat for breeding amphibians. Surrounding it by urban development would create a death trap for wildlife.

The Twenty Mile Creek, which provides habitat for turtles, frogs, Northern Pike, and Grass Pickerel, is one of the most significant streams in southern Ontario at risk from climate change. Any watershed study for this area needs to examine the likely impact of hotter and drier summers from reasonably expected climate change. Now such species can survive during hot summers by clinging to pools which eventually, during the November rains, become interconnected. This is fragile condition will inevitably get worse within the next thirty years. During some hot summers a good indicator species, the Bull Frog, has been eliminated from the Twenty Mile Creek. This is because it depends on permanent pools of water. And, species in the Upper Ten Mile Creek (the part of the Creek above the Upper Balls Falls) are barely clinging to life in a largely unurbanized watershed. Having Smithville triple its current population through the proposed urban expansion will greatly imperil them.

5. Basic Tests of Provincial Policy for Urban Expansion Correctly Found Wanting by the Niagara Falls Planning Department

When the Niagara Falls Planning Department was asked to comment on its support for urban boundary expansions, its response was simple and straight forward-NO. That this was their response was accepted by the Niagara Regional Planning Department. It erred however, by saying that these recommendations were rejected by the Niagara Falls Council. I disagree with this assessment. When I checked the council agendas and minutes for the Niagara Falls City Council and I could not find any debate between the council and its Planning Department over this issue.

The opposition to urban boundary expansions was put forward by the Planning Department through two reports. One was a Housing Study. The other was a report on Employment Lands. The Housing study was then accepted by a unanimous vote of the Niagara Falls City Council. The report was developed through extensive public consultations, involving stakeholders in the building industry before it went to Council.

The Housing Study fully considered various provincial policies such as the Growth Plan and the Housing policies of the PPS. It found that Niagara Falls housing needs under these studies could be met without the need of any urban boundary expansion.

The Niagara Falls Housing study found that the city's actual housing needs are exacerbated rather than helped by Greenfield development, even when this is limited to that which is within current urban boundaries. To address housing needs it urges intensification and mixed-use development along designated transit corridors along such main streets as McLeod Road.

The Niagara Falls Planning Department also undertook an Employment Lands Study. This found that no urban boundary expansions were needed for additional Employment lands.

The Niagara Regional Planning Department claims that its recommendations are in harmony with Niagara Falls Employment Lands study. Compatibility is justified on the basis that the lands they are recommending for urban expansion south of the Welland River area described in their report as "Community Lands". However, the actual uses their report recommends for these lands, such as ancillary health care uses complimentary to the new hospital, are Employment in nature. This is wordsmithing used to justify urban sprawl.

The reasons against urban expansions under provincial policy and carefully spelled out by the Niagara Falls City Planners, are even more applicable to other areas where urban boundary expansions are being considered. If any lower-tiered municipality may seem suitable for an urban boundary expansion under provincial policy, it is Niagara Falls. Its population is far higher than Fort Erie and West Lincoln combined, where massive urban expansions are being recommended by the regional planning department. Yet the City planners recommended, and Council agreed, that more infilling and intensification were preferable to urban expansions.

6. De-Allocation of Growth from Port Colborne and Thorold a Gimmick to Justify Urban Boundary Expansions

About half of the proposed need to justify urban expansions has come from the proposed deallocation of residential units away from Port Colborne and Thorold. Claims of low growth being used to justify this are disputed by the fact that if the Region's urban boundaries are properly sealed, these lands will become more valuable for development. An additional reason emerged late in the process that the lands may be impacted by a future quarry in Niagara Falls. However, its opening will mean the closure of an existing quarry operation in Thorold, which will introduce new development opportunities. These quarry lands adjacent to both the Queen Elizabeth Highway and Highway 406 would be far less environmentally disruptive than the urban boundary expansion on lands surrounded by provincially significant wetlands in Fort Erie. The Walker Brother Quarry in Thorold, unlike the former Canadian Motor Speedway lands in Fort Erie, are not a designated Deer Wintering Area.

7. Proposed Changes to Environmental Policy too Confusing

PALS has been deeply involved in the use of the Region's Environmental Policies since they were approved in 2008. To improve these policies, we recommend that a stronger policy than the minimum policy of the PPS be undertaken. This would be what Option C promises but fails to deliver.

Additionally, the lands designated as Environmental Conservation Areas (ECAs) in the current official plan are in effect, provincially significant woodlands. They should be clearly identified as such in the Niagara Regional Plan. The Region should also have stronger policies than its current plan and prohibit any development or site alteration on these lands.

8. Region Should Not Rush to Create New Official Plan

In conclusion PALS wishes to point to its basic recommendations for the Niagara Regional Official Plan. These are, that urban boundary expansions now are premature, and that our significant woodlands should be truly protected, instead of being a playground for confusing Environmental Impact Studies on lands requested for development.

THE NIAGARA DISTRICT COUNCIL OF WOMEN

Presentation to the Niagara Regional Planning and Economic Development Committee
re: PDS 17-2022 Niagara Official Plan Recommendation Report for Adoption

By Gracia Janes NDCW Immediate Past president June 15th, 2022

The Niagara District Council of Women reiterates our concerns with the proposed new Regional Niagara Official Plan, that we raised in several Regional public consultations, subsequent oral and written presentations to this committee, and at the Region's Official Public meeting under the Planning Act.

As noted in our initial brief, the Niagara District Council of Women for many years has been supportive of protecting this very special place in Canada, as it is part of the Carolinian zone, has the best and most productive fruit lands in Canada, as well as wonderfully productive prime farmlands, and, of course, the many attributes of the Niagara Escarpment. Niagara is favored also by its potential to better withstand rapidly changing and increased weather events and produce healthy food close to urban markets. Our farm lands also are strong employment and tourism related economic drivers. Therefore we must place far more emphasis on farmland and natural heritage area protections now and in the years to come.

We would add to this, that there is an urgency for every land use planning body in Canada, to help reduce our carbon foot prints and increase our carbon storage potential.

With these issues at the top of our mind NDCW strongly urges Councillors to:

* accept the Provincial Population target of 654,000 residents, and if the population increases more than expected, accommodate it within urban boundaries such as Port Colborne and Thorold, where this current Official plan's land use /population/employment formula has de-allocated immediate and early population, and thus housing calculations, from Port Colborne and Thorold, to the proposed urban expansion areas on prime farmland and natural areas in Niagara Falls, Fort Erie and West Lincoln.

* retain, as recommended by Niagara Falls Planners, the current urban boundary in Niagara Falls, and thus the potential for a review of the Niagara Falls climatically favoured tender fruit lands and an expansion of the Greenbelt there.

*accept the Niagara Falls plan for intensification and improved transit which better serves much needed affordable housing, rather than the market-based urban sprawl, which, as housing advocates have noted, suits the high-end homes.

* reduce the population projection for West Lincoln to a reasonable amount; protect the prime farmlands and karst formations there; and only expand the urban boundary, if necessary through a five year review and Municipal and Regional official plan amendment.

* plan for more housing and employment land development in Welland, Thorold and Port Colborne if needed.

To conclude, we again urge the Planning and Economic Development Committee to consider amending this proposed official plan so that it more strongly protects our prime farmlands, natural heritage lands and climatically favoured fruit lands. We are of the opinion, that when presented with a Regional plan having the original Provincial population target, plus a very decent intensification goal, the Province will consider such a progressive plan favorably.

Submission to: Regional Planning & Economic Development Committee Meeting of June 15, 2022

June 13, 2022

Members: RE: Rec. Report PD-17-2022 NOP Recommendation Report for Adoption

Report Pd-17-2022 does NOT conform to the Provincial Policy Statement as the Regional Planners claim, particularly for the City of Niagara Falls proposed urban boundary expansions Rec. Numbers One & Two North of the Welland River, and in regard to Agricultural Policy I.I.3.8 (c) 2.i & ii where one is required to seek alternative lands for expansion or alternative lands of lower priority. This was explained in detail in my letter submitted to April 6/22 Committee Meeting.

I have attached two pages of excerpt from the 1979 OMB Decision quoting experts on climate and soil for the City of Niagara Falls farmlands north of the Welland River.

These attachments prove the specialty crop capability of this agricultural area between Niagara Falls and Thorold and further prove the inaccurate designation of just "Prime lands", now being proposed.

Remember that the Region and City together with Developers were defeated in their attempt to expand the Northwest Quadrant as recently as 2015 and 2017 through the OMB and the Provincial Court of Appeal .

I request that this Committee refuse urban boundary expansion north of the Welland River concerning Parcel Rec. Nu. One and Parcel Rec. Nu. Two. and that the farmlands between Niagara Falls and Thorold be designated Specialty crop.

Yours truly, Jean Grandoni, [REDACTED] Niagara Falls, Ont. [REDACTED] ([REDACTED])

-10-

R 773612 to
R 773622 inclusive
R 782439 to
R 782442 inclusive

- (a) J.E. Gillespie, B.S.A., M.S.A., a soil research scientist with extensive experience in soil surveys of several counties in Ontario, and presently under contract with Canada Agriculture to prepare soil reports for publication on the soils of Northern Ontario. For the purpose of this hearing he took core samples at a number of locations to determine soil components and texture. The maps filed as Exhibits 190, 191 and 192 also indicated this area has a frost-free period in excess of 160 days, a growing season in excess of 210 days, and "heat units" for corn of approximately 3300. In his opinion the combination of good soil, Class 2, and unique climate affords better than average yields. He found the lands in Referral No. 52 to be less desirable than the others because the southerly one-third of the parcel was Welland clay, a Class 3 soil which is inferior to the Haldimand clay existing on the other lands referred to the Board.
- (b) Robert Wilcox, graduate of Ontario Agricultural College, employed by the Ministry of Agriculture and Foods for many years, familiar with the Niagara Region, active in the promotion of fruit and grape growing, and provides advice to interested persons on suitability of lands for fruit, grapes, etc., and varieties most likely to succeed. In his opinion, climatic advantages and the benefit of air circulation produced by the escarpment extend the area suitable for grapes for a distance of one to two miles south of the height of land with a limit generally of approximately 1½ miles. He stressed the fact that Bartlett pears can be grown in all areas where grapes may be grown.
- (c) Ralph R. Krueger, B.A., M.A., Ph.D. (Geography), presently the President of the Canadian Association of Geographers, a well-known author of many publications in the fields of planning and urban-rural land uses in addition to several related to tender fruit and grape lands in the Niagara Region, and a study of the orchard industry in the Okanagan Valley. In his opinion, Niagara has the best record with respect to less frost damage and less wind damage; the escarpment is not the southern boundary of the fruit belt, orchards and vineyards exist above the escarpment; soils that are good for grapes are also good for apples, pears, plums, prunes and corn; frost hazard is lessened by air drainage (the flow or circulation of air) which is promoted by the escarpment, the Niagara Gorge, gullies and ravines, and by the proximity of bodies of water; the lands in the Referrals fall into the category of prime agricultural lands with good soil and climatic advantages; expansion of grape growing of Concords, Niagaras and French hybrids in the future would have to take place above the escarpment because lands below the escarpment are intensively used now and are required for tender fruits and vinifera grapes.

On the evidence at this hearing the Board finds that the lands in Referrals 48, 53, 54, 67, 73 and 74 ⁸⁷² are good agricultural lands which because of

climatic advantages have good potential for such crops as grapes (other than

growing, and provides advice to interested persons on suitability of lands for fruit, grapes, etc., and varieties most likely to succeed. In his opinion, climatic advantages and the benefit of air circulation produced by the escarpment extend the area suitable for grapes for a distance of one to two miles south of the height of land with a limit generally of approximately 1½ miles. He stressed the fact that Bartlett pears can be grown in all areas where grapes may be grown.

- (c) Ralph R. Krueger, B.A., M.A., Ph.D. (Geography), presently the President of the Canadian Association of Geographers, a well-known author of many publications in the fields of planning and urban-rural land uses in addition to several related to tender fruit and grape lands in the Niagara Region, and a study of the orchard industry in the Okanagan Valley. In his opinion, Niagara has the best record with respect to less frost damage and less wind damage; the escarpment is not the southern boundary of the fruit belt, orchards and vineyards exist above the escarpment; soils that are good for grapes are also good for apples, pears, plums, prunes and corn; frost hazard is lessened by air drainage (the flow or circulation of air) which is promoted by the escarpment, the Niagara Gorge, gullies and ravines, and by the proximity of bodies of water; the lands in the Referrals fall into the category of prime agricultural lands with good soil and climatic advantages; expansion of grape growing of Concords, Niagaras and French hybrids in the future would have to take place above the escarpment because lands below the escarpment are intensively used now and are required for tender fruits and vinifera grapes.

On the evidence at this hearing the Board finds that the lands in Referrals 48, 53, 54, 67, 73 and 74 are good agricultural lands which because of climatic advantages have good potential for such crops as grapes (other than vinifera), pears, apples, plums, prunes, corn and other grain crops, and are capable of better than average yields; the lands in Referral 49 have a lesser value and a more limited potential than the above-mentioned, and the lands in Referral 52 have the least value for agricultural purposes of those Referrals mentioned in this paragraph.

The picture is less clear with respect to housing requirements over the 20-year planning period, and what constitutes a desirable surplus over minimum

CITATION: City of Niagara Falls v. Club Italia et al., 2017 ONSC 646
COURT FILE NO.: 16-650 ML
DATE: 2017-01-26

ONTARIO

SUPERIOR COURT OF JUSTICE

B E T W E E N:

The Corporation of the City of Niagara Falls

Applicant

- and -

Club Italia, Niagara, Order of Sons of Italy;
 Redeemer Bible Church; Regency Athletic Resort
 Ltd.; FKS, the Real Estate People Inc. and 623381
 Ontario Inc.; River Realy Development (1976)
 Inc., Dr. Farouk K. Abou-Keer; Niagara Sports
 Centre Limited (together known as the Northwest
 Quadrant Landowners' Group); Regional
 Municipality of Niagara; Thundering Waters
 Development Corp.; Warren Woods Land
 Corporation; Preservation of Agricultural Lands
 Society ("PALS"); and Jean Grandoni

Respondents

Paul M. DeMelo, counsel for the Appellant

David R. Donnelly, for the Respondents PALS
 and Jean Grandoni

READ: January 25, 2016

REASONS FOR DECISION

[1] The appellant seeks leave to appeal to the Divisional Court a decision of the Ontario Municipal Board, issued on March 25th, 2015. The decision allowed appeals against proposed Regional Official Plan Amendment No. 196 and Proposed Official Plan Amendment No. 106. Together, these proposals would have permitted expansion of the

urban boundary of the City of Niagara Falls to include approximately 75 hectares of privately owned land.

[2] The leave being sought is required under section 96(1) of the *Ontario Municipal Board Act*. Appeals under that section are limited to those which raise a question of law. It is well established that leave is to be granted in these circumstances only where:

- (a) there is reason to doubt the correctness of the decision of the board with respect to the question or questions of law proposed as the basis of the appeal; and
- (b) the question of law must be of sufficient importance to merit the attention of the Divisional Court.

[3] According to the appellant's factum, the questions proposed as the basis of the appeal (all unhelpfully posed in leading and convoluted terms) are as follows:

- (a) did the Ontario Municipal Board err in law by requiring that the municipality conduct a detailed site analysis to identify under-utilized lands that could accommodate development with the urban boundary utilizing intensification be conducted in order to justify need before an urban expansion is permitted?
- (b) did the Ontario Municipal Board err in law by requiring that a detailed site analysis to identify under-utilized lands that could accommodate development within the urban boundary utilizing intensification be conducted in order to justify need before an urban expansion is permitted in order to conclude that ROPA 196 and OPA 106 have regard to the 1997 Provincial Policy Statement?
- (c) can the Ontario Municipal Board impose a requirement that a review be conducted or impose the requirement for additional studies or reviews be conducted that are not listed as required under the language of the Provincial Policy?
- (d) does the assessment of "reasonable alternatives" require that the municipality review all alternative sites, without consideration as to whether or not such alternatives are even advanced as reasonable alternatives by the relevant property owners?

[4] At the risk of over-simplification, the thrust of the appellant's submissions are that the board member erred when she imposed upon the appellant the need to have "done a thorough review and assessment of development capability of lands with [in] the urban boundary before expanding into prime agricultural lands", when no such requirement is expressly stated in the applicable, i.e. 1997, Provincial Policy Statement. The appellant argues that the member wrongly conflated the requirements for such reviews in the 2005 and 2014 Provincial Policy Statements into the governing 1997 one.

[5] While I disagree with the submission of the respondents' that the grounds raised by the appellant are "at their highest, matters of mixed fact and law upon which no appeal may be granted", I do agree with their submissions that the appellant has not met the onus of demonstrating that there is reason to doubt the correctness of the board's decision to the

requisite degree. In these regards, I adopt and rely upon paragraphs 5(b) i, ii, iii, iv and 47 to 60 inclusive of the respondents' factum.

[6] I do not consider the correctness of the decision to be open to serious debate. The fact that able counsel can articulate an argument does not automatically mean that the issue or issues raised in that argument are open to serious debate.

[7] Both "sides" on this appeal agree that the standard of review is that of "a reasonableness".

[8] The requirement of doubt regarding correctness not having been established is itself fatal to this application for leave. Nonetheless, I turn to the requirement that the question(s) of law raised must be of general importance beyond the obvious importance to the parties, to paraphrase, the decision in *Avery v. Pointes Protection Association*, 2016 ONSC 6463, 2016 Carswell Ont. 18671, para 35.

[9] Although a decision regarding the proposed expansion of an urban gross boundary, by definition, is significant in general terms, the decision here has more to do with a board exercising its discretion in respect of the 1997 provincial policy. That discretion and its limits appear to be relatively settled by the Court and by other board decisions and need not be revisited. Further, the unexplained delay in seeking leave suggests a lack of urgency and importance to the appellant.

[10] For these reasons, the leave to appeal is denied.



Parayeski J.

Released: January 26, 2017

CITATION: City of Niagara Falls v. Club Italia et al., 2017 ONSC 646

COURT FILE NO.: 16-650 ML

DATE: 2017-01-26

**ONTARIO
SUPERIOR COURT OF JUSTICE**

B E T W E E N:

The Corporation of the City of Niagara Falls

Appellant

- and -

Club Italia et al

Respondent

REASONS FOR DECISION

MDP:jl

Released: January 26, 2016

Subject: Niagara Official Plan: Recommendation Report for Adoption

Report to: Planning and Economic Development Committee

Report date: Wednesday, June 15, 2022

Recommendations

1. That the Niagara Official Plan (NOP) **BE DECLARED** to meet the requirements of Section 26(1)(a),(b) and (c) of the *Planning Act* as required by Section 26(7) of the *Planning Act*;
2. That the NOP, as summarized in this Report and attached as Schedule A to the proposed By-law listed as Appendix 1, **BE ADOPTED** in accordance with Section 17(22) of the *Planning Act*;
3. That the proposed By-law to adopt the new NOP **BE APPROVED**;
4. That the current NOP, as approved by By-law (828-785-73, as amended) **BE REPEALED** on the date the new NOP is approved by the Province of Ontario;
5. That the requirements of 17(15) and 17(16) of the *Planning Act* **BE DECLARED** to have been met and that no additional public meeting or open house be required;
6. That the notice of decision of Council's adoption of the NOP **BE GIVEN** in accordance with Section 17(23) of the *Planning Act*;
7. That a copy of this Report **BE PROVIDED** to local area municipalities; and
8. That a copy of this Report and supporting materials **BE PROVIDED** to the Ministry of Municipal Affairs and Housing for review and approval, in accordance with Section 17(31) and 26(6) of the *Planning Act*.

Key Facts

- This report provides a final recommended NOP for Council adoption. The recommended NOP and associated by-law are attached as Appendix 1 to this report.

- The NOP is one of Regional Council's Strategic Priorities and includes contemporary policies on climate change, the natural environment system, agricultural system, regional structure, complete communities and aggregates.
- The process for the completion of the new NOP has complied with *Planning Act* requirements.
- Extensive consultation, exceeding Planning Act requirements, with various groups has taken place at all stages in the NOP's development including determining important areas to address; formulation of background study directions; draft policy sections; and consolidated draft and proposed NOP policies.
- Consultation outreach included the public, agencies, various groups, First Nations and Indigenous communities, local area municipalities and Niagara Peninsula Conservation Authority.
- Adjustments to the policies and the schedules of the draft NOP as itemized in this report, were made based on input received through the statutory process.
- Following Regional Council adoption, the NOP will be submitted to the Minister of Municipal Affairs and Housing for approval in order to meet the Provincial conformity deadline of July 1, 2022.
- The NOP is consistent with the *Provincial Policy Statement 2020*, conforms to *A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019) (Growth Plan)* and *Greenbelt Plan (2017)*, does not conflict with the *Niagara Escarpment Plan (2017)* and meets the requirements of the *Planning Act*.
- A monitoring program for the NOP will be put in place to track policy performance and allow for updates to the plan as necessary to address changing trends.

Financial Considerations

The budget for the creation of the Niagara Official Plan was approved through the 2017 Operating Budget. The total gross budget of \$3M was approved with \$2.025M of the budget funded by development charge revenue and the remaining \$0.975M funded from the levy. To date, \$2.2M has been spent and/or committed.

Remaining budget of \$0.8M will be utilized to support the implementation of the Niagara Official Plan, including preparation of related guidelines and future studies. Should additional resources be required, above existing Planning and Development Services budget amounts, requests will be included for consideration through future Operating Budget submissions.

Approval of growth allocations and distribution is necessary for finalization of the Water and Wastewater Master Plan (W/WWMP) and Transportation Master Plan (TMP) as well as Development Charges By-law to ensure growth is supported from infrastructure and financial perspectives.

Analysis

The purpose of this report is to provide a final recommended NOP for Council adoption. The recommended NOP is attached to the proposed by-law as Appendix 1 to this report.

Background

The NOP is one of Regional Council's Strategic Priorities and implements Council's vision for how Niagara will reach its full potential by protecting resources, managing residential growth, attracting jobs and protecting against climate change.

The NOP is the first wholesale review since the original policy plan was approved in 1973. The NOP is a long range planning document that sets out what we protect, where and how the region will grow, and policy approaches for success. The NOP implements a planning horizon to 2051, which conforms with the timeframe in the *Growth Plan*.

The requirements for an Official Plan are set out in the *Planning Act*. As required, the recommended NOP is consistent with the *Provincial Policy Statement*, conforms to the *Growth Plan*, the *Greenbelt Plan* and does not conflict with the *Niagara Escarpment Plan* and meets the requirements of the *Planning Act*.

Information Report PDS 14-2022 associated with the April 28, 2022 Statutory Public Meeting, provided background information on the NOP, including the key areas addressed by the NOP, the key steps in the development and consultation leading up to the Statutory Public Meeting and key revisions made in the development of the NOP.

Appendix 2 to this report updates the consultation record relating to the development of the NOP identifying the consultation has taken place on the NOP during its evolution and those involved in the consultation. A total of 48 presentations/workshops were held with local Councils and 23 broad public information sessions, open houses, public meetings, as well as the required statutory open house and public meeting.

As the development of the NOP has evolved and as part of the settlement area boundary review (SABR), Council has been informed by three draft Land Needs Assessments (LNAs). The final recommended LNA is attached as Appendix 3. The LNA is based on a Made-in-Niagara strategy to manage the forecasted growth of 694,000 people and 272,000 jobs by 2051. The LNA reflects the NOP's growth strategy associated with the identification of strategic growth areas, including the more recently identified south Niagara Falls Growth Centre, the recommended regional 60% percent intensification rate and recommended areas for settlement area expansion, as well as adjustments to natural heritage mapping.

New Niagara Official Plan

The Planning and Economic Development Committee has been involved in the evolution of the NOP's development and made key direction decisions to endorse policy and mapping on the natural environment system, settlement area boundary expansions and employment areas for further consultation.

At this point, a recommended NOP is presented for adoption as consultation has been complete and the NOP is required to be submitted to the Province by July 1, 2022. To assist in the decision making process, this report focuses on key differences of the new Official Plan versus the existing Plan, as well as changes made to the draft version as a result of statutory consultation to arrive at the recommended NOP.

The Niagara Official Plan will:

- conform to Provincial plans and establish the policy framework for local official plans;
- provide new policy direction to take meaningful action on climate change and transition to net-zero, climate-resilient communities;

- result in policies and mapping that provide stronger protections for Niagara's natural environment system exceeding Provincial requirements;
- add approximately 1,190 hectares of mapped prime agricultural area and greenbelt protected country side lands to the Region's agricultural system over and above lands removed for settlement area expansion, boundary rationalizations and technical adjustments;
- contain new policies for managing excess soils and petroleum resources as well as policies to better manage impacts from hauling aggregates;
- establish a new regional structure, and strategic growth areas, and provide clear direction on where and how the Region will grow;
- establish a 60% intensification rate, 50 people and jobs per hectare greenfield density target, and affordable housing targets (20% for rental, 10% for ownership);
- contain policies to support municipalities in providing gently density in established neighbourhoods and provide flexibility in locating intensification in built-up areas to meet targets;
- identify and protect employment areas for a range of employment uses, and identify future employment areas, needed beyond 2051; and
- include new regional policy tools like secondary plans, urban design and sub-watershed planning to assist in managing and planning for growth and achieve great communities while protecting the environment.

Final Revisions after Consultation

Staff have made revisions based on continued internal review to improve the readability of the NOP, as well as respond where necessary to input received from all the submissions and delegations and further address municipal comments.

The Statutory Open House was held on April 7, 2022. Approximately 97 members of the public attended. There were 26 speakers at the April 28, 2022 Public Meeting and 175 comments were submitted between the March 4, 2022 close of consultation on the draft NOP and proposed NOP for the Public Meeting. Appendix 4 outlines comments submitted and provides responses. A public meeting delegates' response table is included as Appendix 5.

Key revisions made since the posting of the proposed NOP for formal consultation and included in the recommended NOP are:

- Clarity regarding the key sections and policies associated through out the plan that align with core policy directions found in the climate change section, including the use of a leaf graphic;
- Comment box explaining the importance of transit supportive densities;
- A Growing Region chapter objective addition to “promote *transit-supportive* development to increase transit usage, decrease greenhouse gas emissions, and support the overall health of the community.”
- A textbox in the NOP providing an example of how a local area municipality may plan for additional intensification units beyond those identified in table 2-2.
- A refinement in wording to provide municipalities the flexibility to adjust urban boundaries with no net gain through their local official plan conformity exercises, outside of a Regional Comprehensive Review but by amendment to the Regional Official Plan.
- A policy revision to allow municipalities to plan for growth in the NOP’s identified strategic growth areas in terms of secondary planning by the addition of the words “or equivalent”
- Policy addition clarifying agricultural activities that can take place in the Growth Plan Natural Heritage System.
- Addition of a policy to support the restoration of natural features removed outside of the planning process, in support of the Region’s Woodland By-law.
- The inclusion of the 0 Nigh Road property in Fort Erie into the urban settlement area boundary as minor adjustments in the LNA allowed inclusion of the property.
- A site specific policy addition relative to the settlement area boundary expansion in Crystal Beach, Fort Erie requiring development of the eastern most property to be subject to a local official plan amendment and updating of the Regional Transportation Master Plan. The two properties located to the west, which include the horse and pony rescue operation, are no longer recommended to be included in the urban boundary.

- A site specific policy addition in West Lincoln that only permits infrastructure such as roads or storm water management feature and open space inside a calculated minimum distance separation area to ensure future residential development of expansion lands is appropriately setback from a neighbouring livestock operation.
- The inclusion of an implementation policy respecting complete applications and potential to expedite municipal reviews as required by legislation.

The Region has strived to provide a growth management policy strategy, address climate change, protect the environment and protect agricultural lands. The NOP also establishes a policy framework for secondary planning, urban design and watershed planning to support growth management, the development of complete communities and environmental protection. The NOP considers these areas important regional roles. It has been an objective of the NOP to provide local area municipalities with the flexibility to address local planning matters within the NOP's policy framework.

Implementation of the Niagara Official Plan

1. Local Official Plan Conformity

Once the NOP is approved and in-effect local municipalities are required to undertake reviews of their official plans in accordance with the *Planning Act* to address provincial policies and conform to the NOP. Local municipalities have one year to bring forward amendments or new official plans to conform to the NOP.

2. Development Application Review

The development application review process is critical step in aligning policy and development. Through the review process, municipalities and the Region will ensure targets are achieved and systems are protected as guided through applicable plans.

3. Monitor and Measure Performance of the NOP

The approved NOP is not intended to be a static document and will be updated to address changing planning trends and policy performance. Monitoring the implementation of this Plan, in cooperation with local area municipalities, is critical to analyze the effectiveness of the policies in the Plan in meeting its overall goals and objectives.

Alternatives Reviewed

The Province has set a conformity deadline of July 1, 2022. If this date is missed, the *Place to Grow Act* gives the Minister of Municipal Affairs and Housing authority to amend the current Regional Official Plan to bring it into conformity with provincial policy.

Regional Council may choose to refer the NOP, in whole or in part, back to staff for revisions. However, this will result in missing the Provincial deadline set for July 1, 2022. By not adopting the NOP at this time, the Province will have the authority to make amendments to the Regional Official Plan that may not be in the interest of the Region.

In addition, the current Regional Official Policy Plan will remain in place until a new Plan is approved by the Ministry of Municipal Affairs and Housing. The Region would not have an up-to-date regional policy framework to respond to planning for growth and protecting the environment within the Region and alignment with Council Strategic Priorities.

Referring the NOP back to staff at this time would delay implementation of key policy direction, including;

- establishing a 2051 planning horizon to replace the current 2031 horizon that is less than 10 years away;
- new natural environment system and policies with greater protection for features and biodiversity;
- addition of new prime agricultural land to protect quality farm lands;
- higher intensification rates to reduce settlement boundary expansion and support affordable housing targets and housing diversification;
- clarity on where intensification should, and should not, be directed; and,
- alignment with the Economic Development Strategy and Niagara 2051 programs.

Relationship to Council Strategic Priorities

The Niagara Official Plan supports the following Council Strategic Priorities:

- **Supporting Business and Economic Growth:** Through long range planning for the supply and retention of a broad range of community and employment lands that offer community related employment and industrial employment opportunities to attract and support economic wellbeing;
- **Healthy and Vibrant Community:** Through planning for safe, healthy neighbourhoods that are attractive, inclusive and connected, based on complete community principles and design;
- **Responsible Growth and Infrastructure Planning:** Through coordinated, efficient use of existing infrastructure and optimizing planned infrastructure that will service the communities of Niagara and facilitate movement of people and goods; and
- **Sustainable and Engaging Government:** Through planned growth that is fiscally sustainable and fosters strong, successful relationships between all levels of government in the supply of services and infrastructure.

Other Pertinent Reports

| | |
|-------------|---|
| PDS 40-2016 | Regional Official Plan Update |
| PDS 41-2017 | New Official Plan Structure and Framework |
| PDS 3-2018 | New Official Plan Update |
| PDS 6-2018 | Natural Environment Project Initiation Report |
| PDS 18-2018 | Natural Environment – Project Framework |
| PDS 9-2019 | New Official Plan Consultation Timeline Framework |
| PDS 10-2019 | Update on Natural Environment Work Program – New Regional Official Plan |
| PDS 32-2019 | Natural Environment Work Program – Phases 2 & 3: Mapping and Watershed Planning Discussion Papers and Comprehensive Background Study |
| PDS 1-2020 | New Niagara Official Plan – Public Consultation Summary |
| PDS 3-2020 | Ecological Land Classification Mapping Update |
| PDS 9-2020 | Niagara Official Plan – Consultation Details and Revised Framework |
| PDS 26-2020 | Natural Environment Work Program – Phase 4: Identification and Evaluation of Options |
| PDS 35-2020 | Niagara Official Plan Consultation Update |
| PDS 4-2021 | Niagara Official Plan – Steps and Direction Moving Forward |

| | |
|-------------|--|
| PDS 1-2021 | Natural Environment Work Program – 2nd Point of Engagement |
| PDS 17-2021 | Niagara Official Plan Consolidated Policy Report |
| PDS 30-2021 | Niagara Watershed Plan – Draft for Consultation |
| PDS 32-2021 | Update on Niagara Official Plan - Further Draft Policy Development |
| PDS 36-2021 | Consultation Response and Further Policy Development |
| PDS 39-2021 | Niagara Official Plan: Employment Area Conversion Recommendations |
| PDS 8-2021 | Niagara Official Plan: Natural Environment System |
| PDS 41-2021 | Settlement Area Boundary Review - Urban Recommendations |
| PDS 42-2021 | Settlement Area Boundary Review - Rural Recommendations |
| PDS 2-2022 | Niagara Official Plan - Proposed Draft for Consultation |
| PDS 6-2022 | Niagara Official Plan: Final Urban Settlement Area Recommendations |
| PDS 7-2022 | Niagara Official Plan: Final Rural Settlement Area Recommendations |
| PDS 14-2022 | Niagara Official Plan: Proposed Niagara Official Plan, Statutory Public Meeting |

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Submitted by:

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This report was prepared in consultation with Greg Bowie, Senior Planner, Erik Acs, MCIP, RPP, Manager of Community Planning and Diana Morreale, MCIP, RPP, Acting Director of Community and Long Range Planning.

Appendices

All web only appendices can be accessed at <https://niagararegion.ca/official-plan/recommendation-report.aspx>

- Appendix 1 Proposed By-law (attached) and Niagara Official Plan (web only)
- Appendix 2 Niagara Official Plan Consultation Record
- Appendix 3 Niagara 2051 Land Needs Assessment (web only)
- Appendix 4 Response Table for Written Submissions Received during Statutory Consultation (web only)
- Appendix 5 Statutory Public Meeting Delegate Response Table

THE REGIONAL MUNICIPALITY OF NIAGARA

BY-LAW NO. <>

A BY-LAW TO PROVIDE FOR THE ADOPTION OF THE
OFFICIAL PLAN FOR THE REGIONAL MUNICIPALITY OF
NIAGARA

WHEREAS subsection 17 (22) of the *Planning Act, 1990* states that when the requirements of subsections 17 (15) to 17(21), as appropriate, have been met, and Council is satisfied that a Official Plan as prepared is suitable for adoption, Council may by by-law adopt all or part of the plan, and, unless the plan is exempt from approval, submit it for approval; and

WHEREAS The Regional Municipality of Niagara currently has in effect an Official Plan, as amended, which was adopted by By-law No. 828-785-73; and

WHEREAS it is deemed desirable to adopt a new Official Plan for The Regional Municipality of Niagara;

NOW THEREFORE the Council of The Regional Municipality of Niagara enacts as follows.

1. That the document attached hereto as Schedule A is hereby adopted as the Official Plan for The Regional Municipality of Niagara
2. That the Regional Clerk is hereby authorized and directed to give notice of adoption of the Official Plan for The Regional Municipality of Niagara in accordance with subsection 17(23) of the *Planning Act, 1990*.
3. That the Regional Clerk is hereby authorized and directed to forward the Official Plan for The Regional Municipality of Niagara, and other required documentation, to the Ministry of Municipal Affairs and Housing for approval in accordance with subsection 17(31) of the *Planning Act, 1990*.
4. That the Official Plan for The Regional Municipality of Niagara shall take effect on the day after the day it is approved by the Province of Ontario in accordance with subsection 17 (38.1) of the *Planning Act, 1990*.
5. That the current Official Plan for The Regional Municipality of Niagara, as adopted by By-law No. 828-785-73, and all amendments thereto, are hereby repealed immediately upon the new Official Plan taking effect as provided by Section 4 of this by-law.

Bill <>

Authorization Reference:

6. That this by-law shall come into force and effect on the day upon which it is approved by the Province of Ontario.

THE REGIONAL MUNICIPALITY OF NIAGARA

James Bradley, Regional Chair

Ann-Marie Norio, Regional Clerk

Passed: <date>

Niagara Official Plan: Consultation Record

Appendix 2 includes three components:

1. A summary of key steps in the development of the Niagara Official Plan;
2. A record of consultation activities; and
3. An overview of communication and outreach tools.

Part 1 – Summary of Key Steps - Development of Niagara Official Plan

| Date | Description |
|----------------|---|
| 2017 | The Niagara Official Plan (NOP) process started in 2017 with the formulation of a budget and initiation of staff resources. |
| July 2018 | A special meeting of council was held on July 5 th , 2018 to launch the development of the new NOP, providing the public an opportunity to identify issues or concerns important to address in the development of the new NOP. |
| 2018-2020 | The NOP work has been informed by several background studies/work including: land needs and growth allocations, housing strategy, regional structure, employment lands strategy, natural environment and watershed planning, and a climate change discussion paper. |
| March 2020 | With the onset of COVID-19, planning staff had to adjust methods of consultation by administering public, stakeholder, agency and First Nations and Indigenous communities consultation by Zoom webinar. |
| August 2020 | The Province amended the Growth Plan and made changes to the provincial land needs methodology, growth allocations and changes to policies for settlement area boundary expansions outside of a municipal comprehensive review. |
| May 2021 | Draft policies were made available for review and comment on growth allocations, regional structure, housing, transportation, infrastructure, district and secondary plans, urban design, agriculture and aggregates. |
| August 2021 | Draft policies on source water protection; excess soils; petroleum and mineral resources; and performance indicators and monitoring were provided for review and comment. |
| September 2021 | A Consultation Report was prepared summarizing comments on the draft policies release. |
| November 2021 | Regional Council endorsed the Region's Employment Areas and considered employment area conversion requests. |
| December 2021 | Regional Council endorsed an approach to the Natural Environment System. In addition, the Urban and Rural Settlement Area Boundary Review recommendations were presented, and included proposed expansions, boundary rationalizations and technical adjustments. |

| Date | Description |
|--------------|---|
| January 2022 | A draft consolidated NOP was released for consultation. Natural environment system mapping was made available online for public comment. Where new features were identified on urban properties, owners were contacted by mail. |
| March 2022 | The proposed Urban and Rural Settlement Area Boundary Review recommendations were approved for inclusion in the proposed NOP for formal consultation. |
| April 2022 | Statutory consultations required under the Planning Act were held, including an Open House on April 7 and a Public Meeting before Regional Council on April 28. |

Part 2 – Record of Consultation Activities

Public Information Centres (Open Houses)

| Date | Description |
|-------------|---|
| 30-May-19 | Natural Environment (In-person: West Lincoln) |
| 06-Jun-19 | Natural Environment (In-person: Welland) |
| 06-Nov-19 | Official Plan Background Initiatives (In-person: Thorold) |
| 07-Nov-19 | Official Plan Background Initiatives (In-person: Niagara Falls) |
| 13-Nov-19 | Official Plan Background Initiatives (In-person: Grimsby) |
| 14-Nov-19 | Official Plan Background Initiatives (In-person: Fort Erie) |
| 23-Sep-20 | Natural Heritage System - Information and Options (Virtual) |
| 24-Sep-20 | Water Resource System and Watershed Plan - Information and Options (Virtual) |
| 07-Oct-20 | Growth Management - Regional Structure, Land Needs, Growth Allocations, Settlement Area Boundary Review and Housing (Virtual) |
| 08-Oct-20 | Employment Lands and Community Planning - District and Secondary Plans, Urban Design, Employment Lands (Virtual) |
| 20-Oct-20 | Agriculture, Aggregates and Archaeology - Rural and Agriculture, Mineral Aggregate Resources, Archaeology and Culture (Virtual) |
| 21-Oct-20 | Transportation and Servicing - Infrastructure, Water and Wastewater, Transportation (Virtual) |
| 09-Jun-21 | Growing Region Chapter (Virtual) |
| 10-Jun-21 | Vibrant Region Chapter (Virtual) |
| 16-Jun-21 | Competitive Region Chapter (Virtual) |
| 17-Jun-21 | Connected Region Chapter (Virtual) |
| 23-Jun-21 | Sustainable Region Chapter (Virtual) |
| 26-Jan-22 | Settlement Area Boundary Expansions (Virtual) |
| 10-Feb-22 | Natural Environment System (Virtual) |
| 24-Feb-22 | Draft Consolidated Niagara Official Plan (Virtual) |
| 07-Apr-22 | Statutory Open House: Proposed Niagara Official Plan (Virtual) |

Public Meetings

| Date | Description |
|-----------|--|
| 05-Jul-18 | Statutory Special Regional Council Meeting: Revisions that may be required for a New Official Plan |
| 28-Apr-22 | Statutory Public Meeting: Proposed Niagara Official Plan |

Public Surveys

| Date | Description |
|-----------|---|
| 09-Jul-20 | Employment Policy Paper Survey (MetroQuest and SurveyGizmo) 106 Responses |
| 10-Sep-20 | Growth Management Survey (MetroQuest and SurveyGizmo) 219 Responses |
| Nov-20 | Niagara Watershed Plan (Goals and Objectives) 22 Responses |
| 15-Dec-20 | Official Plan - Pillars and Directives (MetroQuest and SurveyGizmo) 873 Responses |

Local Council Presentations and Workshops

| Date | Description |
|-----------|------------------------------------|
| 22-May-18 | Pelham – Presentation |
| 29-May-18 | Wainfleet – Presentation |
| 04-Jun-18 | Niagara-on-the-Lake - Presentation |
| 05-Jun-18 | Thorold – Presentation |
| 12-Jun-18 | Welland – Presentation |
| 18-Jun-18 | Fort Erie – Presentation |
| 19-Jun-18 | Niagara Falls – Presentation |
| 25-Jun-18 | Port Colborne – Presentation |
| 09-Jul-18 | Lincoln – Presentation |
| 23-Jul-18 | West Lincoln – Presentation |
| 13-Aug-18 | St. Catharines – Presentation |
| 11-Sep-18 | Grimsby – Presentation |
| 15-Apr-19 | St. Catharines – Presentation |
| 23-Apr-19 | Fort Erie – Presentation |
| 06-May-19 | Grimsby – Presentation |
| 07-May-19 | Thorold – Presentation |
| 13-May-19 | Niagara-on-the-Lake – Presentation |
| 14-May-19 | Niagara Falls – Presentation |
| 27-May-19 | Port Colborne – Presentation |
| 28-May-19 | Wainfleet – Presentation |
| 03-Jun-19 | Pelham – Presentation |

| Date | Description |
|-------------|--|
| 10-Jun-19 | St. Catharines – Information Package (Natural Environment) |
| 10-Jun-19 | West Lincoln – Presentation |
| 11-Jun-19 | Welland – Presentation |
| 17-Jun-19 | Lincoln – Presentation |
| 09-Mar-21 | Wainfleet – Presentation (Agricultural System) |
| 22-Mar-21 | Niagara-on-the-Lake – Workshop |
| 24-Mar-21 | Pelham – Workshop |
| 24-Mar-21 | West Lincoln – Workshop |
| 25-Mar-21 | Fort Erie – Workshop |
| 25-Mar-21 | Welland – Workshop |
| 26-Mar-21 | Grimsby – Workshop |
| 26-Mar-21 | Port Colborne – Workshop |
| 31-Mar-21 | Thorold – Workshop |
| 31-Mar-21 | Wainfleet – Workshop |
| 1-Apr-21 | Lincoln – Workshop |
| 7-Apr-21 | Niagara Falls – Workshop |
| 7-Apr-21 | St. Catharines – Workshop |
| 07-Feb-22 | Lincoln – Presentation |
| 22-Feb-22 | Port Colborne – Presentation |
| 07-Mar-22 | Grimsby – Presentation |
| 08-Mar-22 | Wainfleet – Presentation |
| 22-Mar-22 | Niagara Falls – Presentation |
| 28-Mar-22 | Fort Erie – Presentation |
| 11-Apr-22 | St. Catharines – Presentation |
| 9-May-22 | West Lincoln – Presentation |
| 17-May-22 | Thorold – Presentation |

Local Planning Staff

| Date | Description |
|-------------|--|
| 24-Jul-17 | Municipal Comprehensive Review, Niagara Official Plan, Growth Plan – Employment Lands Strategy |
| 25-Aug-17 | Provincial Policy – Agricultural System and Natural Heritage System |
| 15-Sep-17 | Niagara-on-the-Lake - Planning Issues for new Niagara Official Plan |
| 28-Sep-17 | Fort Erie - Planning Issues for new Niagara Official Plan |
| 29-Sep-17 | Niagara Falls - Planning Issues for new Niagara Official Plan |
| 29-Sep-17 | Thorold - Planning Issues for new Niagara Official Plan |
| 12-Oct-17 | Pelham - Planning Issues for new Niagara Official Plan |
| 12-Oct-17 | West Lincoln - Planning Issues for new Niagara Official Plan |
| 16-Oct-17 | Grimsby - Planning Issues for new Niagara Official Plan |
| 16-Oct-17 | Lincoln - Planning Issues for new Niagara Official Plan |

| Date | Description |
|-----------|--|
| 17-Oct-17 | Welland - Planning Issues for new Niagara Official Plan |
| 27-Oct-17 | Niagara Official Plan Update – Employment Areas and Employment Lands Strategy |
| 29-Oct-17 | St. Catharines - Planning Issues for new Niagara Official Plan |
| 03-Nov-17 | Wainfleet - Planning Issues for new Niagara Official Plan |
| 17-Nov-17 | Land Needs Methodology, Growth Plan – Agricultural Impact Assessment and Natural Heritage System |
| 26-Jan-18 | Land Needs Assessment, Process for Individual Urban Boundary Expansion Requests, Urban Structure, Employment Lands Strategy, Housing, Natural Environment, Aggregates, Agriculture, Climate Change |
| 01-Feb-18 | Individual Meetings with Local Municipal Planners - Key Issues Relative to Framing of Background Studies |
| 16-Mar-18 | Natural Environment Framework, Agriculture Framework, Climate Change Framework, Watershed Planning, MNR Species at Risk |
| 22-Jun-18 | Greenbelt Alternative Land Use Analysis, Urban Boundary Expansion Requests |
| 28-Sep-18 | Niagara Official Plan – Open Houses, Secondary Plans, 2016 Census Population |
| 25-Jan-19 | Regional Official Plan Amendment – Exemptions from Approval, Niagara Official Plan Update, Rural Lots |
| 22-Mar-19 | Niagara Official Plan Consultation Strategy, Growth Plan Comments |
| 25-Mar-19 | Niagara Housing Data Consultation Sessions |
| 26-Mar-19 | Niagara Housing Data Consultation Sessions |
| 06-Jun-19 | Housing Database/Market Analysis and Scenario Development Workshop with Area Planners and Local Municipal Staff |
| 08-Jul-19 | Fort Erie - General Official Plan, Growth Management, Natural Environment |
| 11-Jul-19 | New Growth Plan – Employment Land Conversion and Urban Expansion Criteria |
| 16-Jul-19 | Lincoln - General Official Plan, Growth Management, Natural Environment |
| 17-Jul-19 | Pelham - General Official Plan, Growth Management, Natural Environment |
| 18-Jul-19 | Thorold - General Official Plan, Growth Management, Natural Environment |
| 23-Jul-19 | St. Catharines - General Official Plan, Growth Management, Natural Environment |
| 25-Jul-19 | West Lincoln - General Official Plan, Growth Management, Natural Environment |
| 25-Jul-19 | Fort Erie – Agricultural Land Base Mapping |

| Date | Description |
|-------------|---|
| 26-Jul-19 | Niagara Official Plan Update, Employment Land, Housing, Urban Strategy, Land Needs, Natural Environment, Agriculture, Aggregates, Climate Change |
| 26-Jul-19 | Welland - General Official Plan, Growth Management, Natural Environment |
| 30-Jul-19 | Wainfleet - General Official Plan, Growth Management, Natural Environment |
| 31-Jul-19 | Grimsby - General Official Plan, Growth Management, Natural Environment |
| 13-Aug-19 | Niagara-on-the-Lake - General Official Plan, Growth Management, Natural Environment |
| 15-Aug-19 | Port Colborne - General Official Plan, Growth Management, Natural Environment |
| 19-Aug-19 | Port Colborne – Agricultural Land Base Mapping |
| 28-Aug-19 | Niagara Falls - General Official Plan, Growth Management, Natural Environment |
| 27-Sep-19 | Niagara Official Plan – Public Information Centres, Employment Land Strategy and Regional Official Plan Amendment 16, Provincially Significant Employment Zones |
| 08-Oct-19 | Employment Strategy Municipal Workshop with Area Planners |
| 10-Oct-19 | Wainfleet – Agricultural Land Base Mapping |
| 26-Nov-19 | Thorold – Agricultural Land Base Mapping |
| 28-Nov-19 | Welland – Agricultural Land Base Mapping |
| 24-Jan-20 | Niagara Official Plan – Update on Consultation; Employment Land Strategy and Regional Official Plan Amendment 16 |
| 28-Aug-20 | Area Planners - General Official Plan |
| 11-Sep-20 | Port Colborne - General Official Plan, Growth Management, Natural Environment |
| 14-Sep-20 | Niagara Falls - General Official Plan, Growth Management, Natural Environment |
| 15-Sep-20 | St. Catharines - General Official Plan, Growth Management, Natural Environment |
| 17-Sep-20 | Fort Erie - General Official Plan, Growth Management, Natural Environment |
| 18-Sep-20 | Lincoln - General Official Plan, Growth Management, Natural Environment |
| 21-Sep-20 | Wainfleet - General Official Plan, Growth Management, Natural Environment |
| 21-Sep-20 | Fort Erie - Natural Environment Work Program |
| 21-Sep-20 | Wainfleet - Natural Environment Work Program |
| 22-Sep-20 | West Lincoln - General Official Plan, Growth Management, Natural Environment |

| Date | Description |
|-------------|--|
| 23-Sep-20 | Grimsby - General Official Plan, Growth Management, Natural Environment |
| 25-Sep-20 | Pelham - General Official Plan, Growth Management, Natural Environment |
| 28-Sep-20 | Welland - General Official Plan, Growth Management, Natural Environment |
| 29-Sep-20 | Thorold - General Official Plan, Growth Management, Natural Environment |
| 01-Oct-20 | Niagara-on-the-Lake - General Official Plan, Growth Management, Natural Environment |
| 06-Oct-20 | Niagara Falls - General Official Plan, Growth Management, Natural Environment |
| 06-Oct-20 | Fort Erie - General Official Plan, Growth Management, Natural Environment |
| 08-Oct-20 | Township of West Lincoln - General Official Plan, Growth Management, Natural Environment |
| 09-Oct-20 | Town of Grimsby - General Official Plan, Growth Management, Natural Environment |
| 14-Oct-20 | Pelham - Technical Boundary Adjustments |
| 19-Oct-20 | West Lincoln and Wainfleet - General Official Plan, Growth Management, Natural Environment |
| 21-Oct-20 | Thorold - Technical Boundary Adjustments |
| 22-Oct-20 | Fort Erie - General Official Plan, Growth Management, Natural Environment |
| 27-Oct-20 | Thorold - General Official Plan, Growth Management, Natural Environment |
| 03-Nov-20 | St. Catharines - General Official Plan, Growth Management, Natural Environment |
| 03-Nov-20 | Fort Erie - General Official Plan, Growth Management, Natural Environment |
| 05-Nov-20 | Niagara Falls - General Official Plan, Growth Management, Natural Environment |
| 10-Nov-20 | Fort Erie - General Official Plan, Growth Management, Natural Environment |
| 19-Nov-20 | Wainfleet – Agricultural Land Base Mapping |
| 11-Feb-21 | Thorold – Agricultural Land Base Mapping |
| 18-Feb-21 | Niagara Falls - General Official Plan, Growth Management, Natural Environment |
| 18-Feb-21 | Fort Erie - General Official Plan, Growth Management, Natural Environment |
| 18-Feb-21 | Grimsby - General Official Plan, Growth Management, Natural Environment |

| Date | Description |
|-------------|---|
| 18-Feb-21 | Lincoln - General Official Plan, Growth Management, Natural Environment |
| 19-Feb-21 | St. Catharines - General Official Plan, Growth Management, Natural Environment |
| 19-Feb-21 | Welland - General Official Plan, Growth Management, Natural Environment |
| 19-Feb-21 | Pelham - General Official Plan, Growth Management, Natural Environment |
| 19-Feb-21 | West Lincoln - General Official Plan, Growth Management, Natural Environment |
| 22-Feb-21 | Port Colborne - General Official Plan, Growth Management, Natural Environment |
| 22-Feb-21 | Thorold - General Official Plan, Growth Management, Natural Environment |
| 22-Feb-21 | Niagara-on-the-Lake - General Official Plan, Growth Management, Natural Environment |
| 22-Feb-21 | Wainfleet - General Official Plan, Growth Management, Natural Environment |
| 05-May-21 | Pelham - Natural Environment |
| 14-Oct-21 | Draft Policy and Mapping E-Mail to Local Planning Directors - Natural Environment |
| 27-Oct-21 | Local Planning Staff Workshop - Natural Environment |
| 01-Nov-21 | Local Planning Staff Workshop - Natural Environment |
| 10-May-21 | Welland - Natural Environment |
| 18-May-21 | Port Colborne - Natural Environment |
| 11-Nov-21 | Welland - Environmental Assessment |
| 14-Jun-21 | Port Colborne - Site Specific Policies |
| 17-Jun-21 | Pelham - Site Specific Policies and Technical Boundary Adjustments |
| 26-Jan-22 | Port Colborne - Natural Environment |
| 18-Jun-21 | Wainfleet - Site Specific Policies |
| 01-Feb-22 | St. Catharines - Natural Environment |
| 23-Jun-21 | Thorold - Site Specific Policies and Technical Boundary Adjustments |
| 29-Jun-21 | Lincoln - Site Specific Policies |
| 06-Jul-21 | Welland - Site Specific Policies |
| 07-Jul-21 | Niagara Falls - Site Specific Policies and Technical Boundary Adjustments |
| 08-Jul-21 | Grimsby - Site Specific Policies and Technical Boundary Adjustments |
| 15-Jul-21 | Fort Erie - Site Specific Policies and Technical Boundary Adjustments |
| 16-Jul-21 | West Lincoln - Site Specific Policies |
| 30-Jul-21 | St. Catharines - Site Specific Policies and Technical Boundary Adjustments |
| 06-Oct-21 | Lincoln, Grimsby, NEC - Technical Boundary Adjustments |
| 11-Nov-21 | Fort Erie - Natural Environment |

| Date | Description |
|-----------|---|
| 07-Jan-22 | Chapter Review Meeting: Implementation |
| 21-Jan-22 | Chapter Review Meeting: Growing Region |
| 28-Jan-22 | Chapter Review Meeting: Sustainable Region |
| 04-Feb-22 | Chapter Review Meeting: Competitive Region |
| 25-Feb-22 | Chapter Review Meeting: Connected Region |
| 28-Feb-22 | Grimsby - Natural Environment |
| 04-Mar-22 | Chapter Review Meeting: Vibrant Region |
| Apr-22 | Niagara-on-the-Lake - Proposed Urban Boundary Technical Adjustments |

First Nations and Indigenous Communities

| Date | Description |
|-----------|---|
| 01-May-19 | Haudenosaunee Development Institute |
| 01-May-19 | Six Nations of the Grand River First Nation |
| 07-May-19 | Fort Erie Friendship Centre |
| 29-May-19 | Niagara Region Métis Council |
| 05-Jun-19 | Niagara Regional Native Centre |
| 11-Jun-19 | Mississaugas of the Credit First Nation |
| 21-Aug-19 | Haudenosaunee Development Institute |
| 21-Aug-19 | Mississaugas of the Credit First Nation |
| 11-Dec-20 | Mississaugas of the Credit First Nation |
| 26-May-21 | Six Nations of the Grand River First Nation |
| 31-May-21 | Mississaugas of the Credit First Nation |
| 09-Jun-21 | Fort Erie Friendship Centre |
| 24-Jun-21 | Niagara Regional Native Centre |
| 07-Oct-21 | Six Nations of the Grand River |
| 19-Oct-21 | Niagara Region Métis Council |
| 22-Oct-21 | Niagara Regional Native Centre |
| 11-Dec-21 | Mississaugas of the Credit First Nation |
| 14-Feb-22 | Mississaugas of the Credit First Nation |
| 25-Feb-22 | Six Nations of the Grand River |
| 01-Mar-22 | Niagara Regional Native Centre |
| 06-May-22 | Fort Erie Native Friendship Centre |
| 10-May-22 | Mississaugas of the Credit First Nation |

Youth and Young Professionals

| Date | Description |
|-----------|--|
| 24-Aug-21 | CivicConnect Youth Advisory Committee – Official Plan Review |
| 31-Aug-21 | Mayor Youth Advisory Committees – Official Plan Review |

| Date | Description |
|-----------|--|
| 01-Sep-21 | NEXTNiagara – Official Plan Review |
| 26-Jan-22 | Regional Chair's Youth Advisory Committee – Draft Consolidated Niagara Official Plan |
| 15-Mar-22 | CivicConnect and Other Youth Groups – Draft Consolidated Niagara Official Plan |

Planning Advisory Committee

The Planning Advisory Committee was convened in accordance with the Planning Act to provide input to the official plan development.

| Date | Description |
|-----------|--|
| 12-Sep-18 | Welcome and Introductions, Planning Areas of Responsibility, Planning Advisory Committee – Points of Interest, Official Plan Framework and Document Structure, Official Plan Themes – Key Priority Background Studies, Urban Structure |
| 14-Nov-18 | Provincial Workshop Overview, Natural Environment, Urban Structure, Secondary Plans – Content and Performance Measures |
| 20-Mar-19 | Provincial Planning Policy Restructuring, Update on Employment Lands Strategy, Performance Measures/Urban Structure and Secondary Plans |
| 22-May-19 | Natural Environment Work Program |
| 14-Aug-19 | Housing Strategy, Draft Vision and Directives |
| 23-Oct-19 | Archaeological Management Plan, Employment Lands Strategy, Vision and Directives, Proposed Provincial Policy Changes |
| 15-Jan-20 | Climate Change, Official Plan Consultation Feedback |
| 16-Sep-20 | Updates on Growth Management and Natural Heritage & Water Systems Background Work |
| 16-Sep-20 | Natural Environment Work Program |
| 02-Jun-21 | Growing Region Chapter |
| 24-Jun-21 | Competitive Region Chapter |
| 07-Jul-21 | Connected Region Chapter |
| 21-Jul-21 | Vibrant Region Chapter |
| 25-Aug-21 | Natural Environment System |
| 02-Mar-22 | Draft Consolidated Niagara Official Plan |

Agricultural Policy and Action Committee

| Date | Description |
|-----------|----------------------------------|
| 22-Feb-19 | Natural Environment Work Program |
| 25-Sep-20 | Natural Environment Work Program |
| 26-Feb-21 | Agricultural Land Base Mapping |
| 30-Apr-21 | Agricultural System Overview |

| Date | Description |
|-----------|--|
| 24-Sep-21 | Draft Agricultural System Policies |
| 04-Mar-22 | Draft Consolidated Niagara Official Plan |

Interest Groups

| Date | Description |
|-----------|---|
| 15-Sep-17 | Meeting with Greater Niagara Chamber of Commerce |
| 03-May-19 | Workshop with Development Community, Consultants, and Local Planning Staff (Natural Environment Work Program) |
| 16-May-19 | Workshop with Agricultural Community (Natural Environment Work Program) |
| 16-May-19 | Workshop with Environmental Stakeholder Groups (Natural Environment Work Program) |
| 10-Oct-19 | Employment Strategy Industry Workshop with Industry Stakeholders |
| 25-Feb-20 | Employment Area Strategy Update and Q/A Session with Industry Stakeholders |
| 18-Sep-20 | Stakeholder Workshop - Development Community & Planning and Ecological Consultants (Natural Environment Work Program) |
| 21-Sep-20 | Stakeholder Workshop – Agricultural Community (Natural Environment Work Program) |
| 22-Sep-20 | Stakeholder Workshop – Environmental Stakeholder Groups (Natural Environment Work Program) |
| 30-Sep-20 | Participate in Trout's Unlimited 12 Mile Creek Subwatershed Study Meeting (Natural Environment Work Program) |
| 04-Nov-20 | Meeting with Niagara Regional Development Industry Engagement Group |
| 11-Jan-21 | Meeting with Niagara Regional Development Industry Engagement Group |
| 4-Feb-21 | Presentation to NOTL Irrigation Committee |
| 23-Feb-21 | Meeting with Niagara Regional Development Industry Engagement Group |
| 22-Mar-21 | Meeting with Niagara Regional Development Industry Engagement Group |
| 07-May-21 | Meeting with Niagara Regional Development Industry Engagement Group |
| 17-May-21 | Meeting with Niagara Regional Development Industry Engagement Group |
| 19-Jul-21 | Meeting with Niagara Regional Development Industry Engagement Group |
| 16-Aug-21 | Meeting with Niagara Regional Development Industry Engagement Group |
| 20-Sep-21 | Meeting with Niagara Regional Development Industry Engagement Group |

| Date | Description |
|-----------|---|
| 15-Oct-21 | Meeting with Niagara Regional Development Industry Engagement Group |
| 18-Nov-21 | Presentation to Niagara Homebuilders (Natural Environment) |
| 18-Nov-21 | Meeting with Niagara Regional Development Industry Engagement Group |
| 01-Feb-22 | Meeting with Niagara Regional Development Industry Engagement Group |
| 29-Mar-22 | Meeting with Niagara Regional Development Industry Engagement Group |

Agencies

| Date | Description |
|-----------|--|
| 19-Oct-17 | Meeting with Niagara Peninsula Conservation Authority |
| 01-Feb-18 | Meeting with Niagara Peninsula Conservation Authority Staff (Natural Environment) |
| 27-Jun-18 | Meeting with Niagara Parks Commission Senior Staff (background studies for Official Plan) |
| 06-Jun-19 | Meeting with Niagara Peninsula Conservation Authority Senior Staff (Natural Environment) |
| 13-Jun-19 | Meeting with Niagara Peninsula Conservation Authority Technical Staff (Natural Environment) |
| 23-Jul-19 | Meeting with Niagara Peninsula Conservation Authority Technical Staff (Natural Environment) |
| 18-Sep-19 | Presentation to Niagara Peninsula Conservation Authority Board (Natural Environment) |
| 16-Sep-20 | Presentation to Niagara Escarpment Commission Staff (Natural Environment) |
| 17-Sep-20 | Presentation to Niagara Peninsula Conservation Authority Board (Natural Environment) |
| 24-Sep-20 | Presentation to Niagara Peninsula Conservation Authority Public Advisory Committee (Natural Environment) |
| 29-Sep-20 | Presentation to Niagara Parks Commission Staff (Natural Environment) |
| 29-Sep-20 | Presentation to Niagara Peninsula Conservation Authority Staff (Natural Environment) |
| 19-Nov-20 | Presentation to Team Niagara* (Natural Environment) |
| 14-Jun-21 | Update to Niagara Peninsula Conservation Authority Staff (Natural Environment) |
| 22-Jul-21 | Meeting with Niagara Peninsula Conservation Authority Staff (Natural Environment) |
| 29-Sep-21 | Meeting with Niagara Escarpment Commission (Technical Boundary Adjustments) |

| Date | Description |
|-----------|---|
| 14-Oct-21 | Update to Niagara Peninsula Conservation Authority Senior Staff (Natural Environment) |
| 18-Oct-21 | Meeting with Niagara Peninsula Conservation Authority Staff (Natural Environment) |
| 28-Oct-21 | Meeting with Niagara Parks Commission Staff (Natural Environment) |
| 03-Nov-21 | Meeting with Niagara Peninsula Conservation Authority Staff (Natural Environment) |
| 9-Nov-21 | Site Visit with Niagara Parks Commission Staff (Natural Environment) |
| 18-Nov-21 | Presentation to Team Niagara* |

*Team Niagara convenes on economic development matters and includes representatives from Niagara Economic Development and the Local Area Municipalities.

Planning and Economic Development Committee & Regional Council

| Date | Description |
|-----------|---|
| 9-Nov-16 | PDS 40-2016: Regional Official Plan Update |
| 10-May-17 | PDS 19-2017: Bill 73 Requirement: Planning Advisory Committee |
| 29-Nov-17 | PDS 41-2017: High Level Official Plan Process Framework |
| 31-Jan-18 | PDS 6-2018: Natural Environment Project Initiation Report |
| 31-Jan-18 | PDS 7-2018: Agricultural Project Initiation Report |
| 21-Feb-18 | PDS 3-2018: New Official Plan Update |
| 25-Apr-18 | PDS 17-2018: Agricultural Framework |
| 25-Apr-18 | PDS 18-2018: Natural Environment – Project Framework |
| 25-Apr-18 | PDS 19-2018: Recommended Membership for Planning Advisory Committee |
| 16-May-18 | PDS 22-2018: Climate Change Framework- New Regional Official Plan |
| 16-May-18 | PDS 21-2018: Municipal Comprehensive Review Update: New Regional Official Plan & Growth Management Program |
| 20-Feb-19 | PDS 10-2019: Update on Natural Environment Work Program – New Regional Official Plan |
| 20-Mar-19 | PDS 9-2019: New Official Plan Consultation Timeline Framework |
| 17-Apr-19 | PDS 17-2019: Niagara Housing Statement: Affordable Housing Data |
| 10-Jul-19 | PDS 27-2019: Niagara Housing Statement Final Summary Report |
| 11-Sep-19 | PDS 33-2019: Growth Management Program Update for New Regional Official Plan |
| 9-Oct-19 | PDS 35-2019: Employment Policies Update: Project Initiation Report |
| 6-Nov-19 | PDS 32-2019: Natural Environment Work Program – Phases 2 & 3: Mapping and Watershed Planning Discussion Papers and Comprehensive Background Study |
| 06-Nov-19 | PDS 37-2019: Growth Scenario Analysis Related to the Regional Housing Strategy |

| Date | Description |
|-----------|--|
| 15-Jan-20 | PDS 1-2020: New Niagara Official Plan – Public Consultation Summary |
| 12-Feb-20 | PDS 3-2020: Ecological Land Classification Mapping Update |
| 11-Mar-20 | PDS 9-2020: Niagara Official Plan – Consultation Details and Revised Framework |
| 13-May-20 | PDS 14-2020: Niagara Region's Employment Area Strategy: Background Report & Recommendations |
| 15-Jul-20 | PDS 21-2020: Updated Employment Work Program for the New Niagara Official Plan |
| 15-Jul-20 | PDS 26-2020: Natural Environment Work Program – Phase 4: Identification and Evaluation of Options |
| 9-Sep-20 | PDS 29-2020: Settlement Area Boundary Review Program: Growth Plan Forecasts and Land Needs Assessment Update |
| 9-Sep-20 | PDS 28-2020: Regional Structure Background Report |
| 9-Dec-20 | PDS 35-2020: Niagara Official Plan Consultation Update |
| 9-Dec-20 | PDS 33-2020: Ecological Land Classification Mapping Project |
| 9-Dec-20 | PDS 38-2020: Growth Management Survey Results |
| 13-Jan-21 | PDS 4-2021: Niagara Official Plan - Steps and Directions Moving Forward |
| 13-Jan-21 | PDS 6-2021: Climate Change Work Program Update |
| 17-Feb-21 | PDS 1-2021: Natural Environment Work Program – 2nd Point of Engagement |
| 17-Feb-21 | PDS 7-2021: Niagara Official Plan Process and Local Municipality Conformity |
| 6-May-21 | Presentation to Committee of the Whole: Natural Environment |
| 16-May-21 | PDS 17-2021: Niagara Official Plan Consolidated Policy Report |
| 16-May-21 | PDS 12-2018: State of Aggregate Resources in Niagara Region - Technical Addendum |
| 16-Jun-21 | PDS 30-2021: Niagara Watershed Plan- Draft for Consultation |
| 11-Aug-21 | PDS 32-2021: Update on Niagara Official Plan- Further Draft Policy Development |
| 11-Aug-21 | PDS 33-2021: Niagara Official Plan: Land Needs Assessment and Settlement Area Boundary Review Update |
| 10-Nov-21 | PDS 39-2021: Niagara Official Plan: Employment Area Conversion Recommendations |
| 1-Dec-21 | PDS 8-2021: Niagara Official Plan: Natural Environment System |
| 8-Dec-21 | PDS 41-2021: Niagara Official Plan: Settlement Area Boundary Review - Urban Recommendations |
| 08-Dec-21 | PDS 42-2021: Niagara Official Plan: Settlement Area Boundary Review - Rural Recommendations |
| 12-Jan-22 | PEDC Presentation - Official Plan Update |
| 09-Mar-22 | PDS 6-2022: Official Plan: Preferred Urban Settlement Area Recommendations |

| Date | Description |
|-----------|--|
| 09-Mar-22 | PDS 7-2022: Official Plan: Preferred Rural Settlement Area Recommendations |

Provincial Staff

| Date | Description |
|-----------|--|
| 10-Oct-17 | ROPA 13 Transportation |
| 12-Dec-17 | Official Plan- General |
| 09-Mar-18 | Mineral Aggregate Resources |
| 27-Mar-18 | Niagara Economic Gateway and Natural Heritage Mapping |
| 18-Oct-18 | Official Plan- General |
| 09-Nov-18 | Natural Environment TAG |
| 22-Feb-19 | Natural Environment TAG |
| 17-Sep-19 | OMAFRA - Agricultural Land Base Mapping |
| 18-Oct-19 | Provincial Growth Plan Changes and Indigenous Consultation |
| 25-Oct-19 | Natural Environment TAG |
| 29-Apr-20 | Official Plan- General |
| 12-May-20 | Natural Environment TAG |
| 16-Sep-20 | MMAH, MNRF & MECP - Natural Environment Work Program |
| 16-Sep-20 | Natural Environment TAG- Options |
| 03-Feb-21 | Land Needs Assessment |
| 18-Mar-21 | Land Needs Assessment |
| 27-Apr-21 | Official Plan- General |
| 14-May-21 | OMAFRA - Agricultural Land Base Mapping |
| 28-May-21 | Land Needs Assessment, Excess Lands, Natural Environment |
| 23-Jun-21 | Settlement Area Boundary Review, Land Needs Assessment |
| 26-Jul-21 | Official Plan- General |
| 28-Jul-21 | District and Secondary Plans |
| 12-Aug-21 | Official Plan Timelines and Provincial Review |
| 14-Sep-21 | High Level Provincial Input |
| 19-Oct-21 | Official Plan and Settlement Area Boundary Review Update |
| 03-Dec-21 | Official Plan Submission and Settlement Area Boundary Review |
| 28-Jan-22 | Growth Plan Natural Heritage System Refinement |
| 28-Jan-22 | Provincial Overview |
| 07-Feb-22 | Designated Greenfield Areas and Land Needs Assessment |
| 11-Feb-22 | Site Specific Policies |
| 08-Mar-22 | Growth Plan Natural Heritage System Refinement |
| 24-Mar-22 | Technical Overview |

Mineral Aggregate Resources

| Date | Description |
|-----------|--|
| 2-Apr-14 | PDS 3-2014 – Aggregates Project Initiation Report |
| 10-Nov-14 | Meeting with West Lincoln |
| Nov-14 | Meeting with Industry Representatives |
| 8-Dec-14 | Public Workshops (2 Sessions – AM & PM) |
| 10-Dec-14 | Meeting with Ontario Stone Sand & Gravel Association (OSSGA) |
| 25-Nov-15 | PDS 40-2015 – State of Aggregate Report (referred back) |
| 06-Jan-16 | PDS-C 3-2016 – State of Aggregate Report (minor modifications) |
| 9-Apr-18 | Meeting with Ontario Stone Sand & Gravel Association (OSSGA) |
| 16-May-18 | PDS 12-18 – Technical Addendum |

Part 3 – Communication and Outreach Tools

| Tool | Description |
|-----------------------------|--|
| Project Website | A project webpage niagararegion.ca/official-plan/ was used to provide information and updates on the development of the new official plan. It included background studies, discussion papers, draft policy, staff reports, project timelines, recent updates, consultation opportunities, and more. |
| Project Email | A project email makingourmark@niagararegion.ca was used to share information with project partners and agencies, and receive comments, questions and written submissions throughout the duration of the project. |
| Comment Form | In addition to the project email noted above, a comment form was available on the project webpage to facilitate the submission of comments on the official plan development. |
| Project Update Subscription | Interested individuals had the ability to sign up for project updates through the webpage. As of May 2022, there were 1110 subscribers. Region staff provided updates to project subscribers 24 times over the course of the project. |
| Newspaper Ads | Newspaper ads were published in local newspapers in all 12 municipalities to invite participation in both statutory and non-statutory consultations, including a statutory Special Council Meeting, statutory Public Meeting, statutory Open House and more than 20 non-statutory Open Houses. |

| Tool | Description |
|------------------------------------|---|
| Social Media | The Region's Facebook Page and Twitter Account were used to promote consultation activities and target select demographics who may not be reached through traditional Media. |
| Indigenous Sharing Portal | A SharePoint site was used to share information with First Nations and Indigenous communities who expressed interest in participating in the development of the new official plan. |
| Planning Advisory Committee Portal | A SharePoint site was used to share information with the Planning Advisory Committee, which was established under the Planning Act to provide input on the official plan development. |

Statutory Public Meeting Delegates Response Table

| Speaker Number | Name & Organization | Summary of Comments | Region Response |
|----------------|---|---|---|
| 4.2.1 | Gracia Janes, Immediate-Past President, Niagara District Council of Women | <ul style="list-style-type: none"> • Why is Niagara going higher than the provincial population allocations? • Natural environment protection is an important issue in Niagara • Why are any urban boundary expansions being proposed? • Why are we not using the intensification rates that were suggested by Niagara Falls planning staff? • What are the costs to society of ongoing environmental degradation? • Position: No urban boundary expansions – protect the natural environment and farmland in Niagara | <p>Regional Council has directed staff to move forwards with natural environment option 3C. This option which goes beyond the minimum standards of the province is being implemented by the proposed Official Plan.</p> <p>Additional comments were also submitted in writing and several responses have been provided in Appendix # 4.</p> |
| 4.2.2 | Durgesh Patel, Resident, City of Niagara Falls | <ul style="list-style-type: none"> • Did not speak. | |
| 4.2.3 | Patrick Maloney, Sullivan Mahoney LLP Re: Natural environment system mapping - Memorial Drive, Welland | <ul style="list-style-type: none"> • Properties are zoned residential • Looking for “relief” from the mapping of environmental features • There is a road “stub” which indicates the City wanted these lands developed for residential uses • Position is that the Region is “down zoning” the lands • Request is that the wetland feature be removed from the NES mapping. | <p>Staff have been in discussions with the landowner’s environmental consultant.</p> <p>Regional data was provided and Regional staff are awaiting information from the landowner’s consultant.</p> |

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| 4.2.4 | Patrick Maloney, Sullivan Mahoney LLP, representing Upper Canada Consultants Re: Support of proposed settlement boundary expansions | <ul style="list-style-type: none"> • UCC support urban boundary expansions in the Region • UCC represents at least 14 individual areas • There is a need for urban boundary expansions – if not there will be significant intensification pressure on established neighbourhoods. • Regional staff have made suitable urban boundary expansion recommendations • UCC supports the recommendations made by Regional staff | Thank you. Comment noted. |
| 4.2.5 | Dr. John Bacher, Researcher, Preservation of Agricultural Lands Society | <ul style="list-style-type: none"> • Disagrees with urban boundary expansion proposals • Urban boundary expansions will not have any benefit of meeting core housing need in Niagara Falls • Need intensification along transit corridors (i.e. if there was intensification along McLeod there would be less of a NIMBY issue) • There are amphibians and other sensitive species under threat in the lands proposed for urban boundary expansions. • Do not need employment expansions in Fort Erie – it will be developed as shopping centres • Employment expansions will discourage the redevelopment of brownfield lands because the land is much cheaper | Several additional comments were submitted in writing and numerous responses has been provided in Appendix # 4. |

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| | | <ul style="list-style-type: none"> • Request that council reject all urban boundary expansions | |
| 4.2.6 | Sharron Allen Wallace and Yvon Audette, Last Chance Horse and Pony Rescue and Sanctuary | <ul style="list-style-type: none"> • Have submitted a package of letters from the public and other groups that support their position • Lands should be excluded from any urban boundary expansion. • Loss of the program will have an impact on the public and Niagara community • Lands are in crystal beach – it is a unique public service | This parcel of land is no longer recommended for inclusion into the urban area boundary of Crystal Beach, in the recommended June 2022 Niagara Official Plan. |
| 4.2.7 | Shari Ruston, Resident, Town of Fort Erie | <ul style="list-style-type: none"> • Did not speak. | |
| 4.2.8 | Arne Rungi, Resident, City of Port Colborne | <ul style="list-style-type: none"> • Did not speak. | |
| 4.2.9 | Ben Maccarone, Blythwood Homes | <ul style="list-style-type: none"> • Did not speak. | |
| 4.2.10 | Rob Mills, Blythwood Homes | <ul style="list-style-type: none"> • There is no way for young people to afford a home • Homes used to be 2x annual salary – they are now more than 10x annual salary • Council should support urban boundary expansions to make housing more affordable • Boundary expansions should be in south Niagara (i.e. not on vineyards) • Need stacked homes (i.e. townhouse) | Thank you for the comment. |

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| | | <ul style="list-style-type: none"> Housing prices in Canada are becoming some of the highest in the world | |
| 4.2.11 | Edison Pang on behalf of Nanxi Pang, Resident, City of Niagara Falls, Re: [REDACTED] | <ul style="list-style-type: none"> Family owns 3 properties along QEW Requesting additional information on what 'future employment' areas designation means Opinion is that the land is suitable for commercial and residential uses Suggestion that lands could be a node for affordable residential use | <p>The future employment area has been added to the Official Plan to protect lands for employment uses beyond 2051. The overlay has no impact on land use permissions. The goal of the overlay is to allow consideration of the lands in long range planning. There is no need for additional urban land within the City of Niagara Falls at this time. The three properties you have identified [REDACTED] are detached from the existing urban settlement area. These lands cannot be developed for residential or commercial uses until the urban area expands to include them. The Growth Plan does not allow for the creation of new settlement areas and these lands can only be developed if the urban settlement area is expanded to include these lands.</p> |
| 4.2.12 | N R Bodimeade, Resident, Town of Pelham | <ul style="list-style-type: none"> Concerned about the level of urban sprawl proposed in the draft Plan Natural features can help to mitigate the impacts of climate change Doesn't want to see any urban sprawl in Niagara Region Missing middle is the key to addressing housing crisis We don't need new employment areas – there is a shift to work from home | <p>Regional Council has directed staff to move forwards with natural environment option 3C. This option which goes beyond the minimum standards of the province is being implemented by the proposed Official Plan.</p> <p>Region staff agree that natural features are an important tool for mitigating the impacts of climate change.</p> |

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| | | <ul style="list-style-type: none"> • Ecology needs to be part of the plan • Need to ensure that Niagara is consulting indigenous communities and considering treaty rights | Additional Comments were also submitted in writing and a response has been provided in Appendix # 4. |
| 4.2.13 | Travers Fitzpatrick, on behalf of Seaway Mall/Doral Holdings Limited, Idrakotk Ltd., and 2494551 Ontario Inc. | <ul style="list-style-type: none"> • Raising concern about mapped natural features (SE of Seaway Mall) • The lands are zoned for townhouse and employment use • The ToR for the EIS has been approved • Lands have been disturbed over time • Requests that mapping be deferred until the studies are complete and then the natural features be added back onto the mapping | <p>Region staff have already visited the site, and have made changes to the proposed mapping to reflect the features that are on the site.</p> <p>It is the opinion of Region staff that it is not appropriate to defer the mapping until the site has been approved. There are policies in the draft plan that allow the refinement of natural features based on site specific policies. Further, if a pre-consultation process has occurred and there ToR for the EIS has been approved – it is likely that the transition policies included in S. 3.1 will apply.</p> |
| 4.2.14 | John Bakker, Resident, City of St. Catharines | <ul style="list-style-type: none"> • Did not speak. | |
| 4.2.15 | Jim Harnum, Municipal VU Consulting Inc., On behalf of property owners [REDACTED] | <ul style="list-style-type: none"> • Notes that when Fort Erie did their local study this was identified as the #3 preferred site. • The owner has done a number of technical studies already • The site can be serviced • Environmental impacts can be mitigated • The property could yield 150-200 units | Last revision of the land needs assessment, allows for these lands to be brought into the urban area. Mapping has been updated to reflect this. |

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| 4.2.16 | Mary Lou Tanner, NPG Planning Solutions, Re: Nyon Lands, Port Colborne | <ul style="list-style-type: none"> • Nyon lands as Employment lands • Was identified as rural employment lands in the existing official plan • Intended to be used for dry industrial uses (i.e. not serviced) • Facilities that would be located on these lands would not be appropriate to be located in an urban area • RPPA 1-2012 – approved and in-effect • Nyon approval was approved by OMB in July 2013 • Draft OP did not include rural employment lands • The mapping has now been included • Request to support the draft schedule that has been prepared by Regional staff, and incorporate site specific policies for Nyon lands into the OP | Comments were also submitted in writing and a response has been provided in Appendix # 4. |
| 4.2.17 | Tom Richardson, Sullivan Mahoney LLP, Re: [REDACTED] | <ul style="list-style-type: none"> • Appreciates that there has been ongoing discussions with Regional staff on this site • Recommends inclusion of this site into the urban area boundary expansions • Preliminary studies have been completed • Believes additional lands should be added in Fort Erie. | Last revision of the land needs assessment, allows for these lands to be brought into the urban area. Mapping has been updated to reflect this. |
| 4.2.18 | Tom Richardson, Sullivan Mahoney LLP, Smithville | <ul style="list-style-type: none"> • Submission is on behalf on the Township of West Lincoln Council • Studies have been undertaken to support the boundary expansions | Thank you for the comments. |

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| | Urban Boundary Expansion | <ul style="list-style-type: none"> • Region and NPCA staff have been involved in the project for a number of years. • Response to PALS submission: <ul style="list-style-type: none"> • It is incorrect that no effort was taken to map karst features • Township of WL council supports the recommendation for urban boundary expansions (subject to final refinements as a result of MDS review) | |
| 4.2.19 | Herb Sawatzky, 50by30Niagara | <ul style="list-style-type: none"> • Want to see the Region's GHG emissions reduced by 50% by 2030, and net-zero emissions by 2050 • Happy to see climate change component to the official plan • Recommend revisions to policy 3.5.1.5 to add 'local community stakeholders and advocates' into the consultation process, and commit to developing green development standards rather than exploring options • Recommend revisions to policy 3.5.3.1 b) ii) to change 'promote opportunities for' to 'conduct feasibility studies for' district, renewable and alternative energy • Recommend adding sub-clause to policy 3.5.3.1 b) ii) to 'conduct a feasibility study for a district heating and cooling utility company' | <p>Policy 3.5.1.5 has been revised to clarify that organized interest groups would be consulted as opportunities for green development standards are explored. The Region has committed to undertake this work in order to develop a recommended approach in consultation with the community.</p> <p>Policy 3.5.3.1 b) ii) has been strengthened by connecting it to the municipal energy plan, which the Region has committed to prepare in Policy 3.5.1.3. The municipal energy plan can look at opportunities for district energy and other forms of renewable energy in Niagara as well as implementing strategies.</p> <p>The municipal energy plan referenced in Policy 3.5.1.3 will be developed in consultation with the community, and the policy has been revised to clarify that organized interest groups would be a part of that consultation process.</p> |

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| | | <ul style="list-style-type: none"> • Supports that the Region has started a climate change adaptation plan | |
| 4.2.20 | Glenn E. Barr, Resident, City of St. Catharines Re: Storage of cars in neighbourhoods | <ul style="list-style-type: none"> • Concerned that the draft OP does not provide enough direction on urban design • As municipalities were are not getting better at urban design • Requests: <ul style="list-style-type: none"> • Discourage front yard parking • Encourage rear lanes • In the 1920's only 1 in 5 residents had cars – there are now 10 to 15 times the number of cars on the road, which effects housing affordability and better neighbourhoods • We need to improve the quality of our neighbourhoods and streets | Comments were also submitted in writing and a response has been provided in Appendix # 4. |
| 4.2.21 | Jean Grandoni, Resident, City of Niagara Falls | <ul style="list-style-type: none"> • Concern about proposed urban boundary expansions in the City of Niagara Falls • Two of the proposed expansion areas are large pieces of prime agricultural land • Concern that we are losing foodland • There are areas should have been identified as speciality crop area - The lands are capable of better than average yields • In the NW quadrant – there is a winery in the area – this supports the fact that the lands should be speciality crop | Comments were also submitted in writing and a response has been provided in Appendix # 4. |

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| | | <ul style="list-style-type: none"> • Requesting consideration of all issues that have been outline in the covering letter. | |
| 4.2.22 | <p>Daniel Romanko, Better Neighbourhoods Inc. Re: Policies to improve the built urban form in Niagara</p> | <ul style="list-style-type: none"> • Submission on behalf of firm Better Neighbourhoods • Requests: <ul style="list-style-type: none"> • Mandate fewer parking spots • Eliminate discriminatory language • Eliminate red tape • Prioritize people over cars • Regional roads should not exceed 3 lanes • Mandate the missing middle • Encourage infill and integrated design • Take a conservationist attitude • Dedicated bike lanes • Mandate policies that will improve the built environment | <p>Comments were also submitted in writing and a response has been provided in Appendix # 4.</p> |
| 4.2.23 | <p>Raymond Ziemba, SGL Planning & Design Inc. Re: Smithville settlement area expansion</p> | <ul style="list-style-type: none"> • Thank you to Regional Staff • Supports the urban boundary expansion in Smithville | <p>Thank you. Comment noted.</p> |
| 4.2.24 | <p>Linda Crouch, Port Weller Residents Association Re: Request for an independent land use study of the entire area of Port</p> | <ul style="list-style-type: none"> • Asking for a land needs study and district plan to be completed by the Region for the Port Weller • Residential was there first (1913) • Need separation distances from sensitive uses • Cannabis facilities are an issue (smell in homes) | <p>Employment area planning was completed in discussions with the City of St. Catharines, and is in alignment with the approval of OPA 26.</p> |

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| | Weller East, St Catharines | <ul style="list-style-type: none"> Land use study needs to be completed by an independent consultant Not a good area for industrial – it is too far to attract workers & the lift bridge is an issue. | |
| 4.2.25 | Graham Pett, Resident, Town of Pelham | <ul style="list-style-type: none"> Several references to East Fonthill Secondary Plan How much more natural environment should be sacrificed for single detached homes Pelham – needs to grow-up and not out Intensification target for Pelham needs to be much higher Tree preservation plan should be a requirement of every single development application – not optional. Replacement needs to be on a sliding scale Plant more trees All wetlands should be “no touch” including for road development Requests that the OP be evaluated after 3 years | <p>Thank you for your comments.</p> <p>Tree preservation plans (TPP) may be requested a part of a development application to ensure that all trees to be retained are protected during construction and grading. Further, the TPP inventories the trees on site to inform replanting requirements and general health of the feature in question.</p> <p>We will include additional information on the process and requirement for TPP as part of the updated EIS guidelines.</p> <p>Provincially significant wetlands are an important natural feature and are protected by Provincial and Regional policies. PSW are also a regulated and protected by the conservation authority. In addition we have included a category of ‘other wetlands’ in the proposed official plan to provide additional protection to wetlands in the Region.</p> |
| 4.2.26 | Karrie Porter, Resident, City of St. Catharines | <ul style="list-style-type: none"> The OP should be a critical document in addressing climate change | Some adjustments have been made to the climate change policies and to highlight transit supportive development benefits. |

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| | | <ul style="list-style-type: none"> • 1000's of ha of land was paved over for low density homes in St. Catharines • Intensification needs to be more directly addressed • Affordable housing – policies are weak compared to the policies that York Region has. • Need more purpose built rental • The Region should direct where purpose built rental should be located • The OP needs more on complete streets • There should be more on multi-modal transportation • Pleased with the selection of NES Option 3C. Concern that people do not understand that we need intensification in order to ensure that we can actually protect the natural environment • Climate change and transportation sections need to be strengthened. | |
| 4.2.27 | Patricia McGorman | <ul style="list-style-type: none"> • Concern over the unnecessary destruction of natural resources • Concerns about the losses to the agricultural land base • Niagara is an important part of the Carolinian Life Zone • Prime agricultural lands need to be protected for the long-term | <p>Regional Council has directed staff to move forwards with natural environment option 3C. This option which goes beyond the minimum standards of the province is being implemented by the proposed Official Plan.</p> <p>Included in the plan are policies for environmental protection and the protection of the agricultural land base in Niagara.</p> |

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| 4.2.28 | Nick DeFilippis, DeFilippis Design | <ul style="list-style-type: none"> • Submission regarding the rural hamlet of Fulton in West Lincoln • Disagree with what is being proposed and the evaluation process that has been undertaken – believes that there should be an expansion for residential not employment. • Requests re-evaluation of his lands • There is a PSW on the lands that is disagreed with. | The Region continues to support the expansion of Fulton to the west for rural employment uses. As outlined by the Township of West Lincoln hamlet review, expansion to the east and south is impacted by proximity to livestock operations and natural heritage system. |
| 4.2.29 | Brandon and Andrew Ferri, resident, City of Niagara Falls | <ul style="list-style-type: none"> • Submission in regards to 546 Brown Road in Welland • Have submitted a copy of the drainage plan previously submitted to the City of Welland. It deals with all drainage issues so they do not believe it is appropriate to map a portion of the property as non-significant wetland. | <p>Thank you for your written and verbal submissions.</p> <p>Region planning staff had previously visited the site and refined the extent of the natural features on the property.</p> <p>Based on the submission received Regional staff again visited the site. Based on both the site visits completed, staff are comfortable that the mapping of features on the site is appropriate. Any additional refinement of the natural features would require additional analysis through an application for development or site alteration.</p> |
| 4.2.30 | Wally Braun | <ul style="list-style-type: none"> • Would like to second the concerns raised by Dr. Bacher and Ms. Janes • Advocate for green building standard • Need to mandate below ground parking • Need to mandate at least stories above commercial for residential use. | The Region has made a number of commitments to take action on climate change in the official plan, including, but not limited to, preparing a municipal energy plan (which can look at opportunities for renewable energy) and exploring options |

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| | | <ul style="list-style-type: none">• Stressing importance of clean energy | relating to green development standards across the region. |
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June 9, 2022

By email to: clerk@niagararegion.ca

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

Dear Ms. Norio:

**Re: PDS 17-2022 Niagara Official Plan: Recommendation Report for Adoption
Comments on Proposed Niagara Region Official Plan
Canadian Niagara Hotels Inc. and related companies and persons ("CNH")**

We write in regards to the draft Official Plan, on behalf of CNH (and related companies and persons).

We appreciate the opportunities to review drafts of the Official Plan and the time provided by Regional Staff to discuss same.

The Official Plan contains many improvements over the existing plan. However, in our view, certain areas remain of concern. For example:

- The Plan has very limited focus on the tourism industry as the Region's key economic and employment driver. The Plan should include specific policies directing hospitality-related growth to the core tourist areas of Niagara Falls and Niagara-on-the-Lake. These areas are of Regional importance.
- We are unsure the appropriateness of the minimum density target set out for Glendale Niagara District Plan area.

**CROWNE PLAZA NIAGARA FALLS - FALLSVIEW
SHERATON ON THE FALLS
SKYLINE HOTEL & WATERPARK
P.O. Box 1012, 5685 Falls Avenue • Niagara Falls • Ontario • L2E 6W7 • 905-374-4444**



- The new Natural Environment policies in chapter 3 are unnecessarily restrictive, beyond the Provincial Plan requirements. In our view, these policies must be incorporated more comprehensively with other Provincial Plan requirements, including policies requiring a sufficient housing supply that reflects market demand and what is required in local communities. Proposed Plan policies unduly restrict development on existing lots.
- The new Official Plan identifies Region-wide Employment Areas for the first time. We have concerns that certain areas do not reflect Provincial Plan policies, including conversion requirements.
- The new Official Plan permits settlement area adjustments, subject to detailed policies. One of those policies limits adjustments to no net increase of “developable land”. The *Growth Plan* policy upon which this Official Plan policy is based uses the term “land” and not “developable land”. In all prior versions of the draft Official Plan, and all previous consultations held, there was no qualifier that this policy be based on “developable land”. The Official Plan policy should not restrict adjustments to “development land” and instead should reflect the *Growth Plan* language of “land”. The effect of this change is significant: it makes it very difficult to solve practical land supply problems through boundary adjustments.

We appreciate the opportunity to discuss the new Official Plan and to provide these comments.

**CROWNE PLAZA NIAGARA FALLS - FALLSVIEW
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P.O. Box 1012, 5685 Falls Avenue • Niagara Falls • Ontario • L2E 6W7 • 905-374-4444**



Please provide us with notice of Council's decision in this matter.

Kind regards,

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

Chris Mason
Chief Operating Officer

Copy: Michelle Sergi, Commissioner, Planning and Development Services
David Heyworth, Manager of Long Range Planning
Diana Morreale, Director (Acting), Community and Long Range Planning

**CROWNE PLAZA NIAGARA FALLS - FALLSVIEW
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P.O. Box 1012, 5685 Falls Avenue • Niagara Falls • Ontario • L2E 6W7 • 905-374-4444**

June 9, 2022

By E-Mail Only to *clerk@niagararegion.ca*

Planning and Economic Development Committee
Niagara Region
1815 Sir Isaac Brock Way
P.O. Box 1042
Thorold, ON L2V 4T7

Committee Chair Huson and Members of Committee:

**Re: Request for Re-Inclusion in Settlement Area
SABR ID: 1151 – Lands located on Garrison Road between Rosehill Road
and Municipal Centre Drive, Town of Fort Erie
Agenda Item 5.2 - June 15, 2022 Committee Meeting
PDS 17-2022 Niagara Official Plan: Recommendation Report for Adoption**

We are counsel to Mega Canada Ltd., the owner of approximately 19.7 hectares of land located on Garrison Road between Rosehill Road and Municipal Centre Drive in the Town of Fort Erie (the “**Subject Lands**”). The Subject Lands have been identified as SABR ID: 1151 in the Region’s Settlement Area Boundary Review (“**SABR**”) process.

The Subject Lands were one of the sites recommended for Settlement Area expansion first by the Town of Fort Erie (“**Town**”) Council on February 22, 2021 and then by Regional Staff in their December 8, 2021 SABR report PDS 41-2021 (the “**December SABR**”). It was intended that the Subject Lands would form part of the Spears High Pointe Crescent Park settlement expansion area which includes lands directly across the road from the Subject Lands on the north side of Garrison Road.

However, in Regional Staff’s March 9, 2022 updated report PDS 6-2022 (the “**March SABR**”), the Subject Lands were removed from the recommended Settlement Area expansion and remain excluded in the Official Plan which is now before this Committee for endorsement. The reasons given for the removal were based on the presence of environmental features on the Subject Lands and servicing constraints.

Our client strongly disagrees with the decision to remove the Subject Lands from the recommended Settlement Area expansion and, through its representatives and consultants, has met with Regional Staff on two occasions, March 7, 2022 and June 7, 2022, to discuss the concerns.

Based on these discussions and the study undertaken by our client's expert land use planning, environmental and engineering consultants, our client now revises its request to include only a 10 hectare portion within the Settlement Area, representing the developable area of the Subject Lands.

Detailed rationale for our client's request and our response to the Regional Staff concerns outlined in the March SABR has been shared with Regional Staff verbally and through written correspondence, a copy of which is attached. We encourage the Committee to review the attached correspondence which sets out in detail the history of the Subject Lands' inclusion in the Settlement Area recommendations at both the Town and Regional level and provides detailed responses to the environmental, servicing and growth management issues raised.

In summary, we highlight the following:

- The Subject Lands were recommended by the Town as a priority within the Spears High Pointe Crescent Park Area, one of the two areas which were recommended for inclusion in the Settlement Area, along with two individual sites. These recommendations were endorsed by Town Council on February 22, 2021 and forwarded to the Region for input into the Municipal Comprehensive Review and SABR process.
- The Subject Lands were originally included within the expansion area identified as Recommendation No. 2 in the Region's December SABR, along with lands to the north of Garrison Road. The site-specific assessment indicated that servicing was feasible, and although approximately half the Subject Lands contain environmental features, the site would provide the highest contribution to a complete community and its inclusion was highly favourable to address the Town's land need.

Environmental

- Our client's environmental consultant, Colville Consulting Inc. has conducted preliminary, on-site environmental investigations and constraint mapping, which identifies that approximately 9.8 hectares of the site are developable after protecting for environmental features and their minimum vegetation protection zones.
- The Colville mapping is generally consistent with that prepared by the Region's consultant North South Environmental which informed the Natural Environment System mapping in the proposed Official Plan, with only minor discrepancies on the size of the woodland. While the Colville mapping is based on more thorough field investigation and therefore provides a more refined delineation of the environmental features on the site, both maps indicate that slightly less than 10 hectares of the Subject Lands are unconstrained and available for development.

- Many, if not all, of the expansion areas identified in the Town contain environmental features to some extent. The remaining developable area on the Subject Lands is consistent with, and in some cases larger than, the size of the developable areas on other proposed expansion sites.

Servicing

- The servicing concerns raised in respect of the Subject Lands relate only to sanitary infrastructure such as the pumping station and collection system. Capacity in the wastewater treatment plant and municipal water services are available to accommodate future development of the Subject Lands.
- Options exist to provide sanitary servicing to the Subject Lands through upgraded or new pumping station infrastructure, which would be expected to be assessed through the Region's update to its Water and Wastewater Master Servicing Plan. There are no servicing constraints which are unresolvable or serious enough to preclude any growth on the Subject Lands over the 30 year time horizon of the Official Plan.

Growth Management

- The Subject Lands represent a prime location for expansion and a logical extension of the current Settlement Area. The lands are already well-served due to their location adjacent to the Town's largest urban area with existing community facilities, services and transportation corridors available in the immediate vicinity. They will form part of the larger expansion area with the lands to the north, allowing for comprehensive community planning to occur. Exclusion of the Subject Lands from the Settlement Area would detract from a complete community planning approach for the Garrison Road corridor.
- At approximately 10 hectares in size, the developable area of the Subject Lands provides a sufficiently large parcel of land, consistent with the size of other proposed expansion areas in the Town, which will assist in accommodating the Town's future growth and can be developed with a range of housing types well within the planning horizon of the Official Plan.
- Minor adjustments to the Land Needs Assessment are permitted, as was done with the recent inclusion of the 0 Nigh Road parcel which is now being recommended for the expansion area in Region Staff Report PDS 17-2022. Re-inclusion of a portion of the Subject Lands would also represent a minor adjustment which would not require any removal of other lands from the proposed Settlement Area.

Conclusion

The Subject Lands have been the subject of thorough study and assessment throughout the Town's and Region's studies, both of which resulted in positive recommendations to support their inclusion with the Urban Settlement Area.

The reasons for removal identified by Regional Staff in the March SABR can be resolved by including only the 10 hectare developable area of the Subject Lands to ensure strong protection of the environmental features on the site and more accurately reflect the Subject Lands' contribution to the needed land supply. Inclusion of the Subject Lands will allow for comprehensive planning with the other expansion lands to the north to create a complete community that will meet the Town and Region's future growth needs.

In consideration of the above and the attached comment letter, our client respectfully requests that the proposed Official Plan mapping be revised prior to final adoption to identify the 10 hectare developable portion of the Subject Lands within the Urban Area as Designated Greenfield Area on proposed Schedule B.

We request notice of any decision made by the Committee or Regional Council in respect of this matter.

Yours truly,
DAVIES HOWE LLP



Meaghan McDermid

MM:MM

copy: Client
Mr. Maurizio Rogato, Blackthorn Development Corp.

June 8, 2022

By E-Mail Only to *diana.morreale@niagararegion.ca*

Ms. Diana Morreale
Acting Director, Community and Long Range Planning
Niagara Region
1815 Sir Isaac Brock Way
P.O. Box 1042
Thorold, ON L2V 4T7

Dear Ms. Morreale,

**Re: Request for Settlement Area Re-Inclusion
SABR ID: 1151 – Lands located on Garrison Road between Rosehill Road
and Municipal Centre Drive, Town of Fort Erie**

We are counsel to Mega Canada Ltd., the owner of approximately 19.7 hectares of land located on Garrison Road between Rosehill Road and Municipal Centre Drive in the Town of Fort Erie (the “**Subject Lands**”). The Subject Lands have been identified as SABR ID: 1151 in the Region’s Settlement Area Boundary Review (“**SABR**”) process.

We are writing further to our review of Region Staff Report PDS 17-2022, your meetings with our client representative Mr. Huo on March 7, 2022 and more recently with our client’s planning consultant Mr. Rogato on June 7, 2022. As discussed in your recent meeting, and for the reasons set out herein, our client is requesting that Regional Staff recommend that a portion of the Subject Lands be re-included in the Region’s Settlement Area prior to adoption of the new Official Plan by Council.

As you know, the Subject Lands were recommended for inclusion in the Settlement Area by the Town of Fort Erie (“**Town**”) and originally, by Regional Staff in your December 8, 2021 report PDS 41-2021, before being removed from the recommended Settlement Area expansion lands in your March 9, 2022 report PDS 6-2022.

We note that, with the exception of one other site (the Horse and Pony Rescue Operation in Crystal Beach) which was recently removed at the request of the property owner, the Subject Lands are the only site out of more than 1,000 hectares of expansion land across four local municipalities which was removed following the original December, 2021 SABR recommendations.

We understand that the reasons given for removal of the Subject Lands relate to the presence of environmental features and servicing issues. Our client and its expert land use planning, environmental and engineering consultants have reviewed these concerns, studied the site and refined the request for inclusion to apply to only an approximately 10 hectare portion of the Subject Lands, which is expected to be unconstrained and available for development, and which is worthy of inclusion in the Settlement Area, consistent with the original Staff recommendations.

Background

While we know that you are intimately familiar with the details of the Region's Municipal Comprehensive Review ("**MCR**") process and SABR analysis, the history as it relates to the Subject Lands bears repeating for context.

Town UAB Study

In early 2021, the Town undertook an Urban Boundary Expansion Study to provide the Region with its recommended expansion locations to meet the Town's community land need of 105 hectares, as identified through the Region's MCR and Land Needs Assessment ("**LNA**").

On February 22, 2021, Town Council endorsed the recommendations in Town Staff Report PDS-14-2021 and the Urban Area Boundary Expansion Study Addendum #1 prepared by WSP (the "**Town UAB Study**") and directed that it be forwarded to the Region to inform the MCR.

The Town UAB Study recommended that two areas, the Ridgeway-Crystal Beach Area and Spears High Pointe-Crescent Park Area ("**Spears High Pointe Area**"), and two individual sites (171 Gorham Road and 0 Nigh Road) be prioritized for residential uses. The Subject Lands are located within the Spears High Pointe Area (identified as Area 2) and were recommended as the second priority parcel within this Area and 7th highest priority parcel overall in the Town.

The Town's UAB Study concluded the following about the Subject Lands: "Area 2 should be prioritized, as it is serviced, accessible and does not require environmental study".

Of note, lands on the north side of Garrison Road, west of Sunset Drive (identified as the "Sunset Road" parcel in the Town's UAB Study), which have been included in the Region's recommended Settlement Area expansion, were not identified as a priority for inclusion by the Town due to lack of sanitary servicing and notable environmental constraints, among other reasons.

A subsequent Town Staff Report PDS-41-2021 and Urban Area Boundary Expansion Study – Addendum #2 prepared by WSP ("**Addendum 2**") was considered and endorsed by Town Council on May 31, 2021. The purpose of this report was to identify candidate

lands that may be considered for UAB expansion outside of the MCR process. The four parcels identified in Addendum 2 (totalling only 52.6 ha) did not include the Subject Lands.

Addendum 2 noted that the Spears High Pointe Area was not identified as a priority in the near-term due to significant servicing constraints, but if the lands gain access to servicing, they could be developed as a priority as they are contiguous to existing development, representing a logical extension to the settlement area boundary.

Addendum 2 did not change Town Council's position that the Subject Lands should be included in the UAB through the Region's MCR as identified in the February 22, 2021 recommendations. The purpose of Addendum 2 was to identify lands for expansion outside of the MCR and within a shorter time frame, whereas the Region's MCR is intended to plan for growth over a 30 year period to the year 2051.

Region SABR

The Region's August, 11, 2021 Made-in-Niagara Forecast and Revised LNA identified that 105 hectares of community land is required in the Town to meet the Region's population growth forecasts for the Town to the year 2051.

The December 8, 2021 Region Staff Report PDS 41-2021 *Settlement Area Boundary Review Urban Recommendations* (the "**December SABR**") recommended three expansion areas in the Town to meet the identified community land need. Recommendation No. 2 identified 93 hectares of land which included the Town's priority Spears High Pointe Areas 1 and 2 (the latter being the Subject Lands), the Sunset Road parcel and additional lands to the north of that parcel which were not assessed in the Town's UAB Study and for which we could not locate a SABR Assessment Sheet.

The December SABR identified that a comprehensive strategic planning exercise including sub-watershed, servicing and transportation would be expected to be undertaken to coordinate future development of the Recommendation No. 2 area.

In respect of the Subject Lands, the individual SABR assessment identified the following:

- Some growth capacity to service the site available at Anger Ave WWTP;
- Sanitary and water servicing is feasible;
- Access to major transportation corridors, expansion of transit and active transportation facilities are feasible;
- Approximately half of the site is shown as Natural Heritage System ("**NHS**"), but it is outside of the Provincial NHS;
- The inclusion of the site would provide the highest contribution to a complete community due to its size and location immediately adjacent to facilities and transit, even though environmental features on the lands could limit some development potential; and

- The inclusion of the site was highly favourable to address land need for the community.

The December SABR recommendations were received by the Planning and Economic Development Committee (“**PEDC**”) on December 8, 2021 and by Regional Council on December 16, 2021.

Then, shortly after your meeting with our client, Region Staff Report PDS 6-2022 dated March 9, 2022 (the “**March SABR**”) recommended revisions to the Settlement Area recommendations to remove only the Subject Lands from the Recommendation No. 2 Area and in its place, add an additional 11 hectare site at 171 Gorham Road and an additional 19 hectares of land on the north side of Garrison Road between Rosehill Road and Laur Road, the majority of which is already developed with rural homes and businesses.

The March SABR indicated that the Subject Lands were recommended to be removed from the Settlement Area due to the identification of environmental features on approximately half of the property and servicing constraints. The SABR assessment sheet was updated with the following:

- Sanitary servicing is identified as low feasibility. Inclusion of the lands within a new servicing strategy for lands north of Garrison Road is no longer feasible and the lands would be directed to Dominion Road pumping station which currently has challenges;
- More than half of the site is shown as NHS;
- The site will provide a lower contribution to a complete community because the extent of environmental features present challenges to development and there are servicing constraints;
- The inclusion of the site is of lower favourability to address land need because there is a reduced area of developable land given the natural features present.

We understand from Region Staff Report PDS 17-2022 dated June 15, 2022 (the “**June Report**”) that is to be considered by PEDC on June 15, 2022 that an additional site located at 0 Nigh Road consisting of 10.5 hectares is now being recommended for inclusion in the Town’s Settlement Area as a result of a minor adjustment in the LNA. The Final LNA was not available for review at the time of writing.

The Subject Lands

Environmental

Our client has retained Colville Consulting Inc., who have conducted preliminary, on-site environmental investigations and constraint mapping. A copy of Colville’s preliminary constraint mapping is attached as Attachment 1. Of course, the exact limits of

development would be determined in the future in accordance with the Region's and Town's Official Plan policies and following more detailed analysis to be conducted and reviewed through future development applications.

Colville's preliminary investigations indicate that, after protecting for environmental features and their minimum vegetation protection zones, approximately 9.8 hectares of the Subject Lands are developable (the "**Developable Area**").

You previously shared with our client a copy of the North South Environmental mapping for the Subject Lands which we understand served as the basis for the Official Plan's Natural Environment System mapping on proposed Schedules C1 and C2. A copy of the North South Environmental mapping for the Subject Lands is attached as Attachment 2.

Notably, the Colville mapping is generally consistent with the North South Environmental mapping, with only minor discrepancies in the size of the woodland. In our view, the Colville mapping provides a more refined delineation of the environmental features on the site, as it is based on more thorough field investigation.

We had understood that the North South Environmental mapping was developed through a desktop review, as is typical for an Official Plan level assessment. In your meeting with Mr. Rogato, he was advised that North South Environmental may have conducted an on-site review of the Subject Lands. We trust that this "on-site" visit was conducted from the public realm, as we were advised by our client that no authorization has been sought or granted for North South Environmental to attend on the Subject Lands. Given that the area of discrepancy between the North South Environmental and Colville mapping is primarily in the interior of the site, the Colville mapping, completed with full access to the Subject Lands, should therefore be considered more accurate.

Regardless, whether the Colville or North South Environmental mapping is relied on, it is clear that both agree that slightly less than 10 hectares of the Subject Lands are unconstrained and available for development.

Therefore, to address Regional Staff's concerns and ensure the future protection of environmental features, our client seeks to have only the Developable Area of the Subject Lands (approximately 10ha) re-included within the Region's Settlement Area.

The presence of environmental features on a portion of the Subject Lands should not constitute a sufficient reason to exclude the entire parcel from the Settlement Area, particularly given the size of the remaining Developable Area, which is consistent with or larger than other recommended expansion areas in the Town, and our client's revised request to exclude the environmental features from the expansion area.

Many, if not all, of the expansion areas in the Town have been identified to contain environmental features to some extent. For example, the recently added 0 Nigh Road (a 10.5 hectare parcel) was originally assessed in the December SABR to be entirely within

the Provincial Natural Heritage System, and while we understand that environmental study has been undertaken to refine the extent of the environmental features on the site, it remains constrained to an extent and will therefore have less land available for development than the Subject Lands. The expansion lands on the north side of Garrison Road also contain environmental features, including a Provincially Significant Wetland.

The Developable Area represents a significantly sized parcel of land which can be developed within the planning horizon of the Official Plan with a variety of housing types to meet the Town and Region's future growth needs, while ensuring that the important environmental features on the Subject Lands and their functions will be protected.

Servicing

It is our understanding that concerns regarding servicing of the Subject Lands relate only to sanitary servicing, as municipal water servicing is confirmed to be feasible. Further, with respect to sanitary servicing, we understand that the Anger Avenue Wastewater Treatment Plant ("WWTP") has existing capacity to accommodate future growth, including from the Subject Lands. Therefore, the only new or upgraded infrastructure which might be required to service the Subject Lands would be pumping station and collection system infrastructure.

As noted in the Town's Addendum 2 and the December SABR, a sanitary servicing strategy will be required for the Spears High Pointe Area, which would include the 175 ha of employment lands and 92 hectares of community land on the north side of Garrison Road which are proposed to be included in the Settlement Area. It is not clear why the Subject Lands, which are located directly across Garrison Road from the remainder of the expansion lands, are not feasible for inclusion in this new servicing strategy, and it is likely premature to make such a determination at this stage, prior to the update to the Region's Water and Wastewater Master Servicing Plan ("MSP").

Further, in the event that it is truly not feasible to include the Subject Lands within the servicing strategy for the lands to the north, other servicing options exist. The Subject Lands are located adjacent to the catchment areas for both the Dominion Road SPS and the Alliston Avenue SPS, the latter of which is indicated in the December SABR as providing feasible sanitary servicing for the lands to the north. Potential future upgrades, if necessary, to either of these SPS could be investigated to accommodate growth from the Subject Lands. Alternatively, a new SPS could be constructed to service the development of the Subject Lands.

The March SABR indicates that servicing for the Subject Lands is not feasible because the Dominion Road SPS is presently experiencing challenges. Planning for growth cannot rely on present servicing infrastructure and its limitations, rather planning for growth and infrastructure must go hand in hand. The need for new and upgraded

infrastructure to accommodate growth over a 30 year period, as this Settlement Area expansion is intended to do, is inevitable.

The Region is currently undertaking an update the to 2016 MSP which we would expect to assess the present challenges and determine how they can be resolved to support the planned growth in the Town to 2051. We note that the 0 Nigh Road lands which are now proposed for inclusion are also within the Dominion Road SPS area, and therefore, the resolution of any issues with the Dominion Road SPS will be required to support the Region's proposed Settlement Area expansion regardless of whether the Subject Lands are included or not.

In our client's view, the present and potential servicing challenges do not provide sufficient justification to exclude the Subject Lands from the expansion area, as these challenges can be addressed through future infrastructure planning processes, development approvals and detailed design. This is particularly so, as the challenges here relate to more minor infrastructure like pumping stations, as opposed to major infrastructure like a WWTP or capacity issues caused by limitations in a receiving watercourse. As noted, capacity does exist currently in the Anger Avenue WWTP to accommodate future development of the Subject Lands.

Planning

The Subject Lands represent a prime location for expansion and a logical extension of the current Settlement Area. The lands are already well-served due to their location adjacent to the Town's largest urban area with existing community facilities, services and transportation corridors available in the immediate vicinity. They will also form part of the larger expansion area with the lands to the north, allowing for comprehensive community planning to occur. Exclusion of the Subject Lands from the Settlement Area would detract from a complete community planning approach for the Garrison Road corridor.

The Subject Lands' high value for expansion is undeniable, as evidenced through both the Town's UAB Study and the December SABR which ranked the Subject Lands as highest contribution to a complete community and highly favourable in addressing the Region's land needs. As discussed above, the reasons identified in the March SABR for lowering these rankings are resolved by limiting the expansion area to only the Developable Area.

At approximately 10 hectares in size, the Developable Area provides a sufficiently large parcel of land, consistent with the size of other proposed expansion areas in the Town, which will assist in accommodating the Town's future growth and can be developed with a range of housing types well within the planning horizon of the Official Plan.

The Region's LNA identified that 105 hectares of community land is required to meet growth needs in the Town to 2051. With the removal of the Subject Lands, the ability to meet this need in a comprehensive manner would be jeopardized.

Through the reporting, it is not clear how the amount of land to be added to meet the Town's 105 hectare need was calculated and what exclusions, if any, were netted out of the gross land areas.

However, we note that all of the lands included in the original December SABR Recommendation No. 2 Area include environmental constraints and, for the lands to the north, potential limitations due to Minimum Distance Separation requirements which will limit the overall developable area.

Further, the 19 hectares of land on the north side of Garrison Road, which were included through the March SABR following the removal of the Subject Lands, do not constitute vacant, greenfield land, but are already developed with rural homes and businesses. While there may be potential for infill or redevelopment of lands within this area, the growth potential is limited and it should not be assumed to contribute in any meaningful way to the required land supply.

Finally, as is noted in the June Report, the Provincial Land Needs Assessment Methodology allows for minor adjustments to the LNA, which would allow additional parcels to be included, or for the Subject Lands re-included, as was done with the recent inclusion of the 0 Nigh Road parcel. Re-inclusion of a portion of the Subject Lands would also represent a minor adjustment which would not require any removal of other lands from the proposed Settlement Area.

Accordingly, the Developable Area of the Subject Lands should be re-included in the recommended Settlement Area to ensure that the Region will provide for sufficient vacant, developable land to meet the Town's forecasted growth needs and to ensure a complete community planning approach for the area.

Conclusion

The Subject Lands have been the subject of thorough study and assessment throughout the Town's and Region's studies, both of which resulted in positive recommendations to support their inclusion with the Urban Settlement Area.

The reasons for removal identified in the March SABR are resolved by limiting the expansion area to only the Developable Area, which will ensure strong protection of the environmental features on the site and more accurately reflect the Subject Lands' contribution to the needed land supply.

In consideration of the above, our client respectfully requests staff support a revision to the proposed Official Plan mapping prior to final adoption to identify the Developable Area

of the Subject Lands within the Urban Area as Designated Greenfield Area on proposed Schedule B.

Yours truly,
DAVIES HOWE LLP



Meaghan McDermid

MM:MM

copy: Mr. Greg Bowie, Senior Planner, Long Range Planning, Niagara Region
Mr. David Heyworth, Official Plan Policy Consultant, Niagara Region
Mr. Phill Lambert, Director, Infrastructure Planning and Development
Engineering, Niagara Region
Client
Maurizio Rogato, Blackthorn Development Corp.



Legend

- Subject Property
- Surface Watercourse
- 15m Buffer from Surface Watercourse
- Significant Woodland
- 15m Buffer from Significant Woodland
- Developable area

Extent of Mapped Woodlands on the Subject Lands

Garrison Road and
Rosehill Road Property

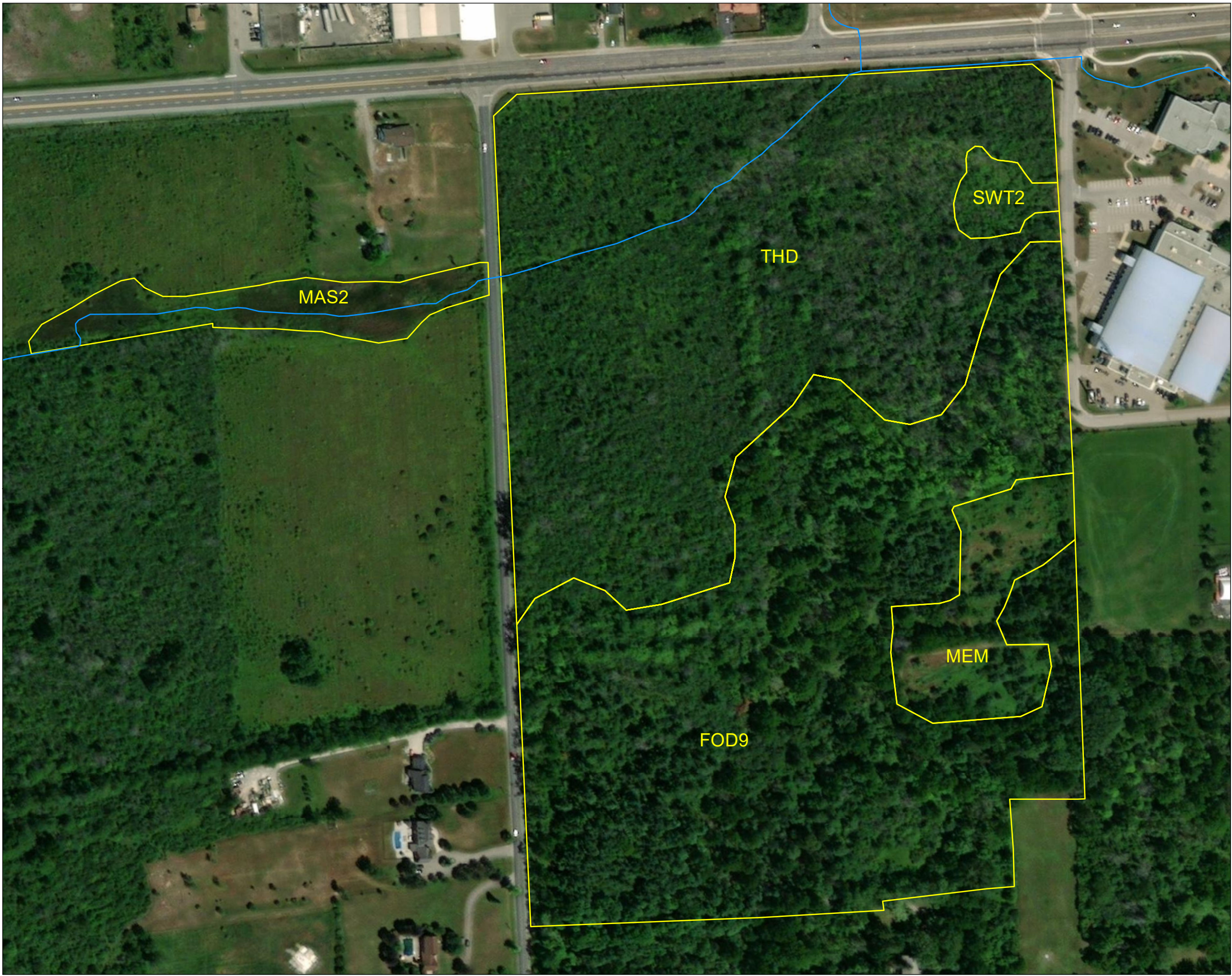
Prepared for: Mr. Victor Huo

Prepared by: **COLVILLE**
CONSULTING INC. 

Notes: Entire property designated as Significant Natural Area

September 2020

FILE: C2006



1 Municipal Center Dr
Ecological Land Classification

Legend

- Watercourse
- Ecological Land Classification
- FOD9 - Fresh-Moist Oak-Maple-Hickory Deciduous Forest Ecosite
- MAS2 - Graminoid Mineral Shallow Marsh Ecosite
- MEM - Mixed Meadow
- SWT2 - Willow Mineral Deciduous Thicket Swamp Ecosite
- THD - Deciduous Thicket



| | | |
|---------------------------|---------------------|---|
| Project Number 18-1043 | Date: 2022-02-18 | N |
|---------------------------|---------------------|---|

Map Produced by North South Environmental (NSE) Inc.
This map is proprietary and confidential and must not be duplicated or distributed by any means without permission of NSE.
Data Provided by: North South Environmental Inc.
Imagery: ESRI





June 13, 2022

Chair Diana Huson
Planning and Economic Development Committee
Niagara Region

VIA EMAIL

Dear Chair Huson:

RE: **REPORT PDS 17-2022**

NPG Planning Solutions Inc. represents River Realty Development (1976) Inc., Club Italia and the Redeemer Bible Church who collectively are the owners of approximately 40 hectares of land located in the City of Niagara Falls. Our clients' lands are encompassed in the lands identified as new Community Lands in Report PDS 17-2022 and are generally referred to as Northwest Niagara Falls. We are in support of the recommendation of Regional Planning Staff which would include our client's lands within the proposed larger expansion area as outlined in PDS 17-2022 and the recommended Niagara Region Official Plan.

In addition to supporting the inclusion of our client's lands, we also wish to support the mapping by Regional Planning Staff with the inclusion of additional lands that would fall within the quadrant bordered, generally, by the Queen Elizabeth corridor to the East, Mountain Road to the North and Kalar Road to the West. This is a logical boundary for the northwest settlement area of Niagara Falls and supports developing a complete community in this area of Niagara Falls.

We wish to express our appreciation for the work of Regional staff in the analysis and preparation of the new Niagara Region Official Plan. We request that the Planning and Economic Development Committee and Regional Council support the recommendations in Report PDS 17-2022.

Yours truly,



Mary Lou Tanner, FCIP, RPP
Principal Planner
NPG Planning Solutions Inc.
mtanner@npgsolutions.ca

Copy: M. Sergi, MCIP, RPP, Niagara Region
D. Morreale, MCIP, RPP, Niagara Region
D. Heyworth, MCIP, RPP, Niagara Region
J. Mestek, River Realty
V.F. Muratori, Sullivan-Mahoney



June 13, 2022

Chair Diana Huson
Planning and Economic Development Committee
Niagara Region

VIA EMAIL

Dear Chair Huson:

RE: **LANDS EAST OF WELLAND CANAL ("NYON")
PART OF LOTS 23, 24, AND 25 CONCESSION 4, AND PART OF LOTS 16
TO 20, CONCESSION 5, CITY OF PORT COLBORNE**

Thank you for the opportunity to provide comments on the Draft of the Niagara Regional Official Plan, Schedules and Appendices. NPG Planning Solutions Inc. are the planning consultants to Nyon Oil Inc., owners of the above lands in the City of Port Colborne.

These lands have been the subject of multiple applications which resulted in a decision of the (former) Ontario Municipal Board approving development for these lands. Niagara Region was an active participant in this hearing, bringing forward the Rural Employment policies and mapping as part of the settlement of this matter. To implement the OMB decision, we are currently in the process of preparing the site plan application for submission to the City of Port Colborne. Regional planning staff (Development Services) have been participants in the ongoing work.

We are writing to you regarding the proposed Official Plan for adoption and the Nyon lands. Through this Official Plan process, we have worked with Regional staff – Diana Morreale and David Heyworth – to address the mapping and policies for the Nyon lands. You will find in the Official Plan revised mapping that incorporates Rural Employment lands as well as policies for Rural Employment Lands.

We have reviewed both the mapping and policies. We are satisfied that both reflect the previous Ontario Municipal Board decision and the appropriate policies for development of these lands.

We wish to express our thanks to Ms. Morreale and Mr. Heyworth for their assistance in addressing our comments. We request the Committee and Council support the recommended mapping and policies for the Rural Employment lands.

Thank you.

Yours truly,



Mary Lou Tanner, FCIP, RPP
Principal Planner
NPG Planning Solutions Inc.
mtanner@npgsolutions.ca

Copy: D. Landry, MCIP, RPP & D. Schulz, MCIP, RPP, City of Port
Colborne
M. Sergi, MCIP, RPP, Niagara Region
D. Morreale, MCIP, RPP, Niagara Region
D. Heyworth, MCIP, RPP, Niagara Region
G. Baker, Nyon Oil
S. Lemke, Lemke Law
J. Ayres, Ayres Law

2022-05-24

Niagara Region
1815 Sir Isaac Brock Way
P.O. Box 1042
Thorold, ON L2V 4T7
Canada

Attn: Michelle Sergi
Commissioner of Planning
Via email: makingourmark@niagararegion.ca;

Re: Niagara Region Official Plan Review

WSP has been retained and is acting on behalf of CN Rail and are pleased to have this opportunity to provide comments on the Niagara Region Official Plan Review. It is our understanding that a Public Meeting was held on April 22, 2022 and the comments provided herein will be provided to Staff and Council. We request that the comments herein be considered.

We recognize and understand there is growing Provincial emphasis on promoting the movement of people and goods by rail and incorporating greater integration of multimodal transportation and goods movement into land use and transportation system planning. Our comments focus on policies and/or infrastructure initiatives as they relate to existing and/or future CN Rail facilities, operations and infrastructure. Specifically, the Provincial Policy Statement, 2020 (PPS) requires that new development on adjacent lands be compatible with, and supportive of, the long-term viability of the rail corridor and should be designed to avoid, mitigate or minimize negative impacts on and from the corridor.

It is our opinion, supported by the PPS and the Ministry of Environment, Conservation and Parks (MECP) D-6 Compatibility between Industrial Facilities Guidelines (D-6 Guidelines), that planning for land uses in the vicinity of *rail facilities* be undertaken in such a way that the economic function and long-term operation of rail systems are protected. Provincial policy sets out that sensitive land uses be appropriately designed, buffered and/or separated from rail facilities.

Additional provincial guidance regarding land use compatibility between industrial and sensitive land uses is provided in the D-6 Guidelines. It is our opinion that rail yards are considered a major facility per the PPS and would be classified by the D-6 Guidelines as Class III Industrial Facilities because of their scale, adverse effects from the facility, and continuous operations. Per Section 1.2.6 of the PPS, major facilities and sensitive land uses should be planned and developed to **avoid** (emphasis added), and where avoidance is not possible, to minimize and mitigate potential adverse effects from odour, noise and other contaminants. Sensitive uses should only be located in proximity to the major facility and only when the need for the use is established and when there are no reasonable alternative locations for the proposed use. Moreover, the D-6 Guidelines recommend that **no incompatible development** (emphasis added) should occur within 300 metres of a Class III facility. Further to the provincial policy test above, a feasibility analysis is required for any proposed sensitive land use within 1 kilometer of a Class III facility. The Province of Ontario, through the Ministry of Transportation, has issued Freight-Supportive Guidelines that also speak to the need for appropriate land uses around freight facilities.

It is our position that the Region of Niagara needs to incorporate policies that reflect the new PPS and provide policy direction in the Official Plan.

The proposed Regional Official Plan encompasses an area that contains CN rail rights-of-way for CN rail lines. CN Rail views these rights of way as Major Goods Movement Facilities and Transportation Corridors as outlined in the PPS. In addition, CN has freight rail yards within the Region of Niagara, including the Merritton Trillium Interchange, Thorold Yard, Port Robinson Yard, South Yard, and the Fort Erie Yard. These facilities are important to the Regional, Provincial and National economy. As such, the current and future operations of these facilities need to be protected from encroachment by sensitive land uses as per Provincial Policy. CN Rail views these rail yards as Major Facilities and the land use compatibility policies of the PPS apply to these facilities.

About CN Rail, Railway Noise and other Adverse Effects

CN Rail is a federally regulated railway company, and is governed by various federal legislation, including the *Canada Transportation Act* (CTA) and the *Railway Safety Act* (RSA), among others. The CTA requires federally regulated railway companies to only make such noise and vibration as is reasonable. The test of reasonableness under the CTA takes into consideration the railway company's operational requirements and its level of service obligation under the Act, as well as the area where the construction or operation takes place. In its decisions the Canadian Transportation Agency (Agency) has concluded that municipalities have a responsibility to assess compatibility issues before approving housing developments in proximity to railway rights-of-way. The Agency also commented that where a municipality approves the development, it has a responsibility to ensure that the necessary mitigation measures are implemented. One example of such a decision is Decision No. 69-R-2014, dated February 27, 2014.

It is important to understand that there is no specific decibel limit for CN operations contained in federal guidelines related to the construction or operation of rail facilities. Those federal guidelines clearly state that, while the Agency may take provincial and

municipal noise and vibration guidelines into account in its deliberations, the Agency is not bound by those guidelines

Note that certain noises from a freight rail yard are stationary noise sources per the MECP Noise Guideline (NPC-300). In addition, the NPC-300 Class 4 area classification does not benefit federally regulated land uses, as they are not subject to provincial regulation (see above) and as such should not be considered the default approach for noise mitigation.

Rail Proximity Guidelines are available at the following: <https://www.proximityissues.ca/>

Guidelines for the Resolution of Complaints Over Railway Noise are available at the following: <https://otc-cta.gc.ca/eng/publication/guidelines-resolution-complaints-over-railway-noise-and-vibration/>

Preliminary Comments and Concerns

In the Region of Niagara, CN operates the Merriton Trillium Interchange, Throld Rail Yard, Port Robinson Rail Yard, South Yard, and the Fort Erie Rail Yard, in addition to main line facilities, that is an important component of the overall freight rail network in Canada. As such, any policies in the Regional Official Plan are requested to incorporate reference to CN Rail's infrastructure and the guidelines referenced above.

We note the following high-level comments and concerns with the Regional Official Plan:

1. General Acknowledgement

Council acknowledges the importance of the rail infrastructure and recognizes its critical role in long-term economic growth and the efficient and effective movement of goods and people. Council shall ensure the continued viability and ultimate capacity of the rail corridors and yards is protected and shall identify and support strategic infrastructure improvements such as targeted grade separations.

2. Add rail facilities and defined areas of influence to a schedule.

We recommend identifying rail facilities and the areas of influence (300 metres for a rail line, 1 km for a rail yard) in schedule J1 of the Regional Official Plan. Identifying their boundaries will reduce the uncertainty for planning and developing sensitive land uses, and it will help to identify and avoid land use conflicts for those areas.

3. Policy direction should clarify that new developments would be required to meet the PPS requirements for the long-term protection of Rail Facilities

The policies proposed below are recommended to be included in the proposed Regional Official Plan to address development requirements in proximity to rail facilities.

- a) Evaluating, prioritizing and securing grade separation of railways and major roads, in cooperation with Transport Canada and the railways;
- b) Development in proximity to rail facilities shall be developed in accordance with the Guidelines for New Development in Proximity to Railway Operations prepared by the Federation of Canadian Municipalities and the Railway Association of Canada (FCM-RAC Guidelines);
- c) Ensuring that noise, air quality, vibration and safety issues are addressed for all developments adjacent and in proximity to rail facilities;
- d) Sensitive land uses will not be encouraged adjacent or in proximity to rail facilities;
- e) All proposed residential or other sensitive use development within 300 metres of a railway right-of-way will be required to undertake noise studies, to the satisfaction of the Municipality, in consultation with the appropriate railway operator, and shall undertake appropriate measures to mitigate any adverse effects from noise that were identified. All available options, including alternative site layouts and/or attenuation measures, will be thoroughly investigated and implemented to ensure appropriate sound levels are achieved;
- f) All proposed developments within 75 metres of a railway right-of-way will be required to undertake vibration studies, to the satisfaction of the Municipality, in consultation with the appropriate railway operator, and shall undertake appropriate measures to mitigate any adverse effects from vibration that were identified;
- g) All proposed building setbacks shall be in accordance with the FCM-RAC Guidelines. As a general guideline, buildings shall be setback 30 metres with an appropriate berm abutting the rail right-of-way. Reduced setbacks can be considered in certain circumstances dependant on the proposed use and in conjunction with additional study and alternative safety measures, to the satisfaction of the Municipality, in consultation with the appropriate railway operator;
- h) All proposed development adjacent to railways shall ensure that appropriate safety measures such as setbacks, berms, crash walls and security fencing are provided, to the satisfaction of the Municipality, in consultation with the appropriate railway operator.

Where applicable, the Municipality will ensure that sightline requirements of Transport Canada and the railway operators are addressed; and

- i) Implementation and maintenance of any required rail noise, vibration, air quality and safety impact mitigation measures, along with any required notices on title such as warning clauses and/or environmental easements, will be secured through appropriate legal mechanisms, to the satisfaction of the Municipality and the appropriate railway operator.

4. Policy direction should clarify that new developments would be required to meet the PPS requirements for land use compatibility with respect to major facilities.

The PPS requires that sensitive land uses be developed in a way that avoids or mitigates the adverse effects of odour, noise, and other contaminants. To further strengthen the Regional Official Plan's conformity with these policies in the PPS, we recommend that statements be added to several policies to ensure that new developments are required to meet the PPS requirements for land use compatibility:

- a) *"Major facilities and sensitive land uses shall be planned and developed to avoid, or if avoidance is not possible, minimize and mitigate any potential adverse effects from odour, noise and other contaminants, minimize risk to public health and safety, and to ensure the long-term operational and economic viability of major facilities in accordance with provincial guidelines, standards and procedures and the Ministry of the Environment, Conservation and Parks guidelines. (PPS 1.2.6.1)"*
- b) Where avoidance is not possible in accordance with the policy above, planning authorities shall protect the long-term viability of existing or planned industrial, manufacturing or other uses that are vulnerable to encroachment by ensuring that the planning and development of proposed adjacent sensitive land uses are only permitted if the following are demonstrated in accordance with provincial guidelines, standards and procedures:
 - a. there is an identified need for the proposed use;
 - b. alternative locations for the proposed use have been evaluated and there are no reasonable alternative locations;
 - c. adverse effects to the proposed sensitive land use are minimized and mitigated; and

- d. potential impacts to industrial, manufacturing or other uses are minimized and mitigated. (PPS 1.2.6.2)"
- c) Requiring that the planning and development of a sensitive land use near or adjacent to a major facility be done in accordance with the PPS and provincial guidelines, standards and procedures. CN Rail considers Freight Rail Yards to be Class III Industrial Use per the MECP D-6 Guidelines.
- d) New or expanded residential development or other sensitive land uses will not be permitted within 300 metres of a rail yard. A local Official Plan Amendment shall be required to introduce or expand a sensitive land use within 300 metres of a freight rail yard. Study requirements for other land uses within 300 metres are to be completed in accordance with the FCM-RAC Guidelines and the MECP D-6 Guidelines.
- e) All residential development or other sensitive land uses located between 300 m and 1000 m of a rail yard will be required to undertake land use compatibility studies, to the satisfaction of the Municipality and the appropriate railway operator, to support the feasibility of development and, if feasible, shall undertake appropriate measures to mitigate any adverse effects from noise that were identified.


Conclusion

We would like to thank you again for the opportunity to participate in the Niagara Region Official Plan Review. We look forward to continuing to work with the Region throughout this process to ensure that this important industry is protected in the land use framework in Ontario. Please forward all future documents to proximity@cn.ca and the undersigned.

Thank your time and we look forward to receiving further information on this initiative.

Yours very truly.

WSP CANADA INC.



Chad B. John-Baptiste, MCIP, RPP

Director, Planning – Ontario

Copy: Eric Harvey, CN Rail

THOMSON ROGERS

LAWYERS

David N. Germain
416-868-3162
dgermain@thomsonrogers.com

SENT BY EMAIL

June 14, 2022

Ms. Diana Huson, Chair
Planning and Economic Development Committee
Region of Niagara
1815 Sir Isaac Brock Way
P.O. Box 1042
Thorold, Ontario
L2V 4T7

Dear Chair Huson:

Re: Proposed Niagara Official Plan
PDS 17-2022, Planning and Development Committee
Port Colborne Quarries Inc.
Our File No. 500725

We are the solicitors for Port Colborne Quarries Inc. (“PCQ”) which operates the Port Colborne Quarry in the City of Port Colborne. On behalf of our client, we are writing to make submissions on the proposed Niagara Official Plan (“NOP”).

PCQ is the proponent of active applications to expand the Port Colborne Quarries. These applications were deemed complete some time ago. Therefore, we understand, pursuant to Policy 7.12.2.5 of the NOP, that PCQ’s applications will be processed and decisions made under the Local and Regional Official Plan policies, as well as Provincial policies that existed when the application was deemed complete. We submit that this is appropriate.

Nonetheless, PCQ and its planning consultants have reviewed the proposed NOP, and in particular those policies that pertain to aggregate extraction and related matters. As a result of that review, we wish to provide comments on a number of specific policies:

Policy 3.3.2.6 – this policy should contain an exception for facilities that are governed by an environmental compliance approval, or other provincial approval. In our view, provincial regulations, where they apply, ought to provide a complete code for the regulation of larger scale stormwater management undertakings. It is not in the public interest to duplicate regulatory functions already provided by Provincial agencies.

Policy 4.3.5.1 – the planned function of Regional Roads is to carry heavy truck traffic. On that basis, this policy should be clarified to provide that all Regional roads can be used as haul routes and that local roads can be used as haul routes to/from the Regional road network where necessary, as well as for local deliveries.

4.3.5.3 – this policy should be amended to delete the reference to "additional maintenance", as this is contrary to s. 12(1.1) of the *Aggregate Resources Act*. Also, in keeping with the principle that Regional Roads are intended for use by heavy trucks, the policy should be clarified by adding the following to the end of the currently proposed text: "...recognizing that Regional Roads have been constructed to accommodate heavy Truck Traffic and therefore, only intersection improvements to Regional Roads may be required, as appropriate."

Schedule C2 – to aid interpretation, an overlay of Regional and local roads should be added to this schedule.

In keeping with the Policies of the 2020 PPS and the importance of making aggregate resources available as close to market as possible, together with the significance of PCQ's ongoing operations, we request that the above-mentioned changes be made to the proposed NOP.

We respectfully request notice of the adoption of the NOP and that a copy of this correspondence be forwarded to the Ministry of Municipal Affairs and Housing. Notice should be provided to the undersigned, as well as to PCQ and its planning consultant Mr. Sisco at the following addresses:

Mr. Shawn Tylee
Vice President
Rankin Construction Inc.
20 Corporate Park, Suite 100- 101
St. Catharines, Ontario
L2S 3W2
stylee@rankinconstruction.ca

THOMSON ROGERS
LAWYERS

-3-

Mr. David Sisco
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David Germain
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dgermain@thomsonrogers.com

We thank the Committee for its consideration of this letter and PCQ's requests.

Yours very truly,



David N. Germain

DNG/dng

cc: Ann-Marie Norio, Regional Clerk
Michelle Sergi, Commissioner of Planning and Development Services
Shawn Tylee, PCQ
David Sisco, IBI Group

THOMSON ROGERS
LAWYERS

Jeffrey J. Wilker
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SENT BY EMAIL ONLY

June 13, 2022

Ms. Diana Huson, Chair
Planning and Economic Development Committee
Region of Niagara
1815 Sir Isaac Brock Way
P.O. Box 1042
Thorold, ON
L2V 4T7

Dear Chair Huson:

**Re: Proposed Niagara Official Plan
PDS 17-2022, Planning and Economic Development Committee
Cytec Canada Inc.
City of Niagara Falls
Our File 050846**

We are the solicitors for Cytec Canada Inc. (“Cytec”) – part of the Solvay Group. We have been requested by Cytec to make submissions regarding the proposed Niagara Official Plan (“NOP”).

On behalf of Cytec we are requesting that the employment lands/industrial precinct which Cytec occupies be mapped as such in the proposed NOP.

Background

Cytec is a major chemical manufacturing company with operations located in Niagara Falls for more than 100 years. Cytec manufactures phosphine in its facility located on its lands fronting Garner Road. Phosphine is a colourless, flammable toxic gas. Cytec is the largest phosphine manufacturer in the world with roughly 65% of the world market. Cytec exports its product worldwide from its Niagara Falls facility. Also located on its lands is a research lab facility. Cytec is a substantial and significant contributor to the City’s

economic well being, including carrying out a \$165 million plant expansion less than a decade ago.

Garner Road Location

Cytec's major landholdings in the City are located north of the Welland River fronting on Garner Road and consisting of approximately 1,000 acres ("the Cytec lands"). The Cytec lands include Thompson's Creek. The protection of the integrity of Thompson's Creek is of substantial importance to Cytec owing to its use as the outfall for the processing by the facility. Cytec is part of the longstanding industrial precinct in this part of the City.

Fundamental to Cytec's operations is the City's planning program as originally requested by Cytec, refined and implemented by the City's Planning Department, endorsed and supported by City Council, and upheld from time to time by the Ontario Municipal Board/Local Planning Appeal Tribunal (now the Ontario Land Tribunal) over the last twenty-five years or so.

The Planning Program

The City's planning program implements the fundamental planning principle that sensitive lands uses such as residential land uses, overnight accommodation uses, assembly hall type uses, day cares, nursing homes etc. are required to be separated from heavy industrial users. This planning program is implemented in part through the Cytec arc -- being a 2 km separation distance/arc ("the Cytec arc"). Within the Cytec arc, land uses are restricted to industrial, commercial and less intense recreational land uses, e.g. nature uses or golf courses, and residential land uses or overnight accommodations or other sensitive land uses are prohibited. Outside the arc, but proximate to the arc, restrictions are implemented on the height of land uses and the type of land uses is refined and/ or prohibited, e.g. daycares or nursing homes are of concern. Additionally on residential development outside but near the arc there is the requirement for a notice clause regarding the Cytec use.

This planning program addresses three fundamental objectives: mitigation of adverse effects; minimization of risk to public health and safety; and maintenance of the long term viability of existing industries. From Cytec's perspective these factors are of critical importance, and the City's planning program, including the arc, appropriately manage the risk safety profile of a major chemical manufacturing facility.

These principles were incorporated into the original Grand Niagara Resort Official Plan Amendment #37 (approved by the Ontario Municipal Board as it then was) and into the

Heartland Forest Official Plan Amendment #40. Subsequent Secondary Plans (Official Plan Amendments) being the Garner South Secondary Plan and the Grand Niagara Secondary Plan continued to implement these principles. All implementing planning approvals respect the Cytec arc in the Zoning By-law(s), plan(s) of subdivision, site plan(s) and consent(s).

Niagara Official Plan (“NOP”)

Cytec and its Planning Consultant have reviewed the proposed NOP and in particular those policies with respect to employment areas. The NOP only identifies certain employment lands on Schedules B and G (i.e., Core, Dynamic and Knowledge and Innovation). The NOP however does not identify all locally designated employment lands throughout the various local municipalities. The existing employment lands in the southwest quadrant of the existing Niagara Falls urban area, in which the existing Cytec operation is located, are not shown as Employment Area on the NOP schedules despite long standing industrial uses in this area.

Our concern with the approach under the NOP is that locally designated employment areas will not be sufficiently protected for future employment use and leaves these lands vulnerable to non-employment uses. This could potentially lead to employment conversions affecting existing industrial uses through the introduction of sensitive land uses. Cytec does not support employment conversions that introduce sensitive and incompatible land uses in proximity to its existing operations.

In keeping with the PPS 2020 and the Growth Plan 2019, the importance and continued vitality of the industrial precinct that Cytec occupies, together with the significance of Cytec’s ongoing operations, we request that the Region map this employment area as part of its employment lands mapping in the forthcoming NOP.

Request for Notice

We respectfully request notice of the adoption of the NOP and that a copy of this correspondence be forwarded to the Ministry of Municipal Affairs and Housing. Notice should be forward to the attention of the writer, together with a copy to Cytec’s Planning Consultant.



-4-

The addresses follow:

Glenn Wellings
Wellings Planning Consultants Inc.
513 Locust Street, Unit B,
Burlington ON L7S 1V3
E: glenn@wellingsplanning.ca

Jeffrey J. Wilker
Thomson, Rogers Lawyers
Suite 3100, 390 Bay St.
Toronto, ON M5H 1W2
E: jwilker@thomsonrogers.com

We thank the Committee for its consideration of this letter and Cytec's request.

Yours very truly,

A handwritten signature in black ink that reads "Jeff Wilker".

Jeffrey J. Wilker

JJW/pf

- cc: Ann-Marie Norio, Regional Clerk, Niagara Region
- cc: Michelle Sergi, Commissioner Planning and Development Services, Niagara Region
- cc: Kira Dolch, Director of Planning, Building and Development, City of Niagara Falls
- cc: Brad Campbell, Site Director, Cytec
- cc: Don Sorley, Country Controller, Cytec
- cc: Ken Milo, Environmental Rehabilitation Officer, Cytec
- cc: Glenn Wellings, Wellings Planning Consultants

June 14, 2022

By E-Mail Only to *clerk@niagararegion.ca*

Planning and Economic Development Committee
Niagara Region
1815 Sir Isaac Brock Way
P.O. Box 1042
Thorold, ON L2V 4T7

Committee Chair Huson and Members of Committee:

**Re: Request for Inclusion in Settlement Area
5021 Garner Road, Niagara Falls
Agenda Item 5.2 – June 15, 2022 Committee Meeting
PDS 17-2022 Niagara Official Plan: Recommendation Report for Adoption**

We are writing in respect of 5021 Garner Road in the City of Niagara Falls (the “**Subject Property**”). Niagara Falls Park Inc., the current registered owner of the Subject Property, and their new partner CBJ Developments Inc, have concerns with respect to the proposed Official Plan outlined below, and particularly the failure to bring the Subject Property into the City’s urban boundary. A map of the Subject Property is attached to this letter as Appendix “**A**”.

Our client has been involved in the Region’s Settlement Area Boundary Review process since its commencement and has previously requested that the Subject Property be brought into the City of Niagara Falls’ (the “**City**”) urban boundary by letter dated July 1, 2021.

Notwithstanding our client’s request, Regional Staff, in its report dated March 9, 2022 respecting its final recommendations for settlement area expansion, failed to consider the inclusion of the Subject Land into the City’s urban boundary.

As a result, we are writing to request that the Committee amend Regional Staff’s final recommendations outlined in its report dated June 15, 2022 (PDS 17-222) and include the Subject Property into the City’s urban boundary.

Appendix “**B**” to this letter provides a detailed analysis of the Region’s criteria for settlement area boundary expansion requests as it relates the Subject Property. By way of summary:

- The Subject Property is located on the west side of Garner Road, north of Beaverdams Road and is currently being used for agricultural purposes.
- The Subject Property is immediately adjacent to the Fernwood Estate Subdivision on the west side of Garner Road, south of Beaverdams Road, and therefore represents a natural and logical extension of residential lands that are well served by commercial and open space amenities.
- Sanitary services are available at Garner Road and Hendershot Boulevard to service the Subject Property, with adequate capacity available. Additionally, there is water supply available at Garner Road and Fiddlehead Lane, with adequate capacity available.
- The Subject Property has direct access to Garner Road and Beaverdams Road, both of which can accommodate additional traffic from any future development.
- The Subject Property is within walking distance from Lundy's Lane, with the potential for the extension of transit service and active transportation facilities from Lundy's Lane.
- There are no (or negligible) impacts to any environmental and natural features present on the Subject Property.

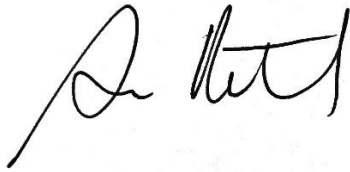
Based upon an analysis of the Region's criteria, the Subject Property is an ideal candidate for settlement area boundary expansion.

Inclusion of the Subject Property will allow for comprehensive planning with proximate residential lands to ensure complete communities that will meet the City and Region's future growth needs.

For the reasons noted above and in the attached analysis, we respectfully request and urge the Committee to amend Regional Staff's recommendations and endorse the inclusion of the Subject Property within the City's urban boundary

We request notice of any decision made by the Committee or Regional Council in respect of this matter.

Yours sincerely,
DAVIES HOWE LLP

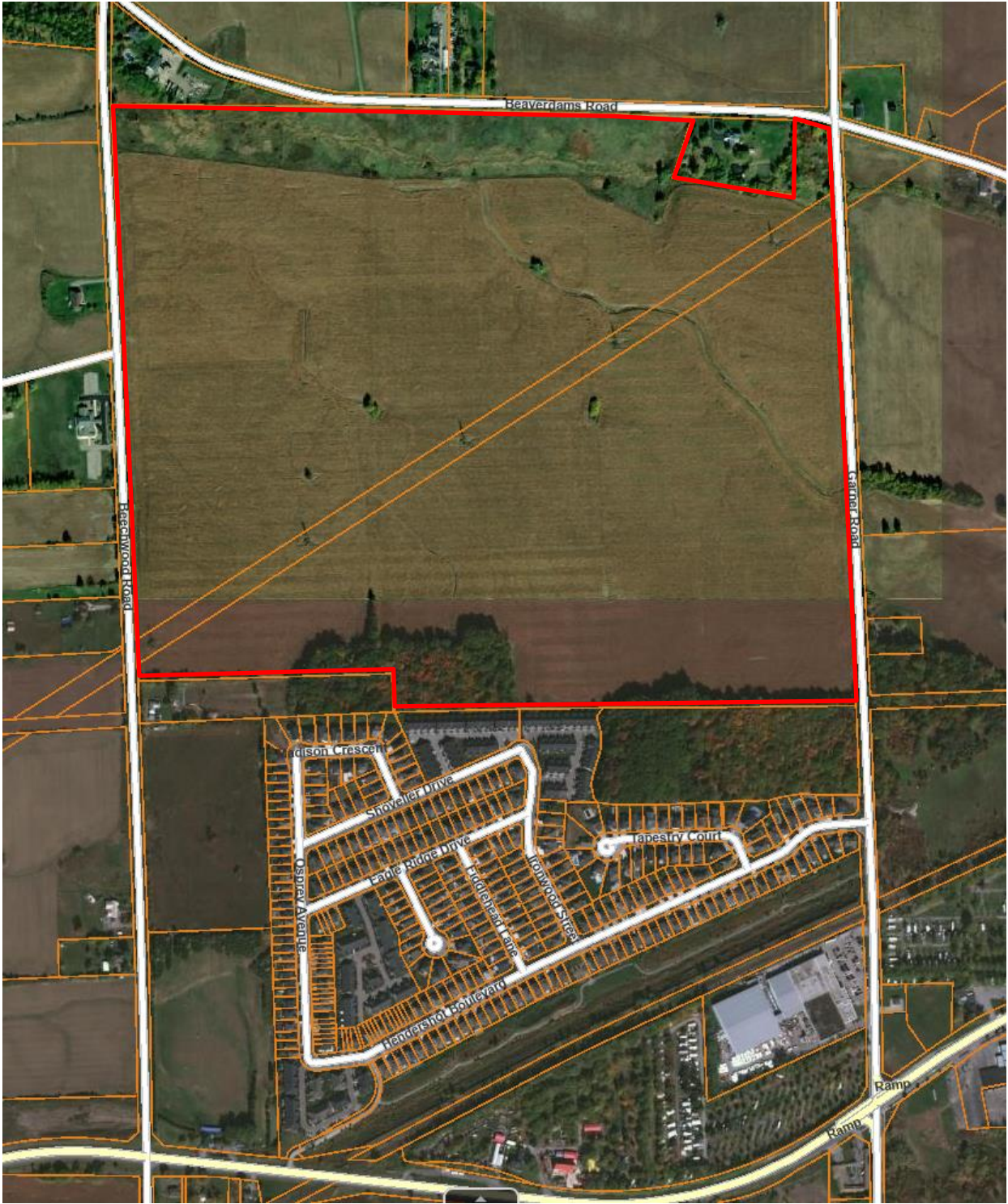


Susan Rosenthal
Professional Corporation

SR:SL
encl.: as above

copy: Client

Appendix “A”
Map of Subject Property



5021 Garner Road Assessment

| Topic Area | Step 2 - Site Level Analysis - Requests for Consideration | | |
|--------------------|--|-------------------|--|
| | Criteria | Criteria Response | Analysis |
| Sanitary Servicing | What is the capacity to accomdate the parcel or collection of parcels at WWTP during the planning Period? | Available | No capacity issues in this area. |
| | How easily can a sanitary servicing be made available to the lands? | Highly Feasible | Sanitary services available at Garner and Hendershot. |
| | When extending sanitary services, what is the level of impact on natural environment, including key hydrologic features and areas? | Negligible Impact | No natural heritage features would be impacted through sewer extension |
| | In relation to sanitary servicing, how feasibly can the parcel or collection of parcels support additional urban development in its Watershed through mitigating measures? | Available | Parcel can support additional services. |

| Topic Area | Criteria | Criteria Response | Analysis |
|------------------------|--|-------------------|---|
| Municipal Water Supply | What is the feasibility of existing system capacity to accommodate the parcel or collection of parcels with municipal water supply during planning period? | Highly Feasible | No capacity issues in this area. |
| | How easily can a water supply connection be made? | Highly Feasible | Water supply available at Garner Road and Fiddlehead. |
| | When connecting water services what is the anticipated level of impact on natural environment, including key hydrologic features and areas? | Negligible Impact | No impact on hydrologic features anticipated. |
| | In relation to municipal water supply, how feasibly can the parcel or collection of parcels support additional urban development in its Watershed through mitigation or supplemental measures? | Available | Parcel can easily support additional urban development. |

| Topic Area | Criteria | Criteria Response | Analysis |
|----------------------------|--|-------------------|---|
| Transit and Transportation | How well can the parcel or collection of parcels access major transportation corridor such as Provincial Highway, Regional Road, rail or marine systems? | Available | Lundy's Lane is within walking distance of the property. |
| | How feasibly can a local road network be incorporated for the parcel or collection of parcels, including consideration of environmental matters? | Available | Road connections to Garner Road and Beaverdams Road are possible. |
| | What is the level of impact to existing road networks and level of service from the addition of the parcel or collection of parcels? | Negligible Impact | Garner Road and Beaverdams road can accommodate the additional traffic. |
| | What is the feasibility of extending transit services to the parcel or collection of parcels? | Feasible | Transit service could be extended from Lundy's Lane. |
| | What is the feasibility of extending active transportation facilities to the parcel or collection of parcels? | Feasible | Active transportation services could be extended from Lundy's Lane. |

| Topic Area | Criteria | Criteria Response | Analysis |
|--|--|---|---|
| Environmental Protection and Natural Resources | In terms of Provincial Natural Heritage System, how much the parcel or collection of parcels are affected/impacted? | Less than half shown as NHS | Small wetland in the south portion of the site. |
| | In considering the parcel or collection of parcels in the context of NHS constraints, and as part of the broader NHS, what level of feasibility would be represented on the parcel or collection of parcels in gaining access to fragmented development parcels (without existing R.O.W frontage)? | Available to NHS identified All lands accessible | Development is not fragmented by features. |
| | With respect to Watershed Planning and the overall health of the respective Watershed, what is the impact should the parcel or collection of parcels be added to the urban area and developed for urban use? | Negligible Impact | Development could be adequately buffered from features. |
| | In consideration of potential mitigating measures for watersheds or sub watersheds, what is the level of feasibility related to introducing such measures as enhanced storm water management and increased infiltration opportunity to improve water quality? | Available | Adequate space is available on site to accommodate enhanced stormwater management measures. |
| | With available information concerning species at risk, what level of impact would be experienced if the parcel or collection of parcels were to be added to the urban area and developed for urban purpose? | Negligible Impact | No species at risk identified on the property. |
| | What is the impact of including the parcel or collection of parcels on topography and the ability to minimize significant earthworks that could interfere with hydrogeological function? | Minimal Impact | Site has rolling topography that could be incorporated into residential subdivision design. |

| Topic Area | Criteria | Criteria Response | |
|-------------------------------|---|--|---|
| Agriculture Agri-Food Network | As defined by the PPS, using the range provided, how best are the parcel or collection of parcels described? | Agricultural Area Completely (Class 4-7) | Site is Good General Agricultural. |
| | What is the level of impact on active livestock operations and MDS setbacks by including the parcel or collection of parcels in the Urban Area? | Outside any Setback | No active livestock operations in the area. |
| | What is the impact to the broader Agri-Food Network if the parcel or collection of parcels were Urban Area? | Negligible Impact | Site is not a significant contributor to agri food network. |

| Topic Area | Criteria | Criteria Response | Analysis |
|---------------------|--|-------------------|---|
| Aggregate Resources | In terms of distance/separation of sensitive land use, and in the context of Ministry D6 Guidelines, what level of impact on existing or planned Aggregate (Stone and San & Gravel) operations can be expected if the parcel or collection of parcels were added to the existing Urban Area Boundary? (Within 300m being Critical and beyond 1000m being Negligible) | Critical Impact | Site is within 300 m of a planned quarry expansion. |

| Topic Area | Criteria | Criteria Response | Analysis |
|-------------------|--|----------------------|---|
| Growth Management | Does including the parcel or collection of parcels meaningfully contribute to a complete community? (2,3) | Highest Contribution | Site would add residential lands to a residential community that is well served by commercial and open space amenities. |
| | Does inclusion of the parcel or collection of parcels represent a favourable way to achieve the outcome of the Region-identified land needs? | Higher Favourability | Site could positively contribute to addressing the residential land needs of the City. |
| | What are the planning impacts on neighbouring or nearby lands by including the parcel or collection of parcels in the urban area? (2) | Negligible Impact | Site is adjacent to existinng residential development in tehe City, can be developed without impact to natural heritage features. |

**Reconsideration of the Regional Development Charges Deferral for
7000 Oakwood Drive, Niagara Falls
(Report CSD 66-2019 - Corporate Services Committee September 11, 2019)**

Whereas on September 19, 2019, Regional Council approved the recommendation of its Corporate Services Committee to authorize the execution a Regional Development Charges deferral agreement with the owners of 7000 Oakwood Drive, Niagara Falls, in the amount of \$55,479.88, to December 1, 2022;

Whereas given the long history of service of Laurie Ewart's Danceworks to the residents and families in Niagara Falls (25 years of business), and that no significant changes have been done to the site or the building and that this is simply a change of use in name sake;

Whereas the City of Niagara Falls, for this reason, already agreed to waive the Municipal portion of the development charge fees.

NOW THEREFORE BE IT RESOLVED:

That Niagara Regional Council **APPROVE** a development charge exemption to Laurie Ewarts Danceworks located at 7000 Oakwood Drive Niagara Falls in the amount of \$55,479.88.

NOTE: Prior to consideration of the above motion, Council must first consider if it wishes to reconsider this matter and then consider the original motion as follows:

That the Commissioner, Corporate Services/Treasurer **BE AUTHORIZED** to execute a Regional Development Charge Deferral agreement with the owners of 7000 Oakwood Drive, Niagara Falls, in the amount of \$55,479.88, to December 1, 2022, in a form satisfactory to the Director, Legal & Court Services.

Subject: Development Charges Deferral – 7000 Oakwood Drive, Niagara Falls

Report to: Corporate Services Committee

Report date: Wednesday, September 11, 2019

Recommendations

That the Commissioner, Corporate Services/Treasurer **BE AUTHORIZED** to execute a Regional Development Charge Deferral agreement with the owners of 7000 Oakwood Drive, Niagara Falls, in the amount of \$55,479.88, to December 1, 2022, in a form satisfactory to the Director, Legal & Court Services.

Key Facts

- On May 7, 2019 a Change of Use application was made by the owners of 7000 Oakwood Drive, Niagara Falls to convert the building from an industrial to a commercial use.
- The Region's Development Charges By-Law 2017-98 states that the conversion of a premise from one use to another use, will require the payment of development charges equal to the difference between the first rate and the second rate. This has resulted in the outstanding RDC payable of \$55,479.88.
- The property owner of 7000 Oakwood Drive, has requested a Regional Development Charges deferral agreement that would have the RDCs calculated and collected under the Niagara Region Development Charges By-Law in affect at the time of collection.
- The Region's Development Charges By-Law 2017-98 does not provide staff with criteria to exercise the use of delegated authority to enter into a development charge deferral agreement and the circumstances of this request differ from previous instances where deferral agreements have been authorized and as such this matter is being brought forward for Committee approval.
- Niagara Region staff will review its current Development Charge By-Law in the future and take into consideration transitional and other policy changes that may be required.

Financial Considerations

Under the Regional Development Charge (RDC) By-Law 2017-98, the conversion of the former industrial building located at 7000 Oakwood Drive, Niagara Falls to a commercial use has incurred development charges payable of \$55,479.88. The RDC payable have been calculated and include a net conversion credit provided for the former industrial use of the facility (i.e., Gross RDC payable of \$95,025.63 less conversion credit of \$39,545.75).

Deferring the collection of development charges until September 1, 2022 would result in a reduction of \$55,479.88 in the total development charges collected in 2019.

Analysis

Danceworks dance studio has operated for over twenty-two (22) years in the city of Niagara Falls. Danceworks provides a venue for children of all ages to learn new skills and contributes to the positive development of children across Niagara region.

It was brought to the attention of staff at Niagara Region that on May 7, 2019 the owners of Danceworks applied to the City of Niagara Falls for a Building Permit to facilitate the change of use of the building. They had moved their dance studio into a former industrial building and the resulting change of use from industrial to commercial moved the building into a different category of RDC. The RDC By-Law specifies that every development (which includes redevelopment or change in use) that requires a permit under the Building Code Act is required to pay RDC prior to building permits issuance. The RDC payable had been calculated net of a conversion credit provided for the former industrial use of the facility (i.e., Gross RDC payable of \$95,025.63 less conversion credit of \$39,545.75).

At the time of application, the business owner was informed that the City of Niagara Falls development charges were being reduced to zero due to a clause within the City's current Development Charge By-Law. The City of Niagara Falls By-Law states "...if an existing building and/or structure is converted from an existing use to another use but no new gross floor area is created, then the development charge shall be zero...". The intent of the City of Niagara Falls By-Law is not to place undue financial burden on businesses that are investing in the local community, and support the creation of new jobs, and repurposing of vacant, under utilized, industrial buildings to new uses. At this time Niagara Region's Development Charge By-Law provides no such clause.

As a result of the change from an industrial to a commercial use, the City of Niagara Falls required the payment of the outstanding RDC totaling \$55,479.88. The City was informed by the owners that they were not in a fiscal position to provide payment of the outstanding development charges. If payment was required they would have no choice but to close their business.

On Thursday, August 8, 2019 staff from Niagara Region, the City of Niagara Falls, as well as a Niagara Falls Regional Councillor met with the owners of Danceworks, to discuss the RDC outstanding for their project. The purpose of this meeting was to review the building permit process, outstanding development charges, and the existing policies and by-laws at the City of Niagara Falls and Niagara Region.

The existing Regional Development Charges By-Law does not take into account the repurposing of vacant buildings to new and different employment or commercial uses; the creation of new business that will have little to no increased demand on Regional

services; or the impact that the payment of regional development charges have on the viability of small businesses and the community benefit that they provide.

The incentive review currently underway is not considering an incentive program that would exempt this type of development from RDC. Finance staff are developing a RDC Deferral Policy that will be presented to committee at a later date for consideration. However, under the proposed policy, developments in a similar circumstance as 7000 Oakwood Drive would not meet the draft criteria for a RDC deferral.

It is important to not that providing a deferral agreement for this project may increase occurrences of other property owners requesting deferrals that are in similar circumstances and set a precedent that may be utilized by other commercial enterprises. Council should also be aware in considering this matter that pursuant to section 106 of the Municipal Act, municipalities are prohibited from directly or indirectly providing assistance to a commercial enterprise through the granting of bonuses such as giving a total or partial exemption from any levy, charge or fee.

Staff have reviewed and considered three alternatives for Committee's consideration which have been presented below.

Alternatives Reviewed

Staff have reviewed all options that are currently available, including the recommendation of a deferral, in relation to the development charges associated with 7000 Oakwood Drive:

1. Provide a Deferral Agreement – Enter into a deferral agreement for three (3) years to allow the payment of currently outstanding development charges at a later date.
2. Provide a Payment Plan – The balance outstanding would be subject to a 1.25% (15% per year) interest charge as identified under section 345 of the Municipal Act and would be collected in the same manner as property taxes.
3. Enforce the RDC By-law as Approved - If Regional Council elects to not provide a RDC deferral, Regional staff will pursue the collection of RDC as authorized under the RDC By-law.

Relationship to Council Strategic Priorities

Niagara Region Council identified supporting business and economic growth as one of four strategic priorities. This report recommends a collaborative approach with the City of Niagara Falls to support business growth and retention.

Other Pertinent Reports

By-Law 2017-98 - A By-Law to Establish Development Charges for Niagara Region

Prepared by:

Ken Scholtens
Manager, Business Development &
Expedited Services
Economic Development

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 Rob Fleming, Senior Tax & Revenue Analyst.

PROVINCE OF QUEBEC BILL 21

Whereas the Canadian Charter of Rights and Freedoms enshrines Freedom of Religion in our society;

Whereas the Ontario Human Rights Code and related provincial legislation includes protections for religious freedoms in the workplace;

Whereas the Niagara Region joined the Coalition of Inclusive Municipalities on September 18, 2020 whose 'advance initiatives' include "establish policies to eradicate all forms of racism and discrimination";

Whereas Niagara Regional Council adopted a Community Safety and Wellbeing Strategy on June 24, 2021 that seeks to create a community where everyone is safe, has a sense of belonging, has access to services and is able to meet their needs (either individually or as a family) for education, health care, food, housing, income and social and cultural expression;

Whereas an important component of belonging is to ensure that Niagara's diversity is reflected in local public sector roles when serving the community;

Whereas in collaboration with the Canadian Civil Liberties Association (CCLA) and the World Sikh Organization (WSO), the National Council of Canadian Muslims (NCCM) is part of a legal challenge to Quebec's Bill 21 - legislation that makes it illegal for Quebec workers in the public sector to wear religious symbols; and

Whereas a Supreme Court decision allowing the infringement of religious freedom would have negative consequences for the people of Niagara and all Canadians.

NOW THEREFORE BE IT RESOLVED:

1. That Niagara Regional Council **OPPOSE** the Province of Quebec's Bill 21, An Act respecting the laicity of the State and its discriminatory and draconian measures affecting racialized communities;

2. That Niagara Regional Council **SUPPORTS** the legal challenge against Bill 21 and **REAFFIRMS** Niagara Region's commitment to upholding the freedoms set out in the Canadian Charter of Rights and Freedoms;

3. That Niagara Regional Council **PROVIDE** a one-time 2022 contribution of up to \$10,000 to the joint legal challenge of Bill 21 led by the Canadian Civil Liberties Association, the National Council of Canadian Muslims, and the World Sikh Organization to be initially funded by the Taxpayer Relief Reserve with the amount replenished with the 2022 year-end operational surplus; and

4. That this resolution **BE CIRCULATED** to Niagara Local Area Municipalities, MARCO Member Municipalities, Premier Doug Ford, Premier Francois Legault, Prime Minister Justin Trudeau, the Association of Municipalities of Ontario (AMO), Union des Municipalites du Quebec (UMQ), the Federation of Canadian Municipalities (FCM), and the Coalition of Inclusive Municipalities.

THE REGIONAL MUNICIPALITY OF NIAGARA

BY-LAW NO. <>

A BY-LAW TO AMEND BY-LAW 120-2010, THE PROCEDURAL BY-LAW
TO REPEAL AND REPLACE APPENDIX “A” (CODE OF CONDUCT)

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 subsection 223.2(1) of the Municipal Act, 2001, S.O. 2001, Chapter 25, as amended, provides that a municipality shall establish codes of conduct for members of the council of the municipality and of its local boards;

WHEREAS Regional Council desires to set a high standard of conduct for Members of Council and Local Boards in order to provide good governance and a high level of public confidence in the administration of the Region and its Local Board(s) by its Members as duly elected public representatives or appointees to ensure that they each operate from a foundation of integrity, justice, truth, honesty and courtesy;

WHEREAS Regional Council deems it advisable to amend By-law 120-2010, being The Procedural By-law, to repeal and replace Appendix “A” (Code of Conduct for Members of Council) and to establish a complaint protocol attached to Appendix “A” as Appendix 1.

NOW THEREFORE the Council of The Regional Municipality of Niagara enacts as follows:

1. That section 15.1 of By-law 120-2010, being The Procedural By-law be deleted and replaced with the following:

A code of conduct setting out standards for acceptable conduct by Members of Council and Local Boards is set out in Appendix “A” to this By-law.

2. That Appendix “A” (Code of Conduct for Members of Council) referred to in Section 15.1 of By-law 120-2010, being The Procedural By-law be repealed and replaced with Appendix “A” (Code of Conduct for Members of Council and Local Boards) attached to this by-law.

3. That this by-law shall come into force and effect on the day upon which it is passed.

THE REGIONAL MUNICIPALITY OF NIAGARA

James Bradley, Regional Chair

Ann-Marie Norio, Regional Clerk

Passed: <date> by a vote of 2/3 of the members present

APPENDIX “A”**THE REGIONAL MUNICIPALITY OF NIAGARA
CODE OF CONDUCT FOR MEMBERS OF COUNCIL AND
LOCAL BOARDS****1.0 Application**

- 1.1 This Code of Conduct is established in accordance with section 223.2 of the Municipal Act and applies to Members of the Council of Niagara Region, including the Regional Chair and to Members of Local Board(s).
- 1.2 The Niagara Region is well respected by the general public, clients, employees, elected officials, suppliers, communities and governments and the purpose of this Code of Conduct is to establish a general standard to provide a common basis for the acceptable conduct of Members and to which all Members are expected to adhere to and comply with. This Code of Conduct augments other laws which Members are governed by and which requires Members to follow the Procedural By-law and other sources of applicable law, including but not limited to:
- *Municipal Act*
 - *Municipal Conflict of Interest Act*
 - *Municipal Elections Act*
 - *Municipal Freedom of Information and Protection of Privacy Act*
 - *Human Rights Code*
 - *Occupational Health and Safety Act*
 - *Provincial Offences Act*
 - *Criminal Code*
 - By-laws and policies of Niagara Region and of its Local Board(s) as applicable, and as may be adopted and amended from time to time.

2.0 Statement of Principles

- 2.1 This Code of Conduct is intended to set a high standard of conduct for Members in order to provide good governance and a high level of public confidence in the

administration of the Region and its Local Board(s) by its Members as duly elected public representatives or appointees to ensure that they each operate from a foundation of integrity, justice, truth, honesty and courtesy.

2.2 The following key statements of principle are intended to guide Members and assist with the interpretation of the Code of Conduct:

- Members shall serve the public in a conscientious and diligent manner;
- Members shall observe and act with the highest standard of ethical conduct and integrity;
- Members shall avoid the improper use of the influence of their office or appointment and act without self-interest;
- Members shall act and are expected to perform their functions with honesty, integrity, accountability and transparency;
- Members shall be cognizant that they are at all times representatives of the Region, its Local Board(s) and of Council, as applicable, and shall recognize the importance of their duties and responsibilities, take into account the public character of their function, and always maintain and promote the public trust in the Region and its Local Board(s); and
- Members will uphold the laws of Canada, Ontario and the laws and policies adopted by Council from time to time.

3.0 Definitions

3.1 The following terms shall have the following meanings in this Code of Conduct:

- (a) “CAO” means the Chief Administrative Officer of the Region;
- (b) “child” means a child born within or outside marriage and includes an adopted child and a person whom a parent has demonstrated a settled intention to treat as a child of his or her family;
- (c) “Chair” means the Regional Chair;
- (d) “confidential information” means information or records that are in the possession, in the custody or under the control of the Region and/or its Local Board(s) that the Region is either precluded from disclosing under the *Municipal Act, 2001* or other applicable legislation, its Procedural By-

law or any of its other by-laws, policies, rules or procedures, or that it is required to refuse to disclose under the *Municipal Freedom of Information and Protection of Privacy Act* or other legislation;

- (e) “conflict of interest” means a situation in which a Member has competing interests or loyalties between the Member’s personal or private interests and his or her public interests as an elected representative or appointee such that it might influence his or her decision in a particular a matter;
- (f) “Council” means the Regional Council for Niagara Region;
- (g) “fiduciary” means the obligation of a person in a position of authority to act on behalf of another, assuming a duty to act in good faith and with care, candour and loyalty in fulfilling this obligation;
- (h) “frivolous” includes something that is not worthy of serious consideration, or that is of little or no importance, due to its lack of seriousness or sense;
- (i) “Local Board” means a local board of the Region as defined in section 223.1 of the *Municipal Act*, including the Niagara Transit Commission;
- (j) “Member” means a Member of the Council for the Region or a Member of a Local Board;
- (k) “non-pecuniary interest” means a private or personal interest that a Member may have that is non-financial in nature and that would be considered by a reasonable person, apprised of all the circumstances, as being likely to influence the Member’s decision in any matter in which the non-pecuniary interest arises, and may include, but is not limited to, an interest that arises from a relationship with a person or entity;
- (l) “parent” means a person who has demonstrated a settled intention to treat a child as a member of his or her family whether or not that person is the natural parent of the child;
- (m) “Region” means The Regional Municipality of Niagara;
- (n) “spouse” means a person to whom the person is married or with whom the person is living in a conjugal relationship outside marriage;
- (o) “staff” means the CAO and all commissioners, officers, directors, managers, supervisors and all non-union and union staff of the Region and the Region’s Local Boards, whether full-time, part-time, contract,

seasonal or volunteer, as well as agents and consultants acting in furtherance of the Region's and/or the Region's Local Board's business and interest;

- (p) "vexatious" includes something that is instituted without sufficient grounds and serving only to cause annoyance, frustration or worry.

4.0 Responsibilities of Council and its Local Board(s)

- 4.1 Council and its Local Board(s) are responsible for and dedicated to providing good and effective government for the public in the region in an open, accountable and transparent manner.

5.0 General Obligations

- 5.1 In carrying out their duties, Members shall:

- (a) make every effort to act with good faith and care;
- (b) conduct themselves with integrity, courtesy and respectability at all meetings of the Council, Local Board or any committee and in accordance with the Region's Procedural By-law or other applicable procedural rules and policies;
- (c) seek to advance the public interest with honesty;
- (d) respect the individual rights, values, beliefs and personality traits of any other person and refrain from imposing their own personal moral and religious beliefs on others;
- (e) refrain from making statements known to be false or with the intent to mislead Council, other Members or the public;
- (f) accurately communicate the decisions of Council and its Local Board(s) and respect the decision-making process even if they disagree with the ultimate determinations and rulings; and
- (g) refrain from making disparaging comments about another Member or unfounded and speculative accusations about the motives of another Member.

6.0 The Role of Staff

- 6.1 Council as a whole approves the budget, policies and governance of the Region through its by-laws and resolutions. Individual Members do not direct or oversee the functions of the staff of the Region or any of its Local Boards.
- 6.2 Staff employed by the Region and its Local Board(s) work under the direction of the CAO or the senior staff leader of the Local Board, as applicable. Inquiries of staff from Members should be directed to the CAO or to the appropriate senior staff leader of the Local Board as applicable. Members shall not publicly criticize staff. Should a Member have any issue with respect to staff, such issue shall be referred to the CAO or senior staff leader of the Local Board, as applicable who will direct the matter to the particular staff member's appropriate superior.
- 6.3 Members shall respect the role of staff in the administration of the business affairs of the Region and any of its Local Board(s). Members shall respect that staff:
- (a) provide advice and make policy recommendations in accordance with their professional ethics, expertise and obligations and that Members must not falsely or maliciously injure the reputation of staff members whether professional or ethical or otherwise;
 - (b) work within the business and legal affairs of the Region and any of its Local Board(s) and Members must not make requests, statements or take actions which may be construed as an attempt to influence the independent administration of those affairs and, therefore, Members shall not attempt to intimidate, threaten, or influence any staff member from carrying out that person's duties, including any duty to disclose improper activity; and
 - (c) carry out their duties based on political neutrality and without undue influence from any individual Member and, therefore, Members must not invite or pressure any member of staff to engage in partisan political activities or be subjected to discrimination or reprisal for refusing to engage in such activities.

7.0 Regional or Board Property

- 7.1 The community places its trust in Council and its Local Board(s) and those it appoints to make decisions for the public good as custodians of these public assets.

- 7.2 By virtue of their office or appointment, Members must not use or permit the use of the Region's or Local Board's land, facilities, equipment, supplies, services, staff or other resources for activities other than the business of the Region or its Local Board(s). No Member shall seek financial gain for themselves, family or friends from the use or sale of intellectual property, computer programs, technological innovations, or other patent, trademarks or copyright held or owned by the Region or its Local Board(s), as applicable.

8.0 Gifts and Benefits

- 8.1 Gifts to Members risk the appearance of improper influence. Gifts may improperly induce influence or create an incentive for Members to make decisions on the basis of relationships rather than in the best interests of the Region or Local Board, as applicable. A Member shall not accept a fee, advance, gift, gift certificate, cash, hospitality or any form of personal benefit connected directly or indirectly with the performance of their duties. A gift, benefit or hospitality provided with the Member's knowledge to a Member's spouse, child, or parent, or to a Member's staff that is connected directly or indirectly to the performance of the Member's duties is deemed to be a gift to that Member. Any doubt concerning the propriety of the gift should be resolved by the Member not accepting or keeping it.
- 8.2 For greater clarity, Members shall not accept any gift or benefits in their public capacity other than in the following circumstances:
- (a) compensation authorized by law;
 - (b) such gifts or benefits that normally accompany the responsibilities of office or appointment and are received as an incident of protocol or social obligation;
 - (c) a political contribution otherwise reported by law, in the case of Members running for office;
 - (d) services provided without compensation by persons volunteering their time;
 - (e) a suitable token, memento or souvenir received as an incident of protocol or social obligation that normally accompanies the responsibilities of elected office or appointment or at a function honouring the Member;
 - (f) food, lodging, transportation and entertainment provided by provincial, regional and local governments or any agencies or subdivisions of them or

by the federal government or by a foreign government within a foreign country, or by a conference, seminar or event organizer where the Member is either speaking or attending in an official capacity;

- (g) food and beverages consumed at banquets, receptions or similar events, if:
 - (i) attendance serves a legitimate purpose related to the normal business of the Region or its Local Board(s),
 - (ii) the person extending the invitation or a representative of the organization is in attendance, and
 - (iii) the value is reasonable and the invitations are infrequent;
- (h) gifts of nominal value (for example, a baseball cap, t-shirt, flash drive, book, etc.); and
- (i) any gift or benefit, if the Integrity Commissioner is of the opinion, before the gift or personal benefit has been accepted, that it is unlikely that receipt of the gift or benefit gives rise to a reasonable presumption that the gift or benefit was given in order to influence the Member in the performance of his or her duties.
- (j) except in the case of any gift or benefit described in (c) and (d), the total value of a gift or benefit from any one source over any 12 month period shall not exceed \$500.

9.0 Confidentiality

- 9.1 Members receive confidential information from a number of sources as part of their work. This includes information received in confidence by the Region or its Local Board(s) that falls under the privacy provisions of the *Municipal Freedom of Information and Protection of Privacy Act* and other applicable privacy laws and information received during closed meetings of Council or its Local Board(s). Members shall comply with applicable policies related to confidentiality and access to information.
- 9.2 A Member shall not disclose the content of any confidential information, or the substance of deliberations, of a closed meeting and the Member has a duty to hold any information received at closed meetings in strict confidence for as long and as broadly as the confidence applies. A Member shall not, either directly or indirectly, release, make public or in any way divulge or discuss any such

information or any confidential aspect of the closed deliberations to or with, anyone, unless authorized by Council or its Local Board(s), as applicable or as required by law. This is not intended to prohibit necessary communications with other Members or staff as to what took place during closed deliberations they were not present at.

- 9.3 A Member shall not disclose, use or release confidential information in contravention of applicable privacy laws. Members are only entitled to information in the possession of the Region or its Local Board(s) that is relevant to matters before the Council, Local Board or committee. Otherwise, Members enjoy the same access rights to information as any other member of the community or resident of the Region and must follow the same processes as any private citizen to obtain such information.
- 9.4 Members shall not release information subject to the Region's or Local Board's solicitor-client privilege, unless expressly authorized by Council, or the Local Board or as required by law.
- 9.5 Members shall not misuse confidential information in any way or manner such that it may cause detriment to the Region, Council, Local Board or any other person, or will benefit themselves or others.
- 9.6 Members shall respect the right to confidentiality and privacy of all clients, volunteers and staff, and should be aware of their responsibilities under applicable legislation, Regional policies, procedures and rules, ethical standards and, where appropriate, professional standards.

10.0 Discrimination and Harassment

- 10.1 Members shall treat all members of the public, another Member and staff with respect and without abuse, bullying or intimidation and ensure that their work environment at the Region and its Local Board(s) is free from discrimination and harassment.
- 10.2 Members shall not use indecent, abusive or insulting words, phrases or expressions toward any member of the public, another Member or staff. Members shall not make an expression in any manner that is discriminatory to any individual based on the individual's race, ancestry, place of origin, creed, gender, sexual orientation, age, colour, marital status or disability.

11.0 Improper Use of Influence

- 11.1 Members shall not use the influence of their office or appointment for any purpose other than the exercise of his or her official duties in the public interest.
- 11.2 Members shall not use the status of their position to influence the decision of another person to the private advantage or non-pecuniary interest of themselves, their parents, children or grandchildren, spouse, or friends or associates, or for the purpose of creating a disadvantage to another person or for providing an advantage to themselves.
- 11.3 Members who are asked to support charitable activities within the community may do so by accepting honorary roles, lending their names to organizations or events and encouraging public support of events. In doing so, Members shall ensure that they do not have a conflict between their private interest and their duties to the public. Members shall not directly solicit funds nor receive funds for charitable purposes in their role as a Member. Members shall remain at arms-length from financial aspects of external events which they support in their public capacity and shall not participate in decisions concerning the disbursement of funds or determining the beneficiaries of the funds.

12.0 Conflicts of Interest

- 12.1 Members shall avoid conflicts of interest, both pecuniary and non-pecuniary. Members shall take proactive steps to mitigate conflicts of interest in order to maintain public confidence in the Region, its elected officials or appointees. Members are encouraged to seek guidance from the Integrity Commissioner and/or legal advisors when they become aware that they may have a conflict between their responsibilities to the public as a Member and any other interest, pecuniary or non-pecuniary.

13.0 Council Policies and Procedures

- 13.1 Members shall strictly observe and adhere to the policies, procedures and rules established by Council and/or its Local Board(s), as applicable.

14.0 Election Activity

- 14.1 Members are required to conduct themselves in accordance with the *Municipal Elections Act, 1996*, and any applicable policies. The use of resources of the Region and its Local Board(s), both property and staff time, for any election-related activity is strictly prohibited. Election-related activity applies to the

Member's campaign and any other election campaigns for municipal, provincial or federal office.

15.0 Respect for the Code of Conduct

- 15.1 Members shall respect the process for complaints made under the Code of Conduct or through any process for complaints adopted by the Region or its Local Board(s), as applicable. Members shall not act in reprisal or threaten reprisal against a person who makes a complaint or provides information to the Integrity Commissioner during an investigation. Members shall interact courteously and respectfully with the Integrity Commissioner and with any person acting under the direction of the Integrity Commissioner.
- 15.2 Members shall cooperate with requests for information during any investigations or inquiries under the Code. Members shall not destroy documents or erase electronic communications or refuse to respond to the Integrity Commissioner where a complaint has been lodged under the Code or any process for complaints adopted by the Region.

16.0 Penalties for Non-Compliance with the Code of Conduct

- 16.1 Where Council or a Local Board receives a report from the Integrity Commissioner that there has been a violation of the Code of Conduct by a Member, Council or the Local Board, as applicable may impose, in accordance with the Municipal Act, 2001, the following penalties on the Member:
- (a) a reprimand; or
 - (b) a suspension of the remuneration paid to the Member in respect of his or her services as a Member for a period up to 90 days.

17.0 Complaint Protocol

- 17.1 The Complaint Protocol – Code of Conduct is Appendix 1 to the Code of Conduct.

COMPLAINT PROTOCOL**Code of Conduct for Members of Council and Local Boards****Appendix 1****PART A - INFORMAL COMPLAINT PROCEDURE**

1. Any individual who identifies or witnesses behaviour or activity by a Member that they believe contravenes the Code of Conduct may seek to address the prohibited behaviour or activity themselves in the following manner by following the Informal Complaint Procedure:
 - (a) document the incident(s) where the Member may have contravened the Code of Conduct including dates, times, locations, other persons present, and any other relevant information;
 - (b) advise a third party about the concerns regarding the Member's actions;
 - (c) advise the Member that the behaviour or activity appears to contravene the Code of Conduct;
 - (d) identify to the Member the specific provision(s) of the Code of Conduct that may have been contravened;
 - (e) encourage the Member to acknowledge and agree to stop the prohibited behaviour or activity and to undertake to refrain from future occurrences of the prohibited behaviour or activity;
 - (f) request the Integrity Commissioner to assist in informal discussion of the alleged complaint with the Member in an attempt to settle or resolve the issue;
 - (g) if applicable:
 - (i) confirm to the Member that his or her response is satisfactory, or
 - (ii) advise the Member that his or her response is unsatisfactory;
 - (h) consider the need to pursue the matter in accordance with the Formal Complaint Procedure set out in Part B, or in accordance with any other applicable judicial or quasi-judicial process or complaint procedure.

2. Individuals are strongly encouraged to pursue the Informal Complaint Procedure as the first means of remedying behaviour or activity of a Member that they believe violates the Code of Conduct.
3. With the consent of both the complaining individual and the Member, the Integrity Commissioner may participate in any informal process. The parties involved are encouraged to take advantage of the Integrity Commissioner's potential role as a mediator/conciliator of issues relating to a complaint.
4. The Informal Complaint Procedure is not a precondition or a prerequisite to pursuing the Formal Complaint Procedure set out in Part B.

PART B - FORMAL COMPLAINT PROCEDURE

Formal Complaints

1. (1) Any individual who identifies or witnesses behaviour or activity by a Member that they reasonably believe contravenes the Code of Conduct may file a formal complaint to request an inquiry by the Integrity Commissioner as to whether a Member has contravened the Code of Conduct in accordance with the following requirements:
 - (a) all complaints shall be in writing on the prescribed form and shall be dated and signed by an identifiable individual;
 - (b) the complaint must set out reasonable and probable grounds for the allegation that the Member has contravened the Code of Conduct and must be accompanied by a supporting sworn affidavit setting out the evidence in full in support of the allegation; and
 - (c) Council may also file a complaint against any of its Members by passing a resolution requesting the Integrity Commissioner to undertake an inquiry.
- (2) Individuals filing a formal complaint must provide a full and complete record of evidence to the Integrity Commissioner who is under no obligation whatsoever to, but may, seek additional or further information to supplement or complete the evidentiary record to substantiate or support the allegation set out in the complaint.

Filing of Complaint and Classification by Integrity Commissioner

2. (1) The complaint shall be filed with the Regional Clerk, who shall forward the matter forthwith to the Integrity Commissioner without added comment.
- (2) The Integrity Commissioner shall initially classify the complaint to determine if the matter is, on its face, a complaint with respect to non-compliance with the Code of Conduct and not covered by other legislation or other Council procedures, policies or rules as set out in Section 3.

Complaints Outside Integrity Commissioner's Jurisdiction

3. If the complaint, including the supporting affidavit, is not, on its face, a complaint with respect to non-compliance with the Code of Conduct or the complaint relates to matters addressed by other legislation or complaint procedure under another Region procedure, policy or rule, the Integrity Commissioner shall advise the complainant in writing that the matter is not within their jurisdiction

Limitation Period

4. Complaints must be submitted within six (6) weeks of the Complainant becoming aware of the alleged contravention and no more than six (6) months after it occurred.

Periodic Reports to Council

5. (1) The Integrity Commissioner shall provide an annual report to Council summarizing his or her activities, including a report on all complaints received and on their disposition (including complaints deemed and ruled not to be within the jurisdiction of the Integrity Commissioner).
- (2) Notwithstanding Section 5(1), Council may by resolution request that the Integrity Commissioner provide a periodic report more frequently than once a year.

Refusal to Conduct Investigation

6. If the Integrity Commissioner is satisfied, after considering the information contained in the complaint, that a complaint:
 - (a) is frivolous or vexatious,
 - (b) is not made in good faith,

- (c) constitutes an abuse of process,
- (d) discloses no grounds or insufficient grounds for an investigation, or
- (e) has otherwise been dealt with by Council or a Respondent Member in a manner that is satisfactory to the Integrity Commissioner;

the Integrity Commissioner shall not be required to conduct an investigation and, where this becomes apparent in the course of an investigation, the Integrity Commissioner shall terminate the inquiry and provide notice to the complainant and, if necessary, to the Member.

Opportunities for Resolution

7. Following receipt and review of a formal complaint or at any time during the investigation where the Integrity Commissioner, in his or her discretion, believes that an opportunity to resolve the matter may be successfully pursued without a formal investigation, and both the complainant and the Member agree, efforts may be pursued to achieve an informal resolution.

Investigation

8. (1) The Integrity Commissioner may proceed as follows, except where the Integrity Commissioner has a full factual record and believes, in his or her discretion, that no additional information is required, where otherwise required by the *Public Inquiries Act, 2009*, or where the Integrity Commissioner has not otherwise terminated the inquiry:
 - (a) provide the Member with an outline of the complaint with sufficient particularity to allow the Member to understand the complaint against him or her but shall not have any obligation to disclose:
 - (i) the identity of any witnesses set out in the complaint or that are questioned/interviewed by the Integrity Commissioner,unless it is essential for the Member to adequately respond to the complaint;
 - (b) request that the Member provide a written response to the allegations to the Integrity Commissioner within ten (10) days; however no additional information may be provided as part of a response unless requested by the Integrity Commissioner; and

- (c) provide a copy of the Member's response to the complainant with a request that any written reply be provided by the complainant within ten (10) days; however no additional information may be provided as part of a response unless requested by the Integrity Commissioner.
- (2) If necessary, after reviewing the submitted materials, the Integrity Commissioner may contact and speak to or correspond with any other persons, access and examine any other documents or electronic materials, including any materials on the Region's computers and servers, and may enter any Region work location relevant to the complaint for the purpose of investigation and potential resolution.
- (3) The Integrity Commissioner may, but is under no obligation, to provide the Member and Complainant with a draft of the proposed report on the complaint.
- (4) The Integrity Commissioner shall not issue a report finding a violation of the Code of Conduct on the part of any Member unless the Member has had an opportunity either in person or in writing to comment to the Integrity Commissioner on the proposed finding(s).
- (5) The Integrity Commissioner may, but is under no obligation, to advise either the Member or the complainant of any proposed sanction or recommendation the Integrity Commissioner may include in the report to Council.
- (6) The Integrity Commissioner may make interim reports to Council where necessary and as required to address any instances of interference, obstruction, intimidation, delay, reprisal or retaliation by the Member or any other person encountered during the formal complaint investigation.
- (7) The Integrity Commissioner shall retain all records related to the complaint and investigation but may provide copies of certain records, in confidence, to Regional administrative staff who are required to ensure that any such records are securely and confidentially retained.

Complaints in a Municipal Election Year

- 9. Notwithstanding any other provision of this Complaint Protocol, no complaint may be referred to the Integrity Commissioner during the period of time starting on

nomination day for a regular election and ending on voting day in a regular election as set out in the Municipal Elections Act.

If the Integrity Commissioner has not completed an inquiry before nomination day for a regular election as set out in the Municipal Elections Act, the Integrity Commissioner shall terminate the inquiry on that day. If an inquiry is terminated for the above reason, the Integrity Commissioner shall not commence another inquiry in respect of the matter unless, within six weeks after voting day in a regular election, the Complainant or the Member or former Member whose conduct is concerned makes a written request to the Integrity Commissioner that the inquiry be commenced.

Advice Provided to Member by Integrity Commissioner

10. (1) Subject to Section 10(2), a Member is entitled to rely upon any written advice given by the Integrity Commissioner to the Member respecting the Code of Conduct in any subsequent consideration of the conduct of the Member in the same matter provided that the Member fully disclosed all relevant facts known to him or her to the Integrity Commissioner and acted in accordance with the written advice provided by the Integrity Commissioner.
- (2) A Member under investigation by the Integrity Commissioner shall not request advice from the Integrity Commissioner as to the Member's rights under the Code of Conduct or generally at law, nor is the Member entitled to rely upon any statement(s) made by the Integrity Commissioner during the course of the investigation that may impact the Member's rights under the Code of Conduct or at law.

Investigation Report

11. (1) Where the complaint is sustained in whole or in part, the Integrity Commissioner shall report to Council outlining the findings, the fact of any settlement and/or any recommended remedial or corrective action.
- (2) The Integrity Commissioner may provide a copy of the report to the complainant and the Member whose conduct has been investigated in advance of the public release of the report, in strict confidence until the report is publicly released.
- (3) Where the complaint is not sustained, the Integrity Commissioner is not obligated to report to Council on the result of the investigation or any

findings although such information may be included in a report or as part of an annual or other periodic report by the Integrity Commissioner.

Findings

12. If the Integrity Commissioner determines that:

- (a) there has been no contravention of the Code of Conduct, or
- (b) a contravention occurred but:
 - (i) the Member took all reasonable measures to prevent it,
 - (ii) it was trivial,
 - (iii) it was committed through inadvertence, or
 - (iv) it resulted from an error of judgment made in good faith,

the Integrity Commissioner may so state in the report and may make appropriate recommendations pursuant to the *Municipal Act, 2001*, including but not limited to, a recommendation of no penalty.

Report to Council

13. Upon receipt of a report from the Integrity Commissioner, the Regional Clerk shall place the report on the next regular agenda of Council for consideration by Council and Council must consider the report at that meeting and may accept or refuse the recommendations set out in the report and accept, refuse or vary any penalties or sanctions contained in the report. A report from the Integrity Commissioner may also be considered by Council in advance of its next regular meeting should Council agree to hold a special or other meeting before its next regular meeting to consider the report.

No Reports Prior to Municipal Election

14. Notwithstanding any other provision of this Complaint Protocol, the Integrity Commissioner shall not make any report to Council or to any other person during the period of time starting on nomination day for a regular election and ending on voting day in a regular election as set out in the *Municipal Elections Act*.

Duty of Council

15. Council shall consider and make a determination on the Integrity Commissioner's report at the same meeting at which the report is tabled.

Public Disclosure

16. (1) The Integrity Commissioner and every person acting under his or her jurisdiction shall preserve confidentiality where appropriate and where it does not interfere with the course of any investigation, except as required by law and as required by this Complaint Protocol.
- (2) The Integrity Commissioner shall retain all records for a one-year period related to any complaints and investigations although copies may be provided to the Region's administrative staff, subject to the duty of confidentiality under subsection 223.5 of the *Municipal Act, 2001*.
- (3) The identity of the Member who is the subject of the complaint shall not be treated as confidential information in the Integrity Commissioner's report to Council. The identity of the complainant may be disclosed if deemed appropriate and necessary by the Integrity Commissioner or if consented to by the complainant.
- (4) All reports from the Integrity Commissioner to Council shall be made available to the public by the Regional Clerk.

Delegation

17. The Integrity Commissioner may delegate in writing to any person, other than a Member of Council, any of the Integrity Commissioner's powers and duties under Part V.1 of the *Municipal Act, 2001*.

Code of Conduct — Formal Complaint Form/Affidavit**AFFIDAVIT OF _____**

I, _____ (full name), of the (City, Town etc.)

_____ (municipality of residence) in the Province of Ontario.

MAKE OATH AND SAY (or AFFIRM):

1. I have personal knowledge of the facts as set out in this affidavit, because

_____.

(insert reasons e.g. I work for... I attended a meeting at which... etc.)

2. I have reasonable and probable grounds to believe that:

(specify name of Member)

a member of the Council or Local Board(s) of Niagara Region, has contravened section(s) _____ (specify section(s)) of the Code of Conduct for Members of Council and Local Boards of Niagara Region. The particulars of which are as follows:

(Set out the statements of fact in consecutively numbered paragraphs in the space above, with each paragraph being confined as far as possible to a particular statement of fact. If you require more space please use the attached Schedule A form. If you wish to include exhibits to support this complaint, please refer to the exhibits as Exhibit A, B etc. and attach them to this affidavit.)

This affidavit is made for the purpose of requesting that this matter be reviewed and/or investigated by Niagara Region's appointed Integrity Commissioner and for no other purpose.

SWORN (or AFFIRMED) before me at the)

_____ (City, Town etc. of,)

in the Regional Municipality of Niagara on)

_____ (date))

)

(Signature)

A Commissioner for taking affidavits etc.

Please note that signing a false affidavit may expose you to prosecution under ss. 131 and 132 or 134 of the *Criminal Code*, R.S.C. 1985, c. C-46 and also to civil liability for defamation.

28959031.4

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 IN THE TOWN OF LINCOLN)

WHEREAS on the 20th day of April, 1989 the Council of The Regional Municipality of Niagara did pass By-law No. 89-2000, which is a by-law to provide for the regulation of traffic on Regional Highways;

WHEREAS it is necessary from time to time to amend the said by-law;

WHEREAS on the 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 June 14, 2022, 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 in the Town of 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 (Victoria Avenue) | 410 meters north of Regional Road 73 (Fly Road) | Sixth Avenue Louth | 70 |

| HIGHWAY | FROM | TO | MAXIMUM SPEED KM/H |
|---------------------------------------|--------------------|---|-----------------------|
| Regional Road 24 (Victoria Avenue) | Sixth Avenue Louth | 400 meters north of Regional Road 20 (Old Hwy 20) | 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 (Victoria Avenue) | 410 meters north of Regional Road 73 (Fly Road) | Seventh Avenue | 70 |

| HIGHWAY | FROM | TO | MAXIMUM SPEED KM/H |
|---------------------------------------|----------------|---|-----------------------|
| Regional Road 24 (Victoria Avenue) | Seventh Avenue | 400 meters north of Regional Road 20 (Old Hwy 20) | 80 |

3. 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 AMEND BY-LAW 89-2000 TO PROVIDE
FOR THE REGULATION OF TRAFFIC ON REGIONAL
HIGHWAYS (PARKING PROHIBITION REGIONAL ROAD
39 IN THE TOWN OF LINCOLN)

WHEREAS on the 20th day of April, 1989 the Council of The Regional Municipality of Niagara did pass By-Law No. 89-2000, which is a by-law to provide for 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 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 Delegation of Authority Respecting Traffic and Parking By-law 89-2000 Matters Policy; and,

WHEREAS a memorandum dated June 14, 2022, has been received from the Director of Transportation Services in accordance with said Policy requesting the Clerk to prepare and present to Council an amending by-law to amend By-law 89-2000 for purposes of a Parking Prohibition on Regional Road 39 (North Service Road) in the Town of Lincoln.

NOW THEREFORE the Council of The Regional Municipality of Niagara enacts as follows:

1. That Schedule "C" of the said By-law No. 89-2000 be and the same is hereby amended by **deleting** the following:

Schedule "C"

Parking Prohibition

| HIGHWAY | SIDE | FROM | TO | TIME/DAYS |
|---|------|--|---|-----------|
| Regional Road 39 (North Service Road) | Both | Q.E.W. Eastbound on/off Ramp (East of RR24 Victoria Avenue) | 750 meters east of Q.E.W. East-bound on/off Ramp | Anytime |

2. That Schedule “C” of the said By-law No. 89-2000 be and the same is hereby amended by **adding** the following:

Schedule “C”

Parking Prohibition

| HIGHWAY | SIDE | FROM | TO | TIME/DAYS |
|---|------|--|--|-----------|
| Regional Road 39 (North Service Road) | Both | Q.E.W. Eastbound on/off Ramp (East of RR24 Victoria Avenue) | 1500 meters east of Q.E.W. East-bound on/off Ramp | Anytime |

3. That this by-law shall come into force and effect on the day upon which it is passed and when 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 AMEND BY-LAW 89-2000 TO PROVIDE
FOR THE REGULATION OF TRAFFIC ON REGIONAL
HIGHWAYS (PROHIBITED TURNS REGIONAL ROADS 27
AND 63 IN 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 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 June 14, 2022, 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 prohibiting right turns for northbound vehicles on Regional Road 27 and right turns for westbound vehicles on Regional Road 63 in the Township of West Lincoln.

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 27 (River Road) | Regional Road 63 (Canborough Road) | Northbound | Right | Anytime On Red Signal |
| Regional Road 63 (Canborough Road) | Regional Road 27 (River Road) | Westbound | Right | Anytime On Red Signal |

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 AMEND BY-LAW 89-2000 TO PROVIDE
FOR THE REGULATION OF TRAFFIC ON REGIONAL
HIGHWAYS (SPEED LIMIT REDUCTION REGIONAL
ROAD 27 IN THE TOWNSHIP OF WAINFLEET AND CITY
OF WELLAND)

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; and,

WHEREAS a memorandum dated June 14, 2022, 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 27 in the Township of Wainfleet and City of Welland.

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 27 (River Road) | 350 meters south of Regional Road 63 (Canborough Road) | 366 meters west of Broadway Street | 80 |

| HIGHWAY | FROM | TO | MAXIMUM SPEED KM/H |
|--------------------------------------|---------------------------------------|--|-----------------------|
| Regional Road 27 (Riverside Road) | 366 meters west of Broadway Street | 400 meters west of Regional Road 29 (Lincoln Street) | 60 |

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 27 (River Road) | 350 meters south of Regional Road 63 (Canborough Road) | Regional Road 24 (Victoria Avenue) | 80 |

| HIGHWAY | FROM | TO | MAXIMUM SPEED KM/H |
|----------------------------------|---------------------------------------|---------------------------------------|-----------------------|
| Regional Road 27 (River Road) | Regional Road 24 (Victoria Avenue) | 366 meters west of Broadway Street | 70 |

3. 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 AUTHORIZE AN APPLICATION FOR
APPROVAL TO EXPROPRIATE ALL RIGHT, TITLE AND
INTEREST (FEE SIMPLE) IN LANDS REQUIRED FOR
MUNICIPAL PURPOSES

WHEREAS The Regional Municipality of Niagara requires all rights, title and interest (fee simple) in the lands described as Part of Lots 15 and 16, Concession 7 Willoughby in the City of Niagara Falls, Regional Municipality of Niagara, being part of PIN 64444-0008 (the "Lands"), registered in the Land Registry Office for the Land Titles Division of Niagara South No. 59 and as identified on the sketch appended to the Application for Approval to Expropriate Land attached hereto as Attachment "A";

WHEREAS the Lands are required for the municipal purposes of facilitating the reconstruction of Regional Road 98 in the City of Niagara Falls, from the north limit of Grassy Brook Road to the south limit of Biggar Road/Lyons Creek Road, and works ancillary thereto.;

WHEREAS pursuant to Section 6(1) of the *Municipal Act*, 2001, S.O. 2001, c.25, as amended (hereinafter referred to as the "***Municipal Act, 2001***"), the power of a municipality to acquire land under this or any other Act includes the power to expropriate land in accordance with the *Expropriations Act*, R.S.O. 1990 c. E.26, as amended (hereinafter referred to as the "***Expropriations Act***");

WHEREAS pursuant to Section 5(3) of the *Municipal Act*, 2001, a municipal power shall be exercised by by-law unless the municipality is specifically authorized to do otherwise;

WHEREAS pursuant to Section 4 of the *Expropriations Act*, an expropriating authority, in this case, The Regional Municipality of Niagara, shall not expropriate land without the approval of the approving authority, in this case, the Council of The Regional Municipality of Niagara;

WHEREAS the Council of The Regional Municipality of Niagara has by resolutions passed on June 23, 2022 authorized the commencement of procedures to expropriate lands;

WHEREAS R.R.O. 1990, Reg. 363 as amended, directs that an Application for Approval to Expropriate Land shall be in Form 1 appended hereto as Attachment "A" and a Notice of Application for Approval to Expropriate Land shall be in Form 2 appended hereto as Attachment "B"; and

WHEREAS The Regional Municipality of Niagara shall conduct the expropriation in accordance with the *Expropriations Act*;

NOW THEREFORE the Council of The Regional Municipality of Niagara enacts as follows:

1. That the Council of The Regional Municipality of Niagara hereby authorizes an Application for Approval to Expropriate Land by The Regional Municipality of Niagara, in Form 1 attached as Attachment "A" in respect of the Lands.
2. That the Regional Clerk is hereby authorized to execute, on behalf of The Regional Municipality of Niagara, the Application for Approval to Expropriate Land in Form 1 attached as Attachment "A" in respect of the Lands.
3. That the Regional Clerk is hereby authorized to execute, on behalf of The Regional Municipality of Niagara, the Notice of Application for Approval to Expropriate Land in Form 2 attached as Attachment "B", and that it be served and published, as required by the *Expropriations Act*.
4. That in the event an owner or registered owner requests a hearing of necessity, and a report of the inquiry officer is issued, the report of the inquiry officer shall come before the Council of The Regional Municipality Niagara for consideration.
5. That the Officers and authorized agents of The Regional Municipality of Niagara be and they are hereby otherwise authorized and directed to do all things required arising from the authorizations provided by this By-law.

6. That this By-law comes into force on the date it is passed.

THE REGIONAL MUNICIPALITY OF NIAGARA

James Bradley, Regional Chair

Ann-Marie Norio, Regional Clerk

Passed: < >

ATTACHMENT 'A'

Application for Approval to Expropriate Land

Expropriations Act

TO: The Council of The Regional Municipality of Niagara
1815 Sir Isaac Brock Way, P.O. Box 1042, Thorold, ON L2V 4T7

In the matter of an application by The Regional Municipality of Niagara for approval to expropriate land in the City of Niagara Falls, being:

Part of Lots 15 & 16, Concession 7 Willoughby, City of Niagara Falls,
Regional Municipality of Niagara, being part of PIN 64444-0008, and as
identified on the enclosed sketch at Schedule "A".

for the purposes of the reconstruction and widening of Regional Road 98 (Montrose Road), from the north limit of Grassy Brook Road to the south limit of Biggar Road/Lyons Creek Road, and works ancillary thereto.

Application is hereby made for approval to expropriate the land described as follows:

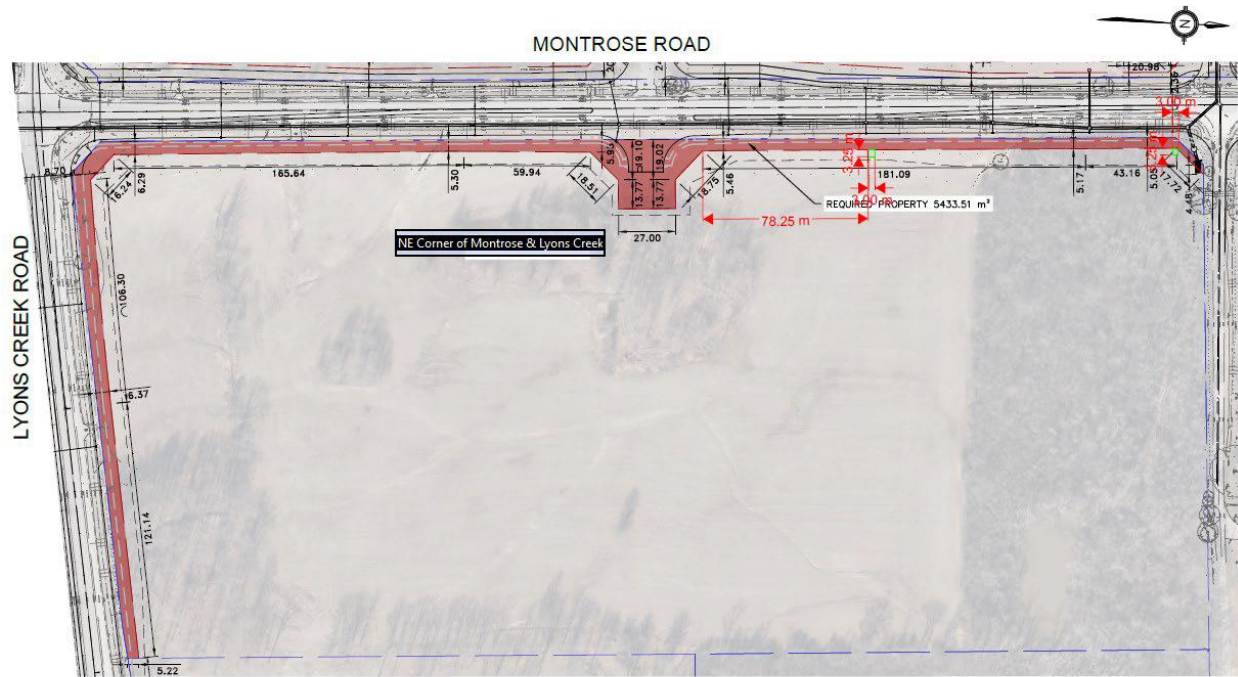
Part of Lots 15 & 16, Concession 7 Willoughby, City of Niagara Falls,
Regional Municipality of Niagara, being part of PIN 64444-0008, and as
identified on the enclosed sketch at Schedule "A".

Dated at Thorold, this day of , 2022.

THE REGIONAL MUNICIPALITY OF NIAGARA

Ann-Marie Norio, Regional Clerk

SCHEDULE 'A'
PROPERTY DRAWING



ATTACHMENT 'B'

Notice of Application for Approval to Expropriate Land
Expropriations Act

In the matter of an application by The Regional Municipality of Niagara for approval to expropriate land in the City of Niagara Falls, being:

Part of Lots 15 & 16, Concession 7 Willoughby, City of Niagara Falls, Regional Municipality of Niagara, being part of PIN 64444-0008, and as identified on the enclosed sketch at Schedule "A".

for the purposes of the reconstruction and widening of Regional Road 98 (Montrose Road), from the north limit of Grassy Brook Road to the south limit of Biggar Road/Lyons Creek Road, and works ancillary thereto.

Notice is hereby given that application has been made for approval to expropriate the land described as follows:

Part of Lots 15 & 16, Concession 7 Willoughby, City of Niagara Falls, Regional Municipality of Niagara, being part of PIN 64444-0008, and as identified on the enclosed sketch at Schedule "A".

Any owner of land in respect of which notice is given who desires a hearing into whether the taking of such land is fair, sound and reasonably necessary in the achievement of the objectives of the expropriating authority shall so notify the approving authority in writing,

- (a) in the case of a registered owner, served personally or by registered mail within thirty days after the registered owner is served with the notice, or, when the registered owner is served by publication, within thirty days after the first publication of the notice;
- (b) in the case of an owner who is not a registered owner, within thirty days after the first publication of the notice.

The approving authority is:

The Council of The Regional Municipality of Niagara
1815 Sir Isaac Brock Way, P.O. Box 1042, Thorold, ON L2V 4T7

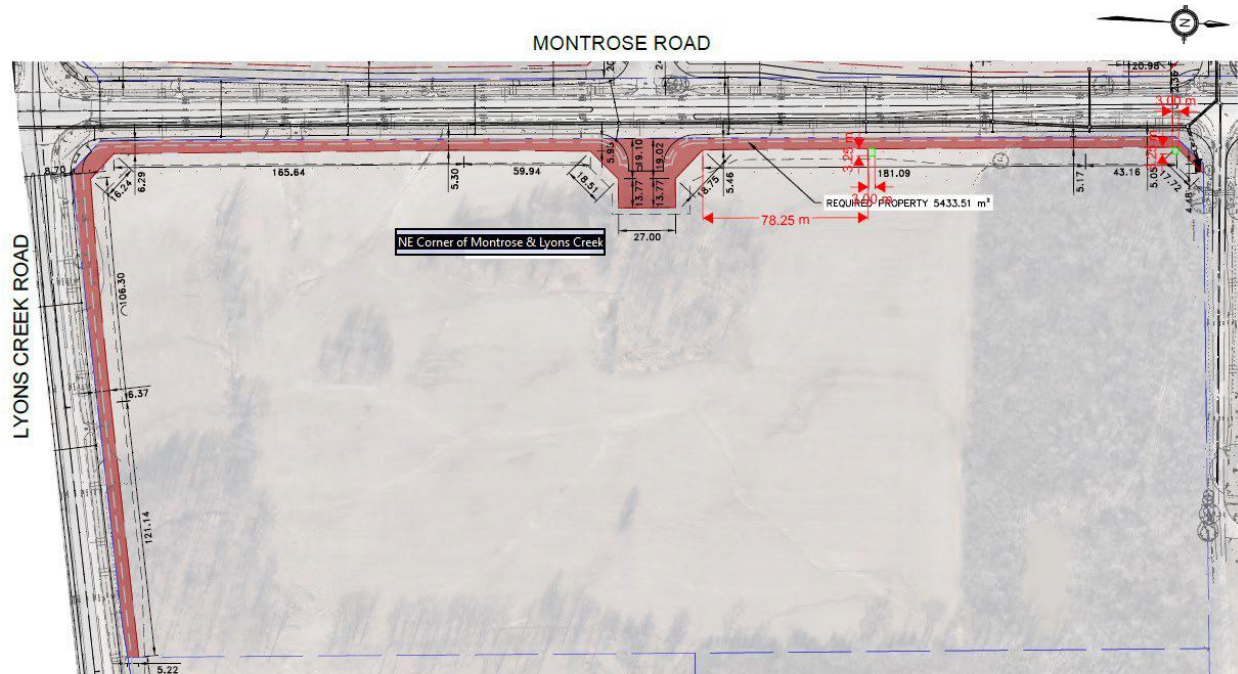
The expropriating authority is:

The Regional Municipality of Niagara
1815 Sir Isaac Brock Way, P.O. Box 1042, Thorold, ON L2V 4T7

THE REGIONAL MUNICIPALITY OF NIAGARA

Ann-Marie Norio, Regional Clerk

SCHEDULE 'A'
PROPERTY DRAWING



THE REGIONAL MUNICIPALITY OF NIAGARA

BY-LAW NO. <>

A BY-LAW TO AUTHORIZE AN APPLICATION FOR
APPROVAL TO EXPROPRIATE ALL RIGHT, TITLE AND
INTEREST (FEE SIMPLE) IN LANDS REQUIRED FOR
MUNICIPAL PURPOSES

WHEREAS The Regional Municipality of Niagara requires all rights, title and interest (fee simple) in the lands described as Part of Lot 15, Concession 7 Willoughby, City of Niagara Falls, Regional Municipality of Niagara, being part of PIN 64260-0002 (the "Lands"), registered in the Land Registry Office for the Land Titles Division of Niagara South No. 59, and as identified on the sketch appended to the Application for Approval to Expropriate Land attached hereto as Attachment "A";

WHEREAS the Lands are required for the municipal purposes of facilitating the reconstruction of Regional Road 98 in the City of Niagara Falls, from the north limit of Grassy Brook Road to the south limit of Biggar Road/Lyons Creek Road, and works ancillary thereto;

WHEREAS pursuant to Section 6(1) of the *Municipal Act*, 2001, S.O. 2001, c.25, as amended (hereinafter referred to as the "***Municipal Act*, 2001**"), the power of a municipality to acquire land under this or any other Act includes the power to expropriate land in accordance with the *Expropriations Act*, R.S.O. 1990 c. E.26, as amended (hereinafter referred to as the "***Expropriations Act***");

WHEREAS pursuant to Section 5(3) of the *Municipal Act*, 2001, a municipal power shall be exercised by by-law unless the municipality is specifically authorized to do otherwise;

WHEREAS pursuant to Section 4 of the *Expropriations Act*, an expropriating authority, in this case, The Regional Municipality of Niagara, shall not expropriate land without the approval of the approving authority, in this case, the Council of The Regional Municipality of Niagara;

WHEREAS the Council of The Regional Municipality of Niagara has by resolutions passed on June 23, 2022 authorized the commencement of procedures to expropriate lands;

WHEREAS R.R.O. 1990, Reg. 363 as amended, directs that an Application for Approval to Expropriate Land shall be in Form 1 appended hereto as Attachment “A” and a Notice of Application for Approval to Expropriate Land shall be in Form 2 appended hereto as Attachment “B”; and

WHEREAS The Regional Municipality of Niagara shall conduct the expropriation in accordance with the *Expropriations Act*;

NOW THEREFORE the Council of The Regional Municipality of Niagara enacts as follows:

1. That the Council of The Regional Municipality of Niagara hereby authorizes an Application for Approval to Expropriate Land by The Regional Municipality of Niagara, in Form 1 attached as Attachment “A” in respect of the Lands.
2. That the Regional Clerk is hereby authorized to execute, on behalf of The Regional Municipality of Niagara, the Application for Approval to Expropriate Land in Form 1 attached as Attachment “A” in respect of the Lands.
3. That the Regional Clerk is hereby authorized to execute, on behalf of The Regional Municipality of Niagara, the Notice of Application for Approval to Expropriate Land in Form 2 attached as Attachment “B”, and that it be served and published, as required by the *Expropriations Act*.
4. That in the event an owner or registered owner requests a hearing of necessity, and a report of the inquiry officer is issued, the report of the inquiry officer shall come before the Council of The Regional Municipality Niagara for consideration.
5. That the Officers and authorized agents of The Regional Municipality of Niagara be and they are hereby otherwise authorized and directed to do all things required arising from the authorizations provided by this By-law.

6. That this By-law comes into force on the date it is passed.

THE REGIONAL MUNICIPALITY OF NIAGARA

James Bradley, Regional Chair

Ann-Marie Norio, Regional Clerk

Passed: < >

ATTACHMENT 'A'

Application for Approval to Expropriate Land

Expropriations Act

TO: The Council of The Regional Municipality of Niagara,
1815 Sir Isaac Brock Way, P.O. Box 1042, Thorold, ON L2V 4T7

In the matter of the proposed expropriation of land in the City of Niagara Falls by The Regional Municipality of Niagara being:

Part of Lot 15, Concession 7 Willoughby, City of Niagara Falls, Regional Municipality of Niagara, being part of PIN 64260-0002, and as identified on the enclosed sketch at Schedule "A".

for the purposes of the reconstruction and widening of Regional Road 98 (Montrose Road), from the north limit of Grassy Brook Road to the south limit of Biggar Road/Lyons Creek Road, and works ancillary thereto.

Application is hereby made for approval to expropriate the land described as follows:

Part of Lot 15, Concession 7 Willoughby, City of Niagara Falls, Regional Municipality of Niagara, being part of PIN 64260-0002, and as identified on the enclosed sketch at Schedule "A".

Dated at Thorold, this day of , 2022.

THE REGIONAL MUNICIPALITY OF NIAGARA

Ann-Marie Norio, Regional Clerk

SCHEDULE 'A'

PROPERTY DRAWING



ATTACHMENT 'B'
Notice of Application for Approval to Expropriate Land
Expropriations Act

In the matter of an application by The Regional Municipality of Niagara for approval to expropriate land in the City of Niagara Falls, being:

Part of Lot 15, Concession 7 Willoughby, City of Niagara Falls, Regional Municipality of Niagara, being part of PIN 64260-0002, and as identified on the enclosed sketch at Schedule "A".

for the purposes of the reconstruction and widening of Regional Road 98 (Montrose Road), from the north limit of Grassy Brook Road to the south limit of Biggar Road/Lyons Creek Road, and works ancillary thereto.

Notice is hereby given that application has been made for approval to expropriate the land described as follows:

Part of Lot 15, Concession 7 Willoughby, City of Niagara Falls, Regional Municipality of Niagara, being part of PIN 64260-0002, and as identified on the enclosed sketch at Schedule "A".

Any owner of land in respect of which notice is given who desires a hearing into whether the taking of such land is fair, sound and reasonably necessary in the achievement of the objectives of the expropriating authority shall so notify the approving authority in writing,

(a) in the case of a registered owner, served personally or by registered mail within thirty days after the registered owner is served with the notice, or, when the registered owner is served by publication, within thirty days after the first publication of the notice;

(b) in the case of an owner who is not a registered owner, within thirty days after the first publication of the notice.

The approving authority is:

The Council of The Regional Municipality of Niagara
1815 Sir Isaac Brock Way, P.O. Box 1042, Thorold, ON L2V 4T7

The expropriating authority is:

The Regional Municipality of Niagara
1815 Sir Isaac Brock Way, P.O. Box 1042, Thorold, ON L2V 4T7

THE REGIONAL MUNICIPALITY OF NIAGARA

Ann-Marie Norio, Regional Clerk

SCHEDULE 'A'

PROPERTY DRAWING



THE REGIONAL MUNICIPALITY OF NIAGARA

BY-LAW NO. <>

A BY-LAW TO PROVIDE FOR THE ADOPTION OF THE
OFFICIAL PLAN FOR THE REGIONAL MUNICIPALITY OF
NIAGARA

WHEREAS subsection 17(22) of the Planning Act, 1990 states that when the requirements of subsections 17(15) to 17(21), as appropriate, have been met, and Council is satisfied that an Official Plan as prepared is suitable for adoption, Council may by by-law adopt all or part of the plan, and, unless the plan is exempt from approval, submit it for approval; and

WHEREAS The Regional Municipality of Niagara currently has in effect an Official Plan, as amended, which was adopted by By-law No. 828-785-73; and

WHEREAS it is deemed desirable to adopt a new Official Plan for The Regional Municipality of Niagara;

NOW THEREFORE the Council of The Regional Municipality of Niagara enacts as follows.

1. That the document attached hereto as Schedule A is hereby adopted as the Official Plan for The Regional Municipality of Niagara
2. That the Regional Clerk is hereby authorized and directed to give notice of adoption of the Official Plan for The Regional Municipality of Niagara in accordance with subsection 17(23) of the Planning Act, 1990.
3. That the Regional Clerk is hereby authorized and directed to forward the Official Plan for The Regional Municipality of Niagara, and other required documentation, to the Ministry of Municipal Affairs and Housing for approval in accordance with subsection 17(31) of the Planning Act, 1990.
4. That the Official Plan for The Regional Municipality of Niagara shall take effect on the day after the day it is approved by the Province of Ontario in accordance with subsection 17(38.1) of the Planning Act, 1990.
5. That the current Official Plan for The Regional Municipality of Niagara, as adopted by By-law No. 828-785-73, and all amendments thereto, are hereby repealed at the end of the day on which the new Official Plan is approved.
6. That this by-law shall come into force and effect on the day upon which it is approved by the Province of Ontario.

THE REGIONAL MUNICIPALITY OF NIAGARA

Jim Bradley, Regional Chair

Ann-Marie Norio, Regional Clerk

Passed: <date>

THE REGIONAL MUNICIPALITY OF NIAGARA

BY-LAW NO. < >

A BY-LAW TO ADOPT, RATIFY AND CONFIRM THE ACTIONS OF
REGIONAL COUNCIL AT ITS MEETING
HELD JUNE 23, 2022

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 June 23, 2022, 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: <date>