



THE REGIONAL MUNICIPALITY OF NIAGARA COUNCIL ORDER OF BUSINESS

CL 6-2024

Thursday, April 25, 2024

6:30 p.m.

Council Chamber - In Person and Electronic Meeting

Niagara Region Headquarters, Campbell West

1815 Sir Isaac Brock Way, Thorold, ON

To view live stream meeting proceedings visit: niagararegion.ca/government/council

Pages

1. CALL TO ORDER

2. LAND ACKNOWLEDGEMENT STATEMENT

3. ADOPTION OF AGENDA

3.1 Addition of Items

3.2 Changes in Order of Items

4. DISCLOSURES OF PECUNIARY INTEREST

5. PRESENTATIONS

5.1 Niagara Parks Commission 2024 Updates and Initiatives

This presentation has been removed and will be brought to a future meeting.

6. CHAIR'S REPORTS, ANNOUNCEMENTS, REMARKS

7. DELEGATIONS

7.1 South Niagara Wastewater Treatment Solution – Award Notice for Detailed Design & Construction Services for the South Niagara Wastewater Treatment Plant & Outfall

Minute Item 6.3, Minutes PWC 4-2024 (Agenda Item 11.2)

7.1.1 Herb Sawatzky, 50by30Niagara

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This delegation request was submitted after the deadline. In order to be permitted, a two-thirds majority vote will be required.

8. ADOPTION OF MINUTES

8.1 Council Minutes CL 4-2024 Thursday, March 21, 2024

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The above minutes are presented for errors and/or omissions only.

9. CORRESPONDENCE

9.1 CL-C 34-2024

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By-law to Amend the Budget Planning By-law

9.2 CL-C 35-2024

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Niagara Region Weed Inspector Appointments

10. ITEMS FOR CONSIDERATION

10.1 CSD 20-2024

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2025 Budget Timetable

10.2 CL-C 36-2024

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Appointment to Niagara Convention and Civic Centre Board

10.3 CL-C 37-2024

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Confirmation of Niagara Regional Police Service Board Composition

10.4 CL-C 38-2024

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Niagara Transit Commission Request - Expansion of Customer Experience Department to Align with the Consolidation of Contracted Specialty Transit Services

10.5 PDS 17-2024

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Bill 185 (Cutting Red Tape to Build Housing Faster Act, 2024)

11. COMMITTEE REPORTS - OPEN SESSION

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| 11.1 | <u>Committee of the Whole</u> Minutes COTW 2-2024, Thursday, April 4, 2024 | 61 - 174 |
| 11.2 | <u>Public Works Committee</u> Minutes PWC 4-2024, Tuesday, April 9, 2024 | 175 - 235 |
| 11.3 | <u>Public Health and Social Services Committee</u> Minutes PHSSC 4-2024, Tuesday, April 9, 2024 | 236 - 275 |
| 11.4 | <u>Corporate Services Committee</u> Minutes CSC 4-2024, Wednesday, April 10, 2024 | 276 - 287 |
| 11.5 | <u>Planning and Economic Development Committee</u> Minutes PEDC 4-2024, Wednesday, April 10, 2024 | 288 - 376 |

12. CHIEF ADMINISTRATIVE OFFICER'S REPORT(S)

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| 12.1 | <u>CAO 4-2024</u> Council-Staff Relations | 377 - 378 |
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13. MOTIONS

14. NOTICES OF MOTION

15. CLOSED SESSION

- | | | |
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| 15.1 | <u>Council Minutes - Closed Session</u> Closed Session Minutes CL 4-2024, Thursday, March 21, 2024 | |
| 15.2 | <u>Committee Reports - Closed Session</u> | |
| 15.2.1 | Committee of the Whole - Closed Session Closed Minutes COTW 2-2024, Thursday, April 4, 2024 | |
| 15.2.2 | Corporate Services Committee - Closed Session CSC 4-2024, Wednesday, April 10, 2024 | |
| 15.2.3 | Planning and Economic Development Committee - Closed Session PEDC 4-2024, Wednesday, April 10, 2024 | |
| 15.3 | <u>Confidential Items Submitted Directly to Council</u> | |
| 15.3.1 | Confidential CAO 6-2024 | |

Personal Matters about an Identifiable Individual under s. 239(2) of the Municipal Act, 2001 – Associate Medical Officer of Health

15.3.2 Confidential CHR 4-2024

Personal Matters about an Identifiable Individual and Labour Relations or Employee Negotiations under Section 239 (2) of the Municipal Act, 2001 - Chief Administrative Officer Contract Extension Update

16. BUSINESS ARISING FROM CLOSED SESSION

17. BY-LAWS

- | | | |
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| 17.1 | <u>Bill 2024-25</u> A by-law to amend By-law 2019-79 being a By-law to define Budget Planning Requirements for The Regional Municipality of Niagara and to repeal By-law 2024-22. | 379 - 382 |
| 17.2 | <u>Bill 2024-26</u> A by-law to appoint Area Weed Inspectors for the purpose of enforcing the Weed Control Act, R.S.O. 1990, C.W.5, for The Regional Municipality of Niagara and to Repeal By-law 2023-35. | 383 - 384 |
| 17.3 | <u>Bill 2024-27</u> A by-law to amend By-Law 89-2000 being a By-law to Provide for the Regulation of Traffic on Regional Highways (Limited Parking Restrictions in the City of St. Catharines). | 385 - 386 |
| 17.4 | <u>Bill 2024-28</u> A by-law to amend By-Law 89-2000 being a By-law to Provide for the Regulation of Traffic on Regional Highways (Stop Sign Locations in the City of St. Catharines). | 387 - 388 |
| 17.5 | <u>Bill 2024-29</u> A by-law to amend By-Law 89-2000 being a By-law To Provide for the Regulation of Traffic on Regional Highways (Through Highways in the City of St. Catharines). | 389 - 390 |
| 17.6 | <u>Bill 2024-30</u> A by-law to amend By-Law 89-2000 being a By-law to Provide for the Regulation of Traffic on Regional Highways (Stop Sign Locations in the City of Niagara Falls). | 391 - 392 |
| 17.7 | <u>Bill 2024-31</u> A by-law to amend By-Law 89-2000 being a By-law to Provide for the Regulation of Traffic on Regional Highways (Through Highways in the City of Niagara Falls). | 393 - 394 |

17.8 Bill 2024-32 395
A by-law to adopt, ratify and confirm the actions of Regional Council at its meeting held April 25, 2024.

17.9 Bill 2024-33 396
A by-law to accept, assume and dedicate part of Lot 7, Concession 6, in the Township of Wainfleet as part of Regional Road No. 627 (O'Reilly's Road).

18. OTHER BUSINESS

19. 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: [Niagara Region Website](#)
To: [Clerks](#)
Subject: Online Form - Request to Speak at a Standing Committee or Regional Council
Date: Wednesday, April 24, 2024 3:27:19 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

Herb Sawatzky

Address

[REDACTED]

City

Pelham

Postal

[REDACTED]

Phone

[REDACTED]

Email

50by30Niagara@gmail.com

Organization

50by30Niagara

standing committee

Regional Council

Presentation Topic

11.2 - PWC minute item 6.3 - that the design of wastewater treatment plant contain provision for district energy and methane capture

Presentation includes slides

Yes

Previously presented topic

No

Presentation Details

The proposed wastewater treatment plant in Niagara Falls presents us with a fantastic opportunity for district energy - a way to heat and cool buildings that is energy efficient, more affordable, and environmentally friendly.

Noventa Energy can conduct its first phase of a feasibility study in a matter of weeks, with no delay the project. Operated as a utility, district energy will not add any upfront costs to the project. I'm asking that council direct staff to see to it that Phase 1 Design include a provision for district energy and methane capture, and that Stantec Consulting work with Noventa Energy (or other company chosen through RFT) on a feasibility study for district energy using the wastewater treatment plant as an energy source.

Video Consent

Yes



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

CL 4-2024

Thursday, March 21, 2024

**Council Chamber - In Person and Electronic Meeting
Niagara Region Headquarters, Campbell West
1815 Sir Isaac Brock Way, Thorold, ON**

Council: Bradley (Regional Chair), Bateman, Champion*, Chiocchio, Davies, Diodati*, Easton, Foster, Ganann, Grant*, Heit, Huson, Insinna, Ip, Jordan, Junkin, Kaiser, Redekop, Rigby, Seaborn*, Secord, Siscoe, Sorrento, Ugulini, Villella, Whalen, Witteveen, Zalepa

Absent/Regrets: Craitor, Gale, Morocco, Steele

Staff: E. Acs, Manager, Community Planning*, D. Barnhart, Chief of Staff, Governance, B. Brens, Associate Director, Budget Planning & Strategy, D. Carnegie, Deputy Chief Administrative Officer, B. Fricke, Senior Planner*, H. Furtado, Director, Financial Management & Planning/Deputy Treasurer, D. Gibbs, Director, Legal & Court Services, T. Harrison, Commissioner/Treasurer, Corporate Services, Dr. A. Kasmani, Medical Officer of Health, H. Koning, Acting Commissioner, Community Services, K. Lotimer, Deputy Clerk, F. Meffe, Director, Human Resources, D. Morreale, Director, Development Approvals*, A.-M. Norio, Regional Clerk, T. Ricketts, Commissioner, Public Works, M. Sergi, Commissioner, Growth Strategy & Economic Development, G. Spezza, Director, Economic Development, J. Spratt, Legislative Coordinator, A. Stea, Director, Community & Long Range Planning*, F. Tassone, Director, Transportation Services, R. Tripp, Chief Administrative Officer

* indicates members who participated electronically, all other members participated in person

1. CALL TO ORDER

Regional Chair Bradley called the meeting to order at 6:33 p.m.

2. LAND ACKNOWLEDGMENT STATEMENT

Councillor Huson read the Land Acknowledgment Statement.

3. ADOPTION OF AGENDA

3.1 Addition of Items

Moved by Councillor Bateman
Seconded by Councillor Ip

That Gabriel Gebril, resident, City of St. Catharines, **BE PERMITTED** to appear before Council as a delegate respecting Flag Raising and Niagara Sign Lighting Policy (Minute Item 7.4, Minutes CSC 3-2024 (Agenda Item 11.4)); and

That Herb Sawatsky, 50by30Niagara, **BE PERMITTED** to appear before Council as a delegate respecting the Motion respecting Support for the Decision of the Ontario Energy Board to End the Gas Pipeline Subsidy (Agenda Item 13.2).

Carried

3.2 Changes in Order of Items

Moved by Councillor Huson
Seconded by Councillor Easton

That the order of the agenda **BE AMENDED** to consider the Motion respecting Support for the Decision of the Ontario Energy Board to End the Gas Pipeline Subsidy (Agenda Item 13.2), immediately following the delegation on this matter (Agenda Item 7.2.1).

Carried

Moved by Councillor Witteveen
Seconded by Councillor Ganann

That Council Agenda CL 4-2023, **BE ADOPTED**, as amended.

Carried

4. DISCLOSURES OF PECUNIARY INTEREST

There were no disclosures of pecuniary interest.

5. PRESENTATIONS

There were no presentations.

6. CHAIR'S REPORTS, ANNOUNCEMENTS, REMARKS

The Regional Chair provided an update respecting activities within the Region and advised Council that in consultation the Region's Emergency Management staff, a State of Emergency would be declared in advance of the solar eclipse on April 8, 2024, in order to ensure the Region is ready to respond to any potential issue and for the safety of our residents and visitors.

Following the Chair's remarks, Councillor Ip provided comments respecting the incident that took place at the St. Catharines Public Library on March 9, 2024.

7. DELEGATIONS

7.1 Flag Raising and Niagara Sign Lighting Policy (Minute Item 7.4, Minutes CSC 3-2024 (Agenda Item 11.4))

7.1.1 Saleh Waziruddin, Resident, City of St. Catharines

Saleh Waziruddin, resident, City of St. Catharines, appeared before Council to express concern with the response received at the Corporate Services Committee meeting respecting the denial of requests to light the sign in the colours of the Palestinian flag, stating that the requirement for nations to be recognized by the Government of Canada only appears in the flag raising portion of the current policy, not the sign lighting portion of the policy.

7.1.2 Munajat Najmudin, Resident, City of Niagara Falls

Munajat Najmudin, resident, City of Niagara Falls, appeared before Council to express concern with the lack of consistency in the application of the Niagara Region Flag & Sign Lighting Policy.

7.1.3 Gabriel Gebril, Resident, City of St. Catharines

Gabriel Gebril, resident, City of St. Catharines, appeared before Council to express concern with the response received at the Corporate Services Committee meeting respecting the denial of requests to light the sign in the colours of the Palestinian flag, as the requirement for recognition of the nation by the Government of Canada only appears in the flag raising portion of the policy.

7.2 Support for the Decision of the Ontario Energy Board to End the Gas Pipeline Subsidy (Agenda Item 13.2).

7.2.1 Herb Sawatzky, 50by30Niagara

Herb Sawatzky, 50by30Niagara, appeared before Council in support of the motion respecting Support for the Decision of the Ontario Energy Board to End the Gas Pipeline Subsidy.

13. MOTIONS

13.2 Support for the Decision of the Ontario Energy Board to End the Gas Pipeline Subsidy

Moved by Councillor Huson
Seconded by Councillor Junkin

WHEREAS, Niagara's residents are struggling with rising energy costs and require assistance, particularly as they navigate the challenges of recovering from the COVID-19 pandemic;

WHEREAS, natural gas is no longer the cheapest way to heat homes because of innovations in electric heat pumps which can provide all heating needs even in the cold climates, and result in competitive energy bills relative to gas heating;

WHEREAS, natural gas is methane gas, which is a fossil fuel that causes approximately one-third of Ontario's GHG emissions, and must be phased out because it is inconsistent with all climate targets, while heat pumps result in the lowest GHG emissions and are consistent with a zero-carbon future;

WHEREAS, the Ontario Energy Board ("OEB") released a decision that eliminated a subsidy for the installation of gas pipelines in new construction developments as of January 1, 2025, finding that this would lower energy bills for existing gas customers and improve affordability for new homebuyers;

WHEREAS on February 22, 2024, the provincial government introduced Bill 165 which, if passed, will effectively overturn the OEB decision;

WHEREAS, the OEB decision will help lower energy bills and encourage heating systems that are consistent with climate targets and plans;

WHEREAS, the construction of new methane gas pipelines, which have 60-year lifetimes, should not be subsidized because they are inconsistent with the Region's climate targets and will result in higher carbon emissions, higher energy bills, higher future de-carbonization retrofit costs to get off fossil fuel heating, and a continued financial drain as dollars leave the province to pay for fossil fuels extracted in other jurisdictions;

WHEREAS, Niagara Region declared a climate emergency in 2021; and

WHEREAS, the Niagara Region has taken a number of steps to acknowledge and prioritize projects, programs, policies and initiatives to show leadership in addressing climate change by incorporating climate changes objectives into our Official Plan, joining the Partners for Climate Protection Program, developing the Niagara Climate Change Action Network, setting a Net Zero Corporate greenhouse gas emission reduction target by 2050, hosting an annual Climate Change Summit and in developing the Niagara Climate Change Municipal Community of Practice.

NOW THEREFORE, BE IT RESOLVED:

1. That the Region of Niagara **SUPPORTS** the decision of the Ontario Energy Board to end the gas pipeline subsidy;
2. That Regional Chair **BE DIRECTED** to send correspondence to the Hon. Todd Smith, Minister of Energy, expressing Regional Council's support for the OEB and requesting that their decision stand; and
3. That the Regional Clerk **BE DIRECTED** to circulate this motion to the President of Association of Municipalities of Ontario, Colin Best; Premier of Ontario, Doug Ford; Minister of Energy, Todd Smith; Minister of Finance, Peter Bethlenfalvy, and all Ontario Municipalities requesting support for the proposed changes.

Recorded vote:

Yes (11): Bateman, Ganann, Huson, Insinna, Ip, Jordan, Junkin, Kaiser, Rigby, Secord, Witteveen.

No (15): Campion, Chiocchio, Davies, Easton, Foster, Grant, Heit, Redekop, Seaborn, Siscoe, Sorrento, Ugulini, Villella, Whalen, Zalepa.

Defeated

8. ADOPTION OF MINUTES

8.1 Council Minutes CL 3-2024 Thursday, February 22, 2024

Moved by Councillor Heit
Seconded by Councillor Davies

That Minutes CL 3-2024 being the Open Session minutes of the Regional Council meeting held on Thursday, February 22, 2024, **BE ADOPTED**.

Carried

9. CORRESPONDENCE

There were no correspondence items.

10. ITEMS FOR CONSIDERATION

10.1 CL-C 27-2024

Appointment of Budget Review Committee of the Whole Chair and Vice Chair for 2025 and 2026 Budget Years

Moved by Councillor Witteveen
Seconded by Councillor Ip

That Correspondence Item CL-C 27-2024, dated March 21, 2024, respecting Appointment of Budget Review Committee of the Whole Chair and Vice Chair for 2025 and 2026 Budget Years, **BE RECEIVED**; and

That Councillor Redekop and Councillor Whalen **REMAIN** in their positions as Chair and Vice Chair of the Budget Review Committee of the Whole for the 2025 and 2026 budget years.

Carried

10.2 CSD 18-2024

2025 Budget Planning Update

Moved by Councillor Redekop
Seconded by Councillor Whalen

That Report CSD 18-2024, dated March 21, 2024, respecting 2025 Budget Planning **BE RECEIVED**, and the following recommendations **BE APPROVED**:

1. That By-law No. 2019-79 being A By-Law to Define Budget Planning Requirements for the Regional Municipality of Niagara **BE AMENDED** to allow the Budget Review Committee of the Whole (BRCOTW) Budget Planning meeting to occur in July and the budget timetable to be approved by Council and to undertake some minor housekeeping amendments; and
2. That this report **BE CIRCULATED** to agencies, boards, and commissions (ABCs) in accordance with By-law 2017-63 "Budget Control".

Carried

10.3 CL-C 28-2024

Federation of Canadian Municipalities (FCM) Board of Directors
Nomination

Moved by Councillor Ip

Seconded by Councillor Junkin

That Correspondence Item CL-C 28-2024, dated March 21, 2024, respecting Federation of Canadian Municipalities (FCM) Board of Directors Nomination, **BE RECEIVED**; and the following recommendations **BE APPROVED**:

1. That Regional Council **ENDORSE** Councillor Diana Huson as Niagara Region's representative to stand for election on the Federation of Canadian Municipalities (FCM) National Board of Directors (Ontario) for the remainder of this term of Council; and
2. That Regional Council **CONFIRM** it will assume all costs associated with Councillor Huson attending FCM's Board of Directors meetings.

Carried

Councillor Information Request(s):

Review the process to notify Councillors regarding opportunities to serve on various Boards such as AMO and FCM. Councillor Kaiser.

10.4 CL-C 29-2024

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

Moved by Councillor Whalen

Seconded by Councillor Heit

That Correspondence Item CL-C 29-2024, dated March 21, 2024, respecting Association of Municipalities of Ontario (AMO) Board of Directors Nomination, **BE RECEIVED**; and the following recommendation **BE APPROVED**:

1. That Regional Council **NOMINATES** Councillor Robert Foster for the position of Director on Regional and Single Tier Caucus, on the Association of Municipalities of Ontario Board of Directors for the 2024-2026 term.

At this point in the meeting, Councillor Bateman indicated she would like to be considered for nomination to the AMO Board; therefore, it was,

Moved by Councillor Witteveen
Seconded by Councillor Kaiser

1. That Regional Council **NOMINATES** Councillor Haley Bateman for the position of Director on Regional and Single Tier Caucus, on the Association of Municipalities of Ontario Board of Directors for the 2024-2026 term.

As Council is only able to endorse one nominee for the AMO Board, voting was conducted.

Voting for Councillor Bateman (2): Bateman, Witteveen.

Voting for Councillor Foster (23): Campion, Chiocchio, Davies, Easton, Foster, Ganann, Grant, Huson, Insinna, Ip, Jordan, Junkin, Kaiser, Redekop, Rigby, Seaborn, Secord, Siscoe, Sorrento, Ugulini, Villella, Whalen, Zalepa.

Moved by Councillor Heit
Seconded by Councillor Sorrento

That Correspondence Item CL-C 29-2024, dated March 21, 2024, respecting Association of Municipalities of Ontario (AMO) Board of Directors Nomination, **BE RECEIVED**; and the following recommendation **BE APPROVED**:

1. That Regional Council **NOMINATES** Councillor Robert Foster for the position of Director on Regional and Single Tier Caucus, on the Association of Municipalities of Ontario Board of Directors for the 2024-2026 term.

Carried

11. COMMITTEE REPORTS - OPEN SESSION

11.1 Committee of the Whole Minutes COTW 1-2024, Thursday, March 7, 2024

Moved by Councillor Villella
Seconded by Councillor Bateman

That Minutes COTW 1-2024 being the Open Session minutes of the Committee of the Whole meeting held on Thursday, March 7, 2024, **BE RECEIVED** and the recommendations contained therein **BE APPROVED**.

11.1.1 Minutes COTW 1-2024, Minute Item 7.1 respecting Niagara Poverty Reduction Strategy

The motion contained in Minute Item 7.1 was considered separately as follows:

That Memorandum COTW-C 1-2024, dated March 7, 2024, respecting Niagara Poverty Reduction Strategy, **BE RECEIVED** for information.

Moved by Councillor Bateman
Seconded by Councillor Kaiser

That the motion **BE AMENDED** to add the following:

1. ***That the Regional Chair BE DIRECTED to send correspondence to the Provincial Government requesting that action be taken to at least double the Ontario Works and Ontario Disability Support Program rates and establish a policy to index rates to inflation, in order to mitigate further hardship that has resulted from frozen rates;***
2. ***That the Regional Clerk BE DIRECTED to circulate a copy of the Niagara Poverty Reduction Strategy and correspondence to the Minister of Children, Community and Social Services, the Association of Municipalities Ontario, the Ontario Municipal Social Services Association, local area MPs and MPPs and local area municipalities; and***
3. ***That staff BE DIRECTED to provide an update on the status of actions taken to address poverty as outlined in the Niagara Poverty Reduction Strategy by December 2024.***

Moved by Councillor Zalepa
Seconded by Councillor Siscoe

That Memorandum COTW-C 1-2024, dated March 7, 2024, respecting Niagara Poverty Reduction Strategy and the proposed amendment **BE REFERRED** to the Public Health and Social Services Committee to allow staff to provide additional information.

Carried

11.1.2 Balance of the Recommendations from the Committee of the Whole Meeting

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

Carried

11.2 Public Works Committee

Minutes PWC 3-2024, Tuesday, March 5, 2024

Moved by Councillor Witteveen

Seconded by Councillor Insinna

That Minutes PWC 3-2024 being the Open and Closed Session minutes of the Public Works Committee meeting held on Tuesday, March 5, 2024, **BE RECEIVED** and the recommendations contained therein **BE APPROVED**.

Carried

11.3 Public Health and Social Services Committee

Minutes PHSSC 3-2024, Tuesday, March 5, 2024

Moved by Councillor Chiocchio

Seconded by Councillor Sorrento

That Minutes PHSSC 3-2024 being the Open Session minutes of the Public Health & Social Services Committee meeting held on Tuesday, March 5, 2024, **BE RECEIVED** and the recommendations contained therein **BE APPROVED**.

Carried

11. **COMMITTEE REPORTS - OPEN SESSION**

11.4 Corporate Services Committee

Minutes CSC 3-2024, Wednesday, March 6, 2024

Moved by Councillor Foster

Seconded by Councillor Whalen

That Minutes CSC 3-2024 being the Open Session minutes of the Corporate Services Committee meeting held on Wednesday, March 6, 2024, **BE RECEIVED** and the recommendations contained therein **BE APPROVED**.

Carried

11.5 Planning and Economic Development Committee
Minutes PEDC 3-2024, Wednesday, March 6, 2024

Moved by Councillor Huson
Seconded by Councillor Davies

That Minutes PEDC 3-2024 being the Open Session minutes of the Planning and Economic Development Committee meeting held on Wednesday, March 6, 2024, **BE RECEIVED** and the recommendations contained therein **BE APPROVED**.

Carried

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

There were no Chief Administrative Officer reports.

13. **MOTIONS**

13.1 Federal Infrastructure Investment

Moved by Councillor Huson
Seconded by Councillor Siscoe

WHEREAS, Canada is experiencing record population growth, having welcomed 1.25 million new Canadians last year alone;

WHEREAS, according to the Canada Mortgage and Housing Corporation (CMHC) we need to build at least 3.5 million additional homes by 2030, and municipalities need to build or expand the infrastructure to accommodate this growth;

WHEREAS, FCM has estimated that the cost of the municipal infrastructure required to support housing development is, on average, in the range of \$107,000 per unit;

WHEREAS, according to Statistics Canada the cost of upgrade existing municipal infrastructure so that it is in a state of good repair is in the range of \$170 billion;

WHEREAS, non-residential construction price inflation has risen by 29% since the end of 2020 and municipalities are facing soaring costs for infrastructure project without a corresponding growth in revenue;

WHEREAS, unlike federal and provincial revenue, municipal tax revenue has not increased in recent years along with inflation, economic growth or population growth;

WHEREAS, municipalities are facing a gap in federal infrastructure funding as the 10-year Investing in Canada Infrastructure Program has come to an end, the Canada Community-Building Fund is being renegotiated and the Permanent Public Transit Fund is set to start in 2026; and

WHEREAS, the Canada Community-Building Fund (CCBF), which was formerly known as the federal Gas Tax Fund, provides more than \$2 billion in annual capital funding directly to municipalities through a predictable allocation mechanism, and municipalities of all sizes use the CCBF to deliver direct results for Canadians by building and renewing critical core public infrastructure, including water infrastructure, local roads, public transit and community, and cultural and recreational facilities.

NOW THEREFORE BE IT RESOLVED:

1. That the Regional Chair **BE DIRECTED** to send correspondence to the Hon. Sean Fraser, Minister of Housing, Infrastructure and Communities, and any other relevant ministry, expressing Niagara Regional Council's support of the CCBF, while also urging the federal government to take action on the following priorities:
 - a. Collaborate with agreement signatories and municipalities to maintain the CCBF as a source of direct, predictable, long-term funding for local infrastructure priorities;
 - b. Commit in Budget 2024, to the next generation of infrastructure programs, including a new program for water and wastewater infrastructure and an increase to the Disaster Mitigation and Adaptation Fund;
 - c. Convene a meeting of the provinces, territories and municipalities to negotiate a "Municipal Growth Framework" to modernize the way that municipalities are funded in order to enable Canada's long-term growth; and
2. That the Regional Clerk **BE DIRECTED** to send a copy of this motion to AMO and all of Niagara's local municipalities for their consideration and support.

Carried

14. NOTICES OF MOTION

Moved by Councillor Ip
Seconded by Councillor Huson

That in accordance with 2.4 of Niagara Region's Procedural By-law, the rules of procedure, specifically subsection 18.2 "Notices of Motion" of the Procedural By-law, **BE SUSPENDED** to permit Council to consider a motion respecting Workplace Harassment and the Display of Signage.

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

Carried

14.1 Workplace Harassment and the Display of Signage

Moved by Councillor Ip
Seconded by Councillor Huson

WHEREAS Niagara Regional Council supported recommendations by the Association of Municipalities of Ontario (AMO) to strengthen Codes of Conduct to protect municipal staff from workplace harassment; and

WHEREAS Niagara Regional Council's own Code of Conduct speaks to how Members of Council shall conduct themselves in relation to staff; and

WHEREAS staff of Niagara Region should never be the target of abusive behaviour, whether through public or private communications, from Councillors, co-workers, or the public; and

WHEREAS, on September 21, 2023, Niagara Regional Council also passed a motion affirming equity, diversity, and inclusion and recognizing the damaging impacts of hate and intolerance directed at Members of Council.

NOW THEREFORE BE IT RESOLVED:

1. That Niagara Regional Council **REAFFIRMS** its position that neither Councillors nor staff should be targets of harassment or other abusive behaviour from Members of Council, co-workers, or the public; and
2. That staff **PROVIDE** a report for consideration by the Procedural By-law Review Committee that includes draft wording to amend the Procedural By-law to address the display of signage in Council/Committee meetings that is contrary to Council's position on and Niagara Region's policies addressing Workplace Harassment and Violence, and best practices for addressing their removal.

Recorded vote:

Yes (23): Bateman, Chiocchio, Davies, Diodati, Foster, Ganann, Grant, Heit, Huson, Insinna, Ip, Jordan, Junkin, Kaiser, Redekop, Rigby, Seaborn, Siscoe, Ugulini, Villella, Whalen, Witteveen, Zalepa.

No (0).

Carried

15. CLOSED SESSION

Moved by Councillor Zalepa
Seconded by Councillor Ganann

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

A Matter of Litigation and Advice that is Subject to Solicitor Client Privilege pursuant to s. 239(2)(e) and (f) of the Municipal Act, 2001- Update regarding Regional Development Charge By-law Appeals further to Mediation

Carried

Council resolved into closed session at 9:18 p.m.

16. BUSINESS ARISING FROM CLOSED SESSION

Council reconvened in open session at 9:46 p.m. with the following individuals in attendance:

Council: Bradley (Regional Chair), Bateman, Chiocchio, Davies, Diodati*, Foster, Ganann, Grant*, Heit, Huson, Insinna, Ip, Jordan, Junkin, Kaiser, Redekop, Rigby, Seaborn*, Siscoe, Sorrento, Ugulini, Villella, Whalen, Witteveen, Zalepa

Absent/Regrets: Champion, Craitor, Easton, Gale, Morocco, Secord, Steele

Staff: D. Barnhart, Chief of Staff, Governance*, B. Brens, Associate Director, Budget Planning & Strategy, H. Furtado, Director, Financial Management & Planning/Deputy Treasurer, D. Gibbs, Director, Legal & Court Services, T. Harrison, Commissioner/Treasurer, Corporate Services, K. Lotimer, Deputy Clerk, A.-M. Norio, Regional Clerk, J. Spratt, Legislative Coordinator, R. Tripp, Chief Administrative Officer

* indicates members who participated electronically, all other members participated in person

16.1 Confidential CSD 13-2024

A Matter of Litigation and Advice that is Subject to Solicitor Client Privilege pursuant to s. 239(2)(e) and (f) of the Municipal Act, 2001- Update regarding Regional Development Charge By-law Appeals further to Mediation

Moved by Councillor Ugolini

Seconded by Councillor Insinna

That Confidential Report CSD 13-2024, dated March 21, 2024, respecting A Matter of Litigation and Advice that is Subject to Solicitor Client Privilege pursuant to s. 239(2)(e) and (f) of the Municipal Act, 2001- Update regarding Regional Development Charge By-law Appeals further to Mediation, **BE RECEIVED** and the recommendations contained therein **BE APPROVED**.

Carried

16.2 Confidential PDS 11-2024

A Matter of Litigation Affecting the Municipality under s. 239(2)(e) of the Municipal Act, 2001 – Ontario Land Tribunal Partial Settlement of Appeal of West Lincoln OPA 63

Moved by Councillor Huson

Seconded by Councillor Rigby

That Confidential Report PDS 11-2024, dated March 21, 2024, respecting A Matter of Litigation Affecting the Municipality under s. 239(2)(e) of the Municipal Act, 2001 – Ontario Land Tribunal Partial Settlement of Appeal of West Lincoln OPA 63, **BE RECEIVED** and the recommendations contained therein **BE APPROVED**.

Carried

16.3 Confidential CHR 2-2024 REVISED

Personal Matters about an Identifiable Individual and Labour Relations or Employee Negotiations under Section 239 (2) of the Municipal Act, 2001 - Contract Extension for the Chief Administrative Officer

Moved by Councillor Heit
Seconded by Councillor Junkin

That Confidential Report CHR 2-2024 REVISED, dated March 21, 2024, respecting Personal Matters about an Identifiable Individual and Labour Relations or Employee Negotiations under Section 239 (2) of the Municipal Act, 2001 - Contract Extension for the Chief Administrative Officer, **BE RECEIVED**; and

That the Regional Chair **BE AUTHORIZED** to proceed as outlined in Confidential CHR 2-2024 REVISED.

Carried

17. **BY-LAWS**

Moved by Councillor Seaborn
Seconded by Councillor Ganann

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

Bill 2024-18

A by-law to set and levy the rate of taxation for regional general and special purposes for the year 2024.

Bill 2024-19

A by-law to set tax ratios and tax rate reductions for prescribed property subclasses for regional purposes and area municipal purposes for the year 2024.

Bill 2024-20

A by-law to amend By-law 89-2000 being a by-law to provide for the regulation of traffic on Regional Highways - All-way stop designation Regional Road 3 (Lakeshore Road) at Brawn Road/Augustine Road in the Township of Wainfleet.

Bill 2024-21

A by-law to amend By-law 89-2000 being a By-law to Provide for the Regulation of Traffic on Regional Highways - All Way Stop Designation Regional Road 101 (Portage Road) at Regional Road 101 (Mountain Road) in the City of Niagara Falls.

Bill 2024-22

A by-law to amend By-law 2019-79 being a By-law to define Budget Planning Requirements for The Regional Municipality of Niagara.

Bill 2024-23

A by-law to adopt ratify and confirm the actions of Council at its meeting held
March 21, 2024.

Carried

18. OTHER BUSINESS

There were no items of other business.

19. ADJOURNMENT

There being no further business, the meeting adjourned at 9:58 p.m.

Jim Bradley
Regional Chair

Kelly Lotimer
Deputy Regional Clerk

Ann-Marie Norio
Regional Clerk

Memorandum

CL-C 34-2024

Subject: By-law to Amend the Budget Planning By-law

Date: April 25, 2024

To: Regional Council

From: Ann-Marie Norio, Regional Clerk

At its meeting held March 21, 2024, Regional Council passed By-law 2024-22, being a By-law to amend By-law 2019-79, the Budget Planning By-law. This by-law incorporated amendments to the Budget Planning By-law as outlined in Report CSD 18-2024.

Due to an oversight, changes that were outlined in the report were inadvertently omitted from the amending by-law.

Bill 2024-25 has been placed on the agenda for the Council meeting being held on April 25, 2024, for Council's consideration (Agenda Item 17.1) reflecting all the necessary amendments to By-law 2019-79 and to repeal By-law 2024-22.

Respectfully submitted and signed by

Ann-Marie Norio
Regional Clerk

Memorandum

CL-C 35-2024

Subject: Appointment of Area Weed Inspectors

Date: Thursday April 25, 2024

To: Council

From: Angelo Apfelbaum, Manager, Business Licensing

Regional Council shall appoint, by by-law, Area Weed Inspectors pursuant to section 6(1) of the Weed Control Act, R.S.O. 1990, c. W.5.

These appointments allow the Area Weed Inspectors to enter upon any land and building to inspect the land, buildings, implements, machinery, vehicles, crops or other plants for noxious weeds or seeds as proscribed by Schedule in Reg.1096 of the Act.

The Area Weed Inspectors may also issue orders for destruction of noxious weeds/seeds or issue charges for a contravention of the Act. For this purpose, Area Weed Inspectors are designated as Provincial Offences Officers under the Provincial Offences Act, R.S.O. 1990, c. P.33, subsection 1(1)(e).

The Area Weed Inspectors work in conjunction with Municipal Weed Inspectors, who are appointed by the local area municipalities and the Chief Weed Inspector, appointed by the Minister of Agriculture, Food and Rural Affairs.

The following individuals are employees of Niagara Region and are qualified to be appointed as Area Weed Inspectors:

- Angelo Apfelbaum, Manager, Business Licensing
- Gino Pasquariello, Licensing Enforcement Officer
- Petar Vujic, Manager, Road Safety, Public Works
- Doug Bolton, Supervisor, Corridor Management, Public Works
- Adam Parker, Corridor Technician, Public Works
- Kevin Allan, Corridor Technician, Public Works

It is therefore recommended that these individuals be appointed as Area Weed Inspectors. A by-law has been prepared and is included on the agenda for the Council meeting on April 25, 2024, for Council's consideration (Agenda Item 17.2).

Once the by-law has been passed, notice of the appointments will be sent to the Chief Weed Inspector as required under the Act.

Respectfully submitted and signed by

Angelo Apfelbaum
Manager, Business Licensing

Subject: 2025 Budget Timetable

Report To: Regional Council

Report date: Thursday, April 25, 2024

Recommendations

1. That the 2025 budget timetable, attached as Appendix 1 to Report CSD 20-2024, **BE APPROVED**;
2. That this report **BE CIRCULATED** to agencies, boards, and commissions (ABCs) in accordance with By-Law No. 2017-63 "Budget Control".

Key Facts

- The purpose of this report is to initiate the 2025 budget process with approval of the Budget Review Committee of the Whole (BRCOTW) timetable.
- In alignment with the Budget Planning By-Law, a separate meeting is proposed for July to discuss forecasted service costs and to propose the strategy for the preparation and presentation of the 2025 General Tax levy operating budget, Water and Wastewater Rate operating budget, Waste Management and Niagara Transit Commission Special Tax levy operating budgets and the Capital budget.
- The proposed 2025 budget timetable in Appendix 1 recommends approving the 2025 budget before year-end in alignment with the Budget Planning By-law.

Financial Considerations

There are no direct financial impacts as a result of this report.

Analysis

Beginning in August, the timetable includes a budget education session and various workshops for Council. The timetable has been adjusted as compared to the 2024 budget schedule with the Capital Workshop and Capital BRCOTW meeting now being planned for September. As well, the BRCOTW meeting for the Waste Management and Niagara Transit Commission Special Tax levies is scheduled in October. These meetings will be a month earlier than the previous budget cycle with the goal of allowing more time ahead of the General Tax levy workshop and General Tax levy BRCOTW in November/December.

Alternatives Reviewed

The purpose of this report is to initiate the 2025 budget process and approve the 2025 budget timetable. Information will continue to be developed, analyzed, and summarized for the Budget Review committee to facilitate decision making throughout the budget process.

Relationship to Council Strategic Priorities

The 2025 Budget will provide the financial framework to achieve Council's strategic priorities.

Other Pertinent Reports

CSD 18-2024 2025 Budget Planning Update

Prepared by:

Beth Brens, CA, CPA
Associate Director, Budgets, Planning
and Strategy
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 Helen Furtado, Director, Financial Management and Planning/Deputy Treasurer.

Appendices

Appendix 1 2025 Budget Timetable

2025 Budget Timetable

| Meeting Type | Topic | Date |
|------------------|--|---|
| BRCOTW | Budget Planning | Thursday, July 25, 2024, 4:00 p.m. |
| Budget Education | Introduction | Thursday, August 15, 2024, 9:00 a.m. to 4:00 p.m. |
| Budget Workshop | Capital | Thursday, September 5, 2024, 1:00 p.m. – 4:30 p.m. |
| BRCOTW | Capital | Thursday, September 12, 2024, 6:30 p.m. |
| Budget Workshop | ABCs, Water & Wastewater Rates, Waste Management & Niagara Transit Commission Special Tax Levies | Thursday, October 10, 2024, 9:00 a.m. to 4:00 p.m. |
| BRCOTW | Waste Management & Niagara Transit Commission Special Tax Levies | Thursday, October 17, 2024, 6:30 p.m. |
| BRCOTW | Water & Wastewater Rates | Thursday, November 7, 2024, 6:30 p.m. |
| BRCOTW | ABCs | Thursday, November 14, 2024, 6:30 p.m. |
| Council | Water & Wastewater Rate and Special Levy By-laws | Thursday, November 21, 2024, 6:30 p.m. |
| Budget Workshop | General Tax Levy | Thursday, November 28, 2024, 9:00 a.m. to 4:00 p.m. |
| BRCOTW | General Tax Levy | Thursday, December 5, 2024, 6:30 p.m. |
| Council | General Tax Levy, Capital & User Fee By-laws | Thursday, December 12, 2024, 6:30 p.m. |

Memorandum

CL-C 36-2024

Subject: Request for Regional Representation on the Niagara Falls Convention and Civic Centre Board of Directors

Date: April 25, 2024

To: Regional Council

From: Ann-Marie Norio, Regional Clerk

The Clerk's Office is in receipt of correspondence from Noel Buckley, President and General Manager, Niagara Falls Convention Centre, respecting Regional representation on the Niagara Falls Convention and Civic Centre Board of Directors.

The Council Weekly Correspondence Distribution on Friday, April 12, 2024, included a memorandum indicating if any Councillor was interested in being Regional Council's representative on this Board, to advise the Clerk no later than Friday, April 19, 2024.

Council will consider nominees for appointment to this Board at its meeting being held April 25, 2024, and will confirm the appointment by passing the following motion:

That Councillor <name> **BE APPOINTED** to the Niagara Falls Convention and Civic Centre Board of Directors for the remainder of this term of Council (November 14, 2026).

Respectfully submitted and signed by

Ann-Marie Norio
Regional Clerk

Memorandum

CL-C 37-2024

Subject: Niagara Regional Police Service Board Composition

Date: April 25, 2024

To: Regional Council

From: Ann-Marie Norio, Regional Clerk

On April 1, 2024, the Community Safety and Policing Act, 2019 (CPSA), came into force. This Act replaces the former Police Services Act.

In 1991, Niagara Region applied to the Lieutenant Governor in Council, and was approved, to increase the size of the Police Service Board from five (5) to seven (7) Board Members. The Board Members include the head of the municipal council or, if the head chooses not to be a member of the board, another member of the council appointed by resolution of the council; two members of the council appointed by resolution of the council; one person appointed by resolution of the council, who is neither a member of the council nor an employee of the municipality; and three persons appointed by the Lieutenant Governor in Council.

In accordance with Section 31(3) of the CSPA, Council is required to pass a resolution respecting the Board's composition. The Niagara Regional Police Service Board has requested that the Board composition be maintained at seven (7) members.

If Council is supportive of maintaining the Board's composition at seven (7) members as requested, the following motion would be in order:

That Regional Council **CONFIRM** the composition of the Niagara Regional Police Service Board to be seven (7) members to include the head of the municipal council or, if the head chooses not to be a member of the board, another member of the council appointed by resolution of the council; two members of the council appointed by resolution of the council; one person appointed by resolution of the council, who is neither a member of the council nor an employee of the municipality; and three persons appointed by the Lieutenant Governor in Council, as provided in Section 31(5) of the Community Safety and Policing Act.

For Council's information, another important change that took effect on April 1, 2024, is a legal name change to the Police Service Board. Pursuant to subsection 31(1) of the CSPA the legal name "Regional Municipality of Niagara Police Services Board" will be changed to "Regional Municipality of Niagara Police Service Board". The change is to the word "Services" which is no longer plural.

Respectfully submitted and signed by

Ann-Marie Norio
Regional Clerk

Memorandum

CL-C 38-2024

Subject: Niagara Transit Commission Request - Expansion of Customer Experience Department to Align with the Consolidation of Contracted Specialty Transit Services

Date: April 25, 2024

To: Regional Council

From: Ann-Marie Norio, Regional Clerk

At its meeting held on April 16, 2024, the Niagara Transit Commission, passed the following motion:

That Report NTC 8-2024, dated April 16, 2024, respecting Expansion of Customer Experience Department to Align with the Consolidation of Contracted Specialty Transit Services, **BE RECEIVED** and the following recommendations **BE APPROVED**:

1. That the Niagara Transit Commission Board **APPROVE** the addition of 13 permanent full-time equivalents (FTEs), totaling \$498,500 and \$0 net for 2024, to expand and support the Customer Experience Department, all of which is fully funded with a budget adjustment from contracted services to labour related costs within the approved 2024 operating budget; and
2. That this report **BE FORWARDED** to Niagara Region Council for consideration at its regular meeting on April 25, 2024 requesting that the addition of 13 permanent FTEs in Recommendation 2 be approved.

If Council is supportive of the Niagara Transit Commission recommendation, the following motion would require approval:

That Regional Council **APPROVES** the Niagara Transit Commission request for the addition of 13 permanent full-time equivalents (FTEs), totaling \$498,500 and \$0 net for 2024, to expand and support the Customer Experience Department, all of which is fully funded with a budget adjustment from contracted services to labour related costs within the approved 2024 operating budget.

A copy of Report NTC 8-2024, is attached for your information.

Respectfully submitted and signed by

Ann-Marie Norio
Regional Clerk

Subject: Expansion of Customer Experience Department to Align with the Consolidation of Contracted Specialty Transit Services

Report to: Niagara Transit Commission Board

Report date: **Tuesday, April 16, 2024**

Recommendations

1. That the Niagara Transit Commission Board **APPROVE** the addition of 13 permanent full-time equivalents (FTEs), totaling \$498,500 and \$0 net for 2024, to expand and support the Customer Experience Department, all of which is fully funded with a budget adjustment from contracted services to labour related costs within the approved 2024 operating budget; and
2. That this report **BE FORWARDED** to Niagara Region Council for consideration at its regular meeting on April 25, 2024 requesting that the addition of 13 permanent FTEs in Recommendation 2 be approved.

Key Facts

- The purpose of this report is to obtain Board approval for the increase of 13 permanent FTEs within the NTC complement to support the award of 2023-RFP-238 and its operations, which also requires Regional Council approval as per the NTC's Corporate Delegation of Authority Policy and Budget Control By-law 2017-63 section 6.5 3(b).
- The budget adjustment recommended is related to an in-year service change for Specialty Services. As the gross budget adjustment is less than \$1.0 million, the NTC Board and Council do not need to approve this adjustment in accordance with the Budget Control By-law 2017-63.
- The future award of the Specialty Services Request for Proposal (RFP) and the expansion of in-house Customer Service proposed will positively impact all transit services across Niagara and is within the approved 2024 gross operating budget of \$9.0 million for Specialty Services with a \$0.0 net budget impact.
- NTC staff are currently negotiating service levels to optimize a two-year commingled on-demand and specialized service contract (2023-RFP-238) up to the project and annual budgetary limit of \$8.0 million, with services to commence on July 1, 2024.

- The Board's early approval of the expansion of the NTC's existing Customer Experience and supporting departments is required to achieve within the operational timelines and the 2024 gross operating budget:
 - a) a single commingled on demand and specialized service contract (consolidating 5 independent micro-transit contracts), and
 - b) the assumption of all dispatch and customer support services provided through the five previously assumed micro-transit service contracts, and
 - c) a fully consolidated conventional and micro-transit dispatch and customer service model with an increase of 13 permanent FTEs supporting 100% of the ridership.
- The Commission will receive a report on or before the May 21, 2024 regular meeting which will recommend the final negotiated cost and successful proponent of the commingled Specialty Services 2023 RFP-238 within budget. To meet the operational target date of July 1, 2024, staff may ask the NTC Chair to call a Special meeting of the Board to award 2023-RFP-238 prior to the next scheduled meeting.
- Upon amalgamation on January 1, 2023, the five independent specialty service contractors employed a total of 15.5 FTEs for booking and dispatch, who served 2 per cent of Niagara's transit ridership. The proposed 13 FTEs to be added to the NTC's expanded complement will serve 100 per cent of transit customers (specialized, on demand and conventional riders) and remove the fragmented rider and customer services Niagara residents experience today.
- By assuming all dispatch and booking duties for the entirety of NTC's Specialty Services (contracted and in-house) and increasing the complement of Customer Service Representatives in the Customer Experience department, booking availability for all on demand or specialized services will be expanded and staff coverage at existing transit terminals will be increased to potentially mirror hours of operations. These two significant enhancements represent the majority of complaints and concerns received from riders prior to and since the amalgamation of transit in Niagara.

Financial Considerations

The 2024 operating budget was approved on December 14, 2023. The budget for Specialty Services was prepared based on the previous service delivery method of providing in-house specialty services in the larger cities (Welland, Niagara Falls and St. Catharines) and partially contracting out operations and customer support services and dispatch for the five remaining services including, BTS, BTS FAST, Via, Regional

Limousine, and Coventry that serve the entirety of Niagara or individual communities. Therefore the budget was included in contracted service expense.

The 2024 approved annual budget for contracted Specialty Services, excluding Chair-A-Van and Coventry fixed Route 322 is \$9.0M. In March of 2024, the formerly contracted Chair-A-Van service supporting Niagara Falls clients was brought in-house (Report NTC 4-2024). The project 2023-RFP-238 for the contracted comingled specialty services was set at a maximum of \$8.0M annually. The remaining \$1.0M is designated to achieve expansion and assumption of customer services by the NTC.

Customer service for the contracted Specialty Services is currently included in the contracts across the various providers which will cease when agreements end on June 30, 2024 and September 30, 2024 (Regional Limousine). It is estimated that around 15.5 FTEs are providing customer service through these contracted services. Staff is proposing to bring this customer service in-house by using the \$1.0 million adjusted out of the total annual budget specific to the contracted specialty service agreements serving 2% of riders. Staff is proposing to increase the NTC staff compliment by 13 FTEs to benefit 100% of riders. Staff is proposing the need for one Deputy General Manager, one Communications Consultant, one IT Help Desk, six Customer Service Representatives and four Booking and Dispatch Agents. This will cost approximately \$1.0 million annually or \$498,500 for the period of July 1, 2024, to December 31, 2024.

The following is a summary of the budget adjustment:

| Object of Expenditure | Description | 2024 Annual Budget | 2024 Adjustment (July-Dec) |
|------------------------------|---|---------------------------|-----------------------------------|
| N/A | N/A | \$8,985,180 | N/A |
| Labour Related Costs | *13 Permanent full-time FTE with Salary & Benefits | \$997,000 | \$498,500 |
| Operational & Supply | Repurpose Contracted On-Demand/ Specialized Transit Services budget | \$(997,000) | \$(498,500) |
| Net Levy Impact | - | - | \$0 |

*All proposed additional permanent FTE staff supporting the expanded Customer Experience department are fully funded by the NTC.

Analysis

Commingling Commitment

Prior to amalgamation and throughout the triple-majority process, local area municipalities (LAMs) were provided and approved as part of the Linking Niagara Transit Committee's (LNTC) work, a set of Niagara Service Standards Strategy in LNTC-C 3-2021 Appendix 5 <https://pub-niagararegion.escribemeetings.com/filestream.ashx?DocumentId=17198> that identified the consolidation of specialized and on-demand services as a key deliverable in moving Niagara's transit success forward. Identified as Phase 2 in the standards, the commingling of services and opportunities to bring in-house resourcing to support it was described as:

"The preferred approach for this integration is the assumption of existing specialized and demand responsive services and contracts by the Commission, working towards direct 'in-house' delivery of a combined service where it is deemed feasible and advantageous to do so. This approach is preferred as it gives the new Commission direct control over all resources to maximize efficiencies."

The amalgamation of transit services in Niagara represented a significant step towards efficiency and consistency in transportation provision. Previously, transit services across several municipalities, including Fort Erie (FAST and Fort Erie Transit On Demand – regional Limousine), Grimsby (NRT OnDemand), Lincoln (NRT OnDemand), Niagara-on-the-Lake (NRT OnDemand), Pelham (NRT OnDemand), Port Colborne (NRT OnDemand), Thorold (Thorold Paratransit and Route 322), Wainfleet (NRT OnDemand), and West Lincoln (NRT OnDemand), were outsourced to various external service providers, leading to a fragmented experience for riders. Additionally, the Regionally supported Niagara Specialized Transit (NST) served residents with disabilities across all 12 municipalities, further complicating the service landscape.

To address these contracting and customer experience challenges, contracts for the specialty services of NRT OnDemand, Thorold Paratransit (TP), NST, and FAST were extended by six months, allowing for the comprehensive Request for Proposal (RFP) process to consolidate services under a single provider. The Fort Erie On Demand service contract with regional Limousine is in effect until September 30, 2024 which is also reflected in the RFP. The RFP provides for an award of a 2-year contract to assume all these services with an option for the NTC to extend an additional year.

The current fragmented approach to specialty transit contracts present challenges in terms of oversight, coordination, and service quality. Consolidating these contracts will centralize management, enhancing accountability and responsiveness to our ridership's needs. Moreover, it will facilitate seamless integration with the broader public transit system including the specialty services provided in-house by NTC, thereby improving opportunities for access and the overall passenger experience.

Staff propose to implement the new contract in two phases, Phase 1 will commence July 1, 2024, and will replace all specialized contracts (FAST, TP and NST) and the NRT OnDemand contract covering Grimsby, Lincoln, Niagara-on-the-Lake, Pelham, Port Colborne, Wainfleet, and West Lincoln. Phase 2 will commence October 1, 2024, and will incorporate Fort Erie on-demand services. This timeline ensures a seamless transition and maximizes operational efficiency. Customer service support for all these transitional periods is contemplated in this report's recommendation to deliver all of that service in-house at NTC.

The new contract will replace all independent micro-transit contracts (BTS, BTS Fast, Regional Limousine, Via, and Coventry) thereby streamlining operations and realizing operational, customer, and cost efficiencies. Hours of in-house customer service and booking availability will improve and may mirror operations across the designated service areas from 7 a.m. to 11 p.m. to eliminate the previous inconsistencies limiting access and transfers. Moreover, improvements in on-time performance and vehicle capacities will enhance the overall rider experience. Additional enhancements such as seamless transfer of client database and profiles, the adoption of a single-app solution and the inclusion of fixed-route multimodal approaches will ensure a cohesive and user-friendly experience for riders. Overall, these changes promise to remove barriers, connect riders and communities, and provide a reliable and seamless transit experience for all residents of the Niagara Region.

Expanding NTC's Customer Experience department

The recommendation within this report is to increase the NTC complement by 13 FTE positions as follows:

- 1x Deputy General Manager
- 1x Communications Consultant
- 1x IT Help Desk
- 6x Customer Service Representatives
- 4x Booking and Dispatch Agents

The full expansion of the Customer Experience department is outlined, and support positions are introduced or repurposed within the organization chart attached as Appendix 1 to this report.

Commingling Niagara's micro-transit services was approved within the triple-majority process and was identified as part of the realization of the phases in the LNTC's 2021 Service Standards. The internal departmental expansion to support that work is reflected in Appendix 1. As the NTC staff continues to deliver on the work tasked to them at amalgamation, the organization will grow and evolve to suit service delivery.

Additional frontline positions and support resources (IT support, full time communications and sufficient management) are required to deliver the customer service our riders require and deserve. Within budget, this expansion can be achieved by the July 1, 2024, Phase 1 operational timeframe. The enhanced customer care is meant to be operational in concert with the roll outs of the newly commingled specialty services. Approval of this report at this time will allow staff to negotiate service and approve hires to ensure a successful transition.

Staff's proposal to increase the complement by 13 FTEs (as per Appendix 1) creates local jobs and will increase personalized frontline support with local Niagara knowledge to 100% of our conventional and specialty riders. Currently the contracted outsourced customer service across the various providers is provided by 15.5 FTEs and only serves 2% of riders on specialty systems.

By having staff perform both dispatching and customer service functions, we can achieve operational efficiencies and cost savings. This integrated approach will empower dedicated staff to handle inquiries, feedback, complaints, and assist with trip planning and ticketing. This can optimize resource allocation, streamline communication, and enhance service delivery, ultimately benefiting the riders. Moreover, it will allow us to extend operating hours and provide Sunday coverage at transit terminals, addressing a longstanding gap in service provision and enhancing accessibility for passengers who rely on transit on weekends.

The reallocation of \$1.0 million to enhance the Customer Experience and Specialty Services department through in-house FTEs is within the NTC's budget. The expanded customer service, supported by the consolidation of specialized transit contracts and in-house current levels of customer service provision, represents a strategic investment in

enhancing service quality, extending coverage, and demonstrating operational efficiencies from the process of amalgamation that will positively impact all riders.

In consolidating the dispatching and customer service functions, the NTC will be able to better report on key performance indicators, including:

- Monthly number of phone calls answered by NTC staff.
- Monthly number of customer complaints received by NTC staff.
- Percentage of passenger trips booked by telephone versus app and on-line.

Alternatives Reviewed

The Board has the alternative to continue to outsource customer service and the dispatching of contracted on-demand and specialized services. This option is not recommended since negotiations with the new service provider to add these services may result in budget pressures. Further, an outsourced customer service and dispatching would result in the NTC continuing to provide a fragmented customer experience as it would reflect the existing levels of support being provided through multiple avenues, apps and teams for booking, ride follow-up, and connections across different services and communities. This alternative would continue to focus customer support and attention on 2% of customers rather than 100% of our riders using the system in its entirety.

Relationship to Niagara Transit Commission Strategic Priorities

This proposal aligns with the Strategic Core Values of the Niagara Transit Commission, as well as the adopted Guiding Principles of the Niagara Region as highlighted below:

Customer Focus:

Centralizing specialty transit services and delivering customer service in-house promotes equitable accessibility for all members of the community. Enhancing service quality by potentially adding operating hours and Sunday coverage in Customer Service, we demonstrate our commitment to engaging with our customers and the community by responding to their needs. Expanding customer service functions in-house enables NTC staff to respond effectively to passenger inquiries, feedback, and concerns. Furthermore, this streamlined approach enhances

efficiency and reduces potential points of friction or miscommunication, leading to smoother service delivery and a more positive experience for riders.

Employee Success:

By expanding the workforce, employees are provided with opportunities for professional development, advancement, and job security thereby fostering a culture of growth and development. The proposed consolidation of contracts and internalization of customer service functions will require employees to develop a broader skill set encompassing dispatching and customer service roles. This expansion opens opportunities for career advancement within the organization.

Sustainability:

The proposed initiatives aim to enhance operational efficiency and financial sustainability by reducing costs through maximizing the effectiveness of resource allocation. This ensures that the NTC remains viable and resilient in the long term.

Accountability:

Consolidating contracts and bringing services in-house facilitates centralized and effective management, oversight and accountability within the NTC. This transparency ensures that decisions are made openly and responsibly, with a clear understanding of the implications for both the organization and its stakeholders. By providing in-house customer service, the NTC establishes direct channels of communication with passengers, without convoluted and time-consuming teleprompters, fostering transparency and accountability in service delivery. Performance metrics will be reported on to establish benchmarks and progress in services provided.

These principles are integral to ensuring the long-term success and effectiveness of the NTC while serving the best interests of our customers and the communities we serve.

Other Pertinent Reports

- [LNTC-C 3-2021 Niagara Transit Governance - Revised Strategies Reflecting Phase 1 Municipal Consultation](#)
- [Report NTC 4-2024 In-Year FTE Complement and Budget Adjustment – Chair-A-Van Assumption](#)
- Confidential NTC 12-2023 A Matter of Labour Relations or Employee Negotiations Under Section 239(2) of the Municipal Act, 2011 – Specialty Services Administration

Prepared by:

Heather Talbot
Manager of Transformation and Integration

Recommended and Submitted by:

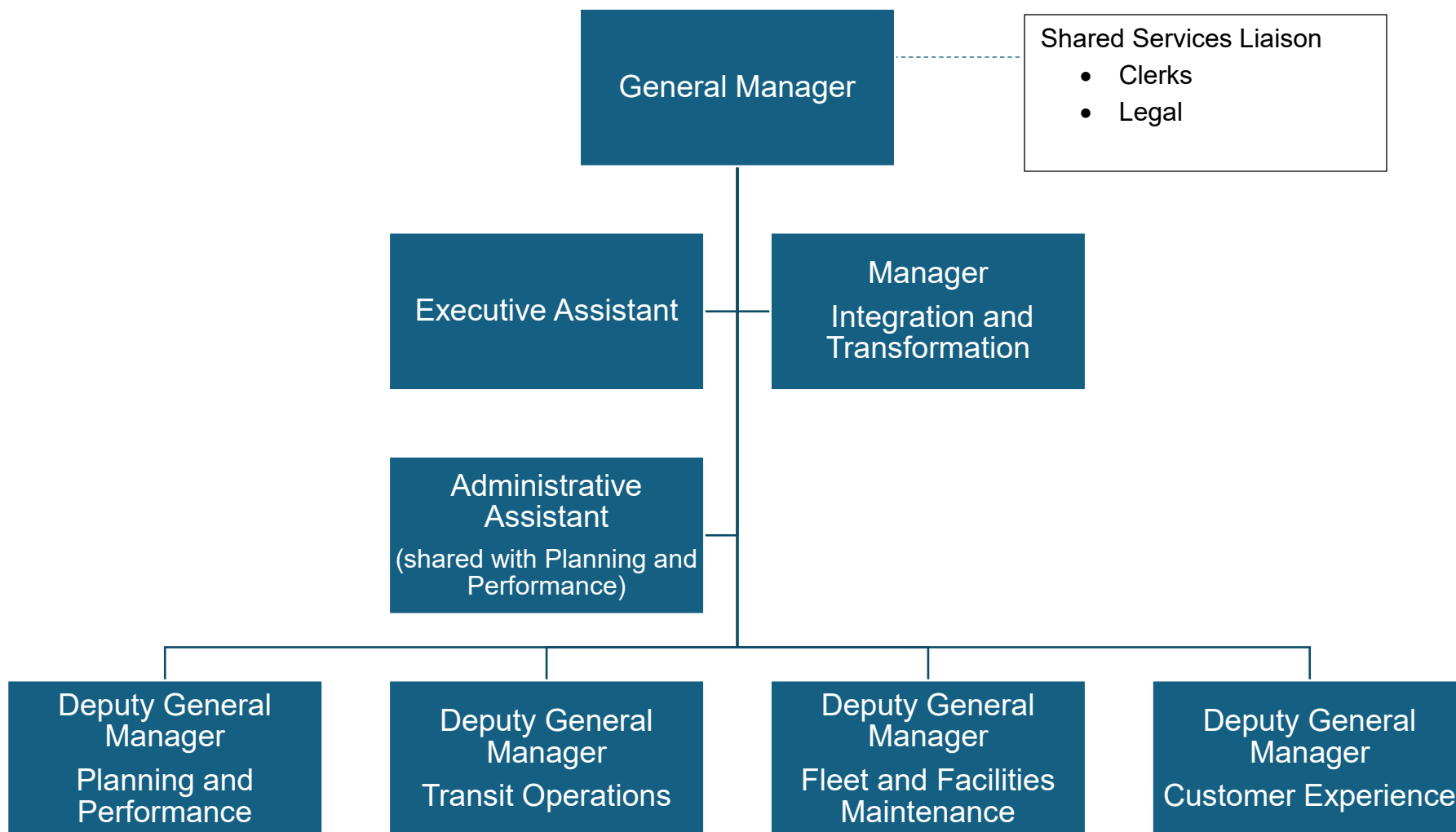
Carla Stout, DPA
General Manager

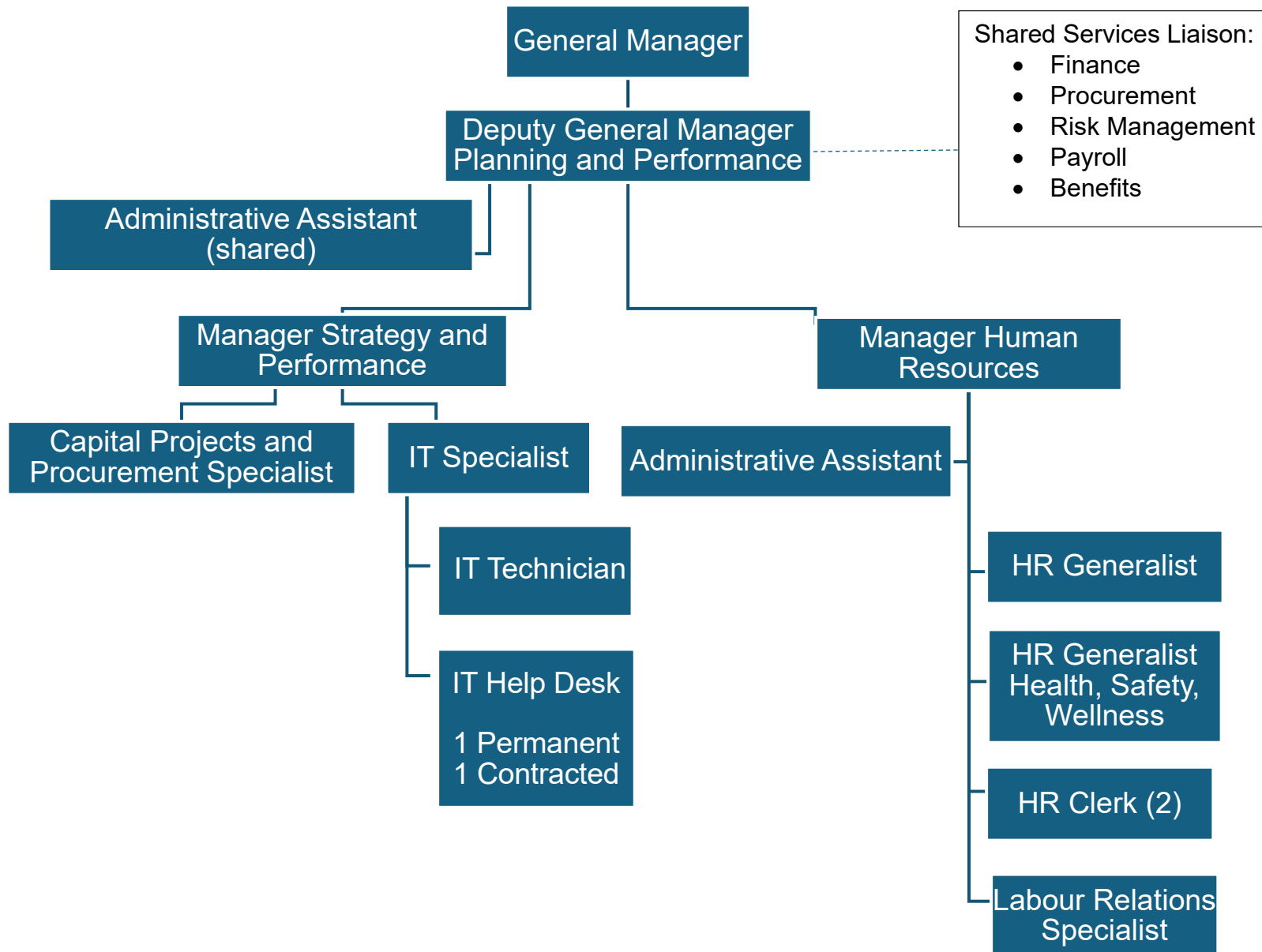
This report was prepared in consultation with Edward Zahra, Deputy General Manager Fleet and Facilities Maintenance, Rob Addy, Deputy General Manager Transit Operations, Tim Luey, Deputy General Manager Planning and Performance, Stephanie Muhic, Program Financial Specialist, and reviewed by Anneli Thomson, Legal Counsel.

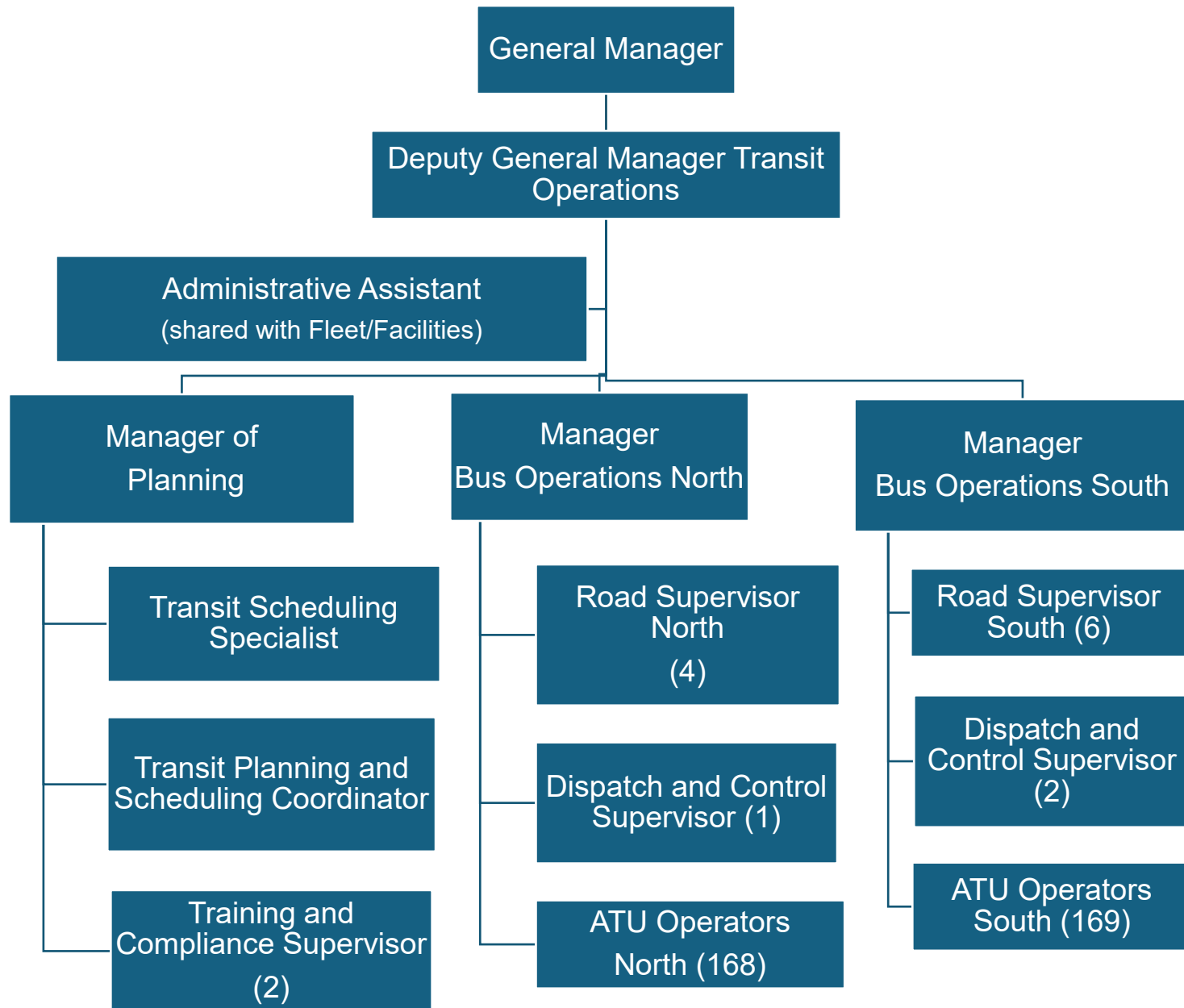
Appendices

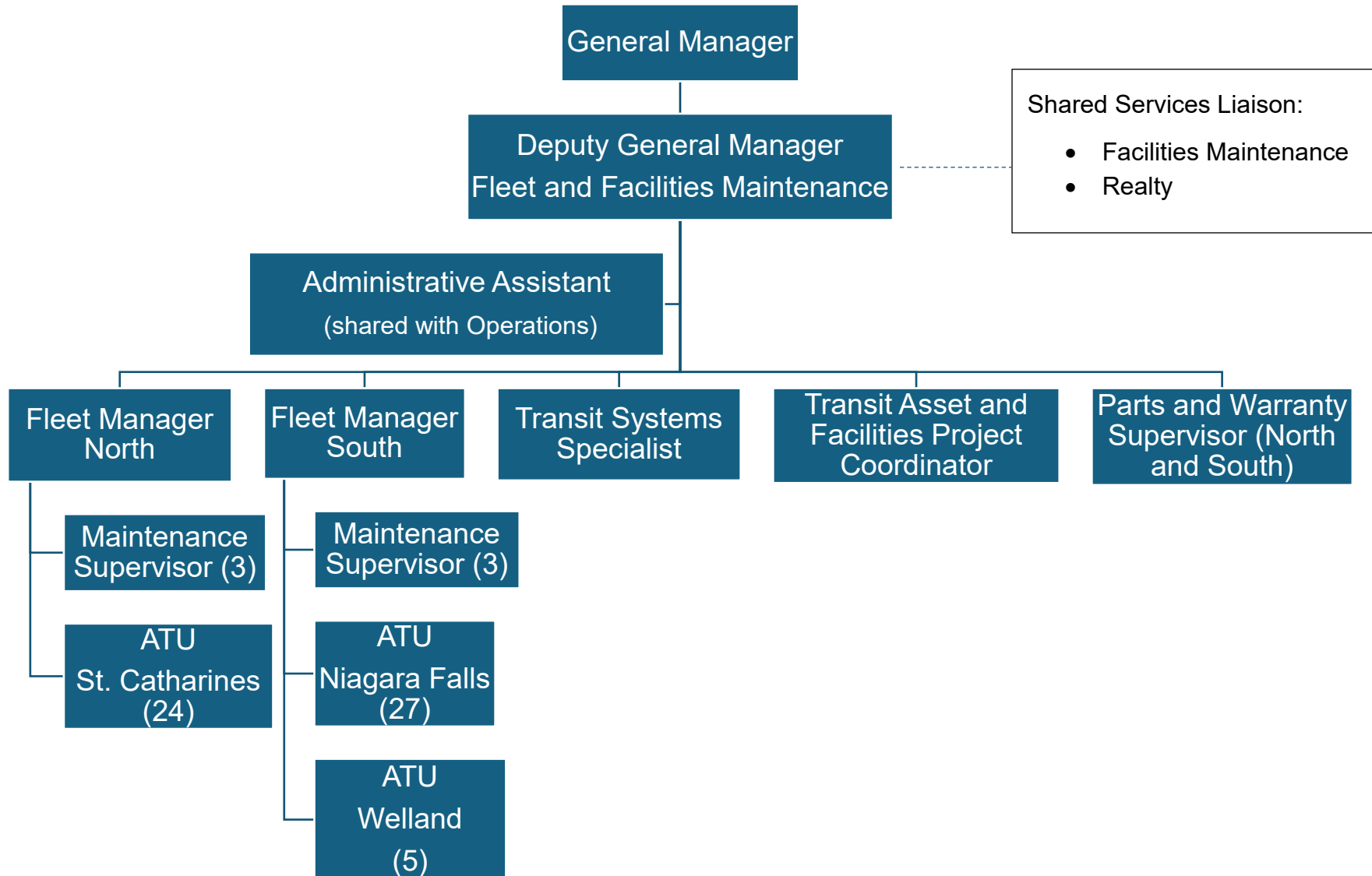
Appendix 1 Revised Departmental Organizational Chart

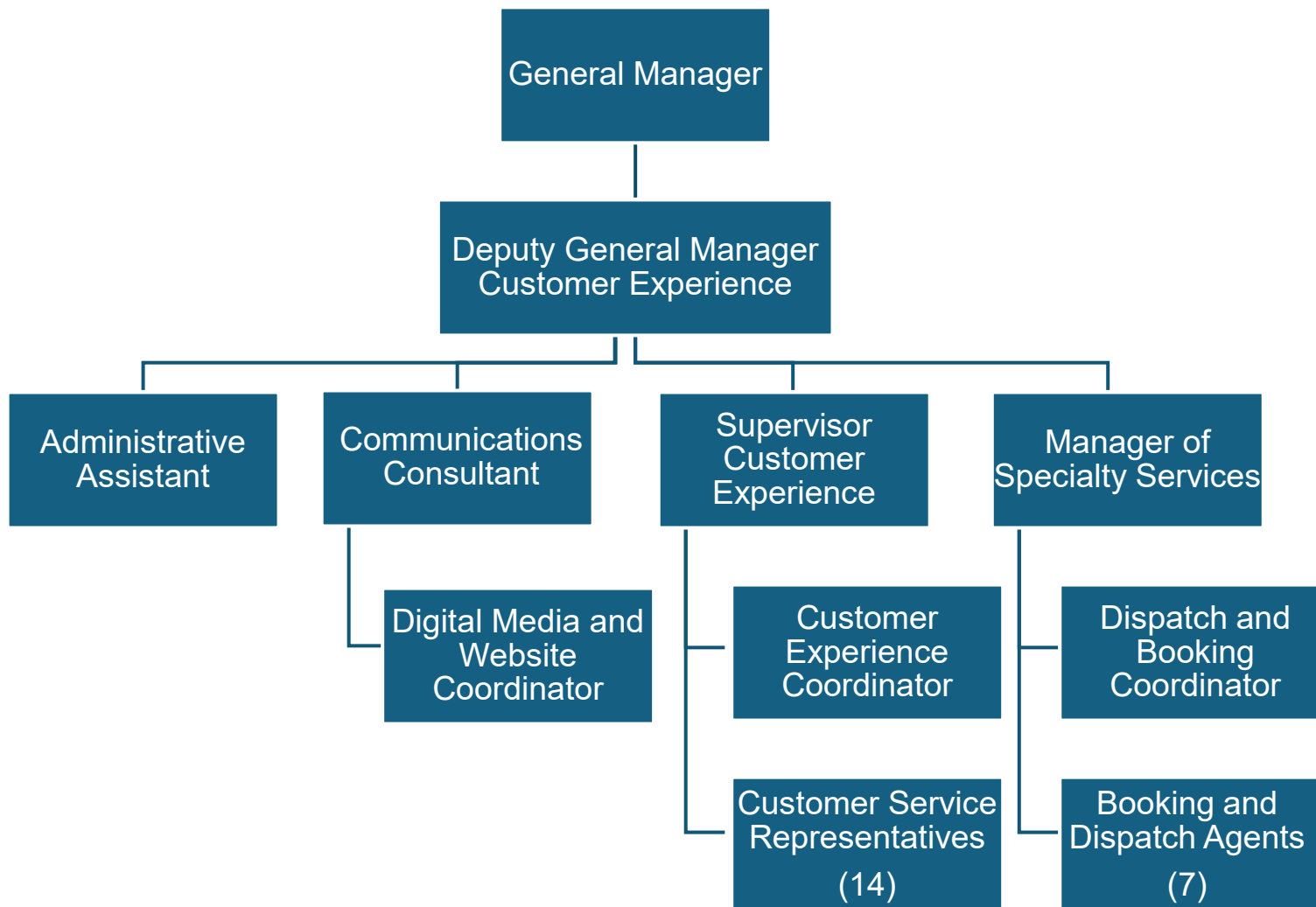
Niagara Transit Commission
Draft Organizational Chart











Subject: Bill 185 (Cutting Red Tape to Build Housing Faster Act, 2024)

Report To: Regional Council

Report date: Thursday, April 25, 2024

Recommendations

1. That Report PDS 17-2024 regarding Bill 185 (*Cutting Red Tape to Build Homes Faster Act, 2024*) **BE RECEIVED** for information.

Key Facts

- On April 10, 2024, the Province introduced Bill 185 (*Cutting Red Tape to Build More Homes Act, 2024*), which proposes a range of legislative and regulatory changes meant to improve access to government services, streamline municipal approvals, and prioritize municipal service delivery.
- The purpose of this report is to provide an overview of the proposed changes in Bill 185. **Appendix 1** to this report outlines staff comments and the implications of the proposed changes to the Niagara Region.
- Bill 185 proposes amendments to the *Development Charges Act, 1997*, many of which reverse previously introduced changes made through Bill 23 (*More Homes Built Faster Act, 2022*). These amendments include reinstating growth-related studies as a Development Charges (DC) eligible cost and repealing the DC rate phase in provision.
- Sections of the *Planning Act, 1990* that would identify Niagara Region, Waterloo Region, Durham Region and Simcoe County as “upper-tier municipalities without planning responsibilities” have not been proclaimed; however, the Province has identified an effective date of July 1, 2024, for upper-tier planning changes for York, Halton and Peel regions.
- Bill 185 also proposes amendments to the *Planning Act, 1990* and *Municipal Act, 2001*, which in part reverse previously introduced changes to the development approvals process and introduce new tools to enable municipalities to address stalled housing developments.

- The Province has requested that feedback on the proposed changes be submitted by May 10, 2024. Staff comments outlined in **Appendix 1** will be submitted in response to postings on the Environmental Registry of Ontario (ERO).

Financial Considerations

There are no direct financial implications associated with this report. The proposed changes to the *Development Charges Act* are anticipated to improve the Region's ability to fund growth-related infrastructure with Development Charges; however, additional information and time is needed to quantify the financial impacts to the Niagara Region.

Analysis

Background

On April 10, 2024, the Province introduced the *Cutting Red Tape to Build More Homes Act, 2024* (Bill 185), which proposes to amend fifteen pieces of legislation and related regulations for the purpose of “streamlining planning approvals, enhancing municipalities’ ability to invest in housing-enabling infrastructure, and increasing housing supply”. The draft Bill has been posted on the Legislative Assembly of Ontario website [Bill 185, Cutting Red Tape to Build More Homes Act, 2024](https://www.ola.org/en/legislative-business/bills/parliament-43/session-1/bill-185) (<https://www.ola.org/en/legislative-business/bills/parliament-43/session-1/bill-185>).

In addition to Bill 185, the revised draft Provincial Planning Statement (PPS) was also released with updates to reflect the feedback received on the previous version. If approved, the PPS will replace the current Provincial Policy Statement (2020) and A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019). Details regarding the draft PPS will be provided in a future report to the Planning and Economic Development Committee in May.

The Province is seeking feedback on the changes proposed within Bill 185. All comments must be submitted by May 10, 2024. The purpose of this report is to provide a summary of the legislative and regulatory changes proposed by Bill 185. **Appendix 1** outlines Regional staff’s comments on the draft Bill and its implications to the Niagara Region.

Proposed Development Charges Act Changes

Bill 185 proposes several amendments to the *Development Charges Act, 1997* (DC Act), as outlined on the [ERO Number 019-8371](https://ero.ontario.ca/notice/019-8371) (<https://ero.ontario.ca/notice/019-8371>), including several changes to legislation initially introduced as part of Bill 23.

Repeal of Mandatory Phase In

Bill 23 previously amended the DC Act by introducing a mandatory five year phase in of Development Charge (DC) rates imposed in the first four years that a new DC By-law is in effect. Specifically, any development charge imposed during the first, second, third and fourth years that the DC By-law is in effect could be no more than 80, 85, 90 and 95 per cent of the charge imposed, respectively. This mandatory phase in applied to all DC By-laws passed on or after January 1, 2022. This requirement has impacted the Region's DC By-law 2022-71.

Expiry of Frozen Rates

Bill 108 (More Homes, More Choices Act, 2019) included a requirement to freeze the DC rate imposed on developments when a site plan or zoning application was submitted. The DC rate for these developments is frozen as of the application date, subject to interest, for two years once the application is approved. Bill 185 proposes to reduce the two year time limit to 18 months.

Exemptions for Affordable and Attainable Residential Housing

In addition to the changes in Bill 185, the Province announced that the exemption for affordable and attainable residential units of the DC Act will be proclaimed in its entirety on June 1, 2024. The financial impacts of these mandatory DC exemptions for affordable and attainable housing are unknown at this time as it is still unclear what methodology will be used to determine affordability and attainability thresholds. It is expected that further details related to implementation of these regulations will be released by the Minister prior to proclamation.

Eligible Capital Costs

The DC Act establishes rules that must be followed when calculating a proposed development charge. Bill 23 amended the DC Act to exclude certain study costs, including the cost of undertaking the DC background study itself, from the list of eligible capital costs. Bill 185 proposes to reverse this, therefore allowing the Region to include study costs once again in our calculation of DC rates for future By-law updates.

Proposed Planning Act and Municipal Act Changes

Bill 185 proposes several amendments to the *Planning Act, 1990* and *Municipal Act, 2001*, as described on the Environmental Registry of Ontario (ERO)

(<https://ero.ontario.ca/notice/019-8369>). The following subsections summarize the key changes.

Upper-Tier Planning Responsibilities

In Fall 2022, the Province approved Bill 23 (*More Homes Built Faster Act, 2022*). Among other things, Bill 23 proposed seven southern Ontario upper tier municipalities (Regions of Durham, York, Peel, Halton, Niagara and Waterloo, and the County of Simcoe) become regions without planning responsibilities. Bill 185 proposes to bring these changes into force and effect on July 1, 2024, for York, Peel and Halton Regions.

The effective date for planning responsibility changes for the remaining upper-tier municipalities, including the Niagara Region, has not been confirmed in the legislation, but the Province has stated they anticipate this proclamation to occur “prior to the end of 2024”. The effect of these changes would be to remove Regional Council’s approval authority role under the *Planning Act*, making lower-tier municipalities the approval authority for most *Planning Act* applications, and the Province the approval authority for local municipal Official Plans and amendments.

Following proclamation, the Region will retain other planning-related roles associated with infrastructure planning and growth management. The Region will also continue its role as commenting agency for development approvals to ensure appropriate service capacity and growth-related infrastructure needs are met.

“Use it or Lose it” Tools: New and Enhanced Lapsing Conditions

Bill 185 introduces a series of new and enhanced “use it or lose it” tools within the *Planning Act* and *Municipal Act*, which can be used by the Ministry and/or municipalities to address reported issues with stalled housing developments.

If approved, Bill 185 would legislate a mandatory lapsing period of three years, or as otherwise prescribed, for the approval of draft plans of subdivision or condominium. A retroactive three-year lapsing period would also be applied to any draft plan of subdivision or condominium approved prior to March 27, 1995. Lastly, municipalities would also be able to apply a similar lapsing period as a condition of site plan approval.

Applicants can apply to the local area municipality to extend the lapsing period. The Region will continue to comment on any requests to extend draft approval to address matters of Regional interest, including infrastructure and servicing capacity.

“Use it or Lose it” Tools: Municipal Servicing Allocations

In addition to new and enhanced authority to implement lapsing conditions, the “use it or lose it” provisions introduced under Bill 185 also include a new municipal servicing management tool that would authorize a municipality, through the *Municipal Act*, to pass a by-law that would establish a tracking system for servicing capacity and set criteria to allocate, remove and/or re-allocate servicing capacity for individual developments.

Appeals Rights for Planning Act Applications

Proposed revisions to the *Planning Act* would permit applicants to appeal a refusal or failure to make a decision on a private request to amend a municipality’s settlement area boundaries provided the lands are outside the Greenbelt. This revision in the *Planning Act* is paired with new criteria for the assessment of proposals for settlement area boundary expansions in the updated PPS, which will be further discussed and evaluated through a future report to the Planning and Economic Development Committee.

Further, an applicant currently has 30 days from the date the approval authority deems an application complete or incomplete to appeal that decision to the Ontario Land Tribunal (OLT). The proposed legislation would allow an applicant to appeal the complete application requirements to the OLT any time after the application fee has been paid or the pre-consultation process has begun.

Limits to Third Party Appeals

Bill 185 proposes to limit appeals from “third parties”, which can include neighbouring residents and special interest groups, for official plans, official plan amendments, zoning by-laws and zoning by-law amendments to expedite housing project approvals and reduce project delays. This revision builds on the changes approved in Bill 23 (*More Homes, Built Faster Act, 2022*), which limited third-party appeals for minor variance, draft plan of subdivision, and consent applications.

Bill 185 also introduces transition rules for limits to third party appeals for existing appeals that have not already scheduled a hearing of the merits up and until April 10, 2024.

Support Streamlined Housing Development

Several changes to the *Planning Act* are contemplated to expedite and/or reduce barriers to development approvals, including:

- Remove minimum vehicular parking requirements for new development that is located within specified areas of a municipality, including protected major transit station areas and areas in proximity to higher-order transit.
- Remove barriers for the development of additional residential units (ARUs) within a detached house, semi-detached house, or rowhouse or in a structure ancillary to such a house, by enhancing the Minister's ability, through subsequent regulation, to exempt ARUs from certain zoning by-law requirements that may be limiting the development of ARUs. Additional feedback to inform the anticipated regulation has been requested by the Province on the [ERO Number 019-8366](https://ero.ontario.ca/notice/019-8366) (<https://ero.ontario.ca/notice/019-8366>).
- Exempt post-secondary student housing projects from the requirements of the *Planning Act* and allow the Minister to create regulations that would streamline approvals for certain types of community service facilities, such as public schools, hospitals, and long-term care facilities.

Granting Assistance for Manufacturing and Related Industries

Bill 185 proposes additions to the *Municipal Act* that would allow the Province to make regulations authorizing a municipality to grant assistance, either directly or indirectly, to a specified manufacturing business or other industrial or commercial enterprise. This regulation-making power would allow the Province to set out the types of assistance that may be granted as well as impose restrictions, limits, or conditions on the granting of the assistance by a municipality.

Changes to the Development Approvals Process

Several changes are proposed to the *Planning Act* that have direct impacts on the current development approvals process. These changes include the removal of fee refund provisions for zoning by-law amendments and site plan control applications originally introduced through Bill 109 (*More Homes for Everyone Act, 2022*), and the removal of municipal authority to require pre-consultation meetings prior to the submission of development applications.

Minister's Zoning Orders

The Province has released a new framework for requesting a [Minister's Zoning Order \(MZO\)](https://www.ontario.ca/page/zoning-order-framework) (<https://www.ontario.ca/page/zoning-order-framework>), which includes criteria that will consider whether the project delivers on provincial priorities, whether it is supported by municipal approval authorities, and requirements to demonstrate why the

normal municipal process cannot be used. The revised framework also re-integrates opportunity for public comment within the MZO process.

As a result, Bill 185 proposes to remove the Community Infrastructure and Housing Accelerator (CIHA) tool introduced through Bill 23 to avoid duplication with the revised process for requesting and issuing an MZO.

Proposed Regulation Changes: Municipal Planning Data Reporting and Notice Requirements

Alongside Bill 185, the Province is also seeking feedback on changes to several regulations to revise data reporting and notice circulation requirements, along with other housekeeping matters. Ontario Regulation 73/23 requires 29 of Ontario's largest and fastest growing municipalities, including the City of St. Catharines and City of Niagara Falls, to report information on planning application matters to the Ministry on a quarterly and annual basis.

As outlined on the [ERO Number 019-8368](https://ero.ontario.ca/notice/019-8368) (<https://ero.ontario.ca/notice/019-8368>), proposed changes to the regulation would add an additional 21 municipalities to the list of those required to report, including the City of Welland, and revise the list of data requirements. Regional staff note that the Niagara Region is not required to report data through the existing or proposed regulation; however, the Region will be working with the three reporting local area municipalities to align methodologies and data reporting to better inform the overall status of development applications, housing supply across Niagara, and alignment with infrastructure planning.

To address the challenges in providing public notices, several regulations established under the *Planning Act* and *DC Act* are proposed to be updated to allow municipalities to provide public notice on their website if a newspaper option is not available. The Ministry is also working on improving and identifying best practices to create a more inclusive public engagement environment by becoming more culturally diverse through communications.

Alternatives Reviewed

No alternatives have been reviewed as this report summarizes and provides insight regarding the proposed changes introduced through Bill 185 (*Cutting Red Tape to Build More Homes Act, 2024*) for information.

Relationship to Council Strategic Priorities

This report provides information on changes to land use planning, municipal financing and economic development that support efficient and effective government services. This relates to Council's Strategic Priority of Effective Region, Equitable Region, and Prosperous Region through ensuring high quality, efficient, and coordinated core services.

Prepared by:

Alexandria Tikky, MCIP, RPP
Senior Policy Project Manager
Growth Strategy and Economic
Development

Recommended by:

Michelle Sergi, MCIP, RPP
Commissioner
Growth Strategy and Economic
Development

Submitted by:

Ron Tripp, P.Eng.
Chief Administrative Officer

This report was prepared in consultation with Britney Fricke, Senior Planner, Blair Hutchings, Manager of Revenue Planning and Strategy, Beth R. Brens, Associate Director of Budget Planning and Strategy, and Karen Costantini, Manager of Growth Management and Analytics, and reviewed by Angela Stea, Director of Corporate Strategy and Community Sustainability and Todd Harrison, Commissioner, Corporate Services.

Attachments

Appendix 1 – Niagara Region Comments on Bill 185

Niagara Region Comments and Analysis on Bill 185

| Topic | Summary of Regional Comments |
|---|---|
| Repeal of Mandatory Phase In | <ul style="list-style-type: none"> Regional staff are supportive of this proposed change. The Region is currently in year two of the phase-in provision, meaning that our DC rates currently represent 85% of the rates determined in our 2022 DC By-law Update. As a result of the phase-in provisions, \$7.6 million has been included as part of the 2024 Regional Budget to fund the Region's DC Reserves, \$7 million from the general tax levy and \$600,000 funded by reserve per our funding strategy outlined in CSD 14-2023. If phase-in requirements for DC rates is removed, the Region would have the ability to charge 100% of the DC rates as calculated during the DC Background Study process. |
| Eligible Capital Costs | <ul style="list-style-type: none"> Expanding the eligibility costs to reinstate growth-related studies once more is supported by Regional staff. This change would allow the Region to share the cost of master plans that support growth related infrastructure estimated at \$6.3 million in the current DC study alone and that are required on an on-going basis. |
| "Use It or Lose It" Tool: Municipal Servicing Allocations | <ul style="list-style-type: none"> The Region's Growth Management Division is in the process of developing a formalized program for considering allocations of water supply and sewage capacity from Regional infrastructure. A coordinated approach between the Region and the local area municipalities will continue to be essential to ensure appropriate servicing capacity is available for new and existing development across Niagara. Regional staff support the proposed change as an option available to municipalities where deemed appropriate. |

| Topic | Summary of Regional Comments |
|--|--|
| Limits to Third Party Appeals | <ul style="list-style-type: none"> • The proposed change will remove the Region’s right to appeal, which will limit the ability to protect Regional interests as part of the development approvals process. Regional staff recommend that upper-tier municipalities without planning responsibilities be recognized as an agency, or “specialized person” permitted to appeal the subject plans, by-laws, and applications. • The transition rules for existing appeals could mean that appeals the Region is or has an interest in participating in may be dismissed if a hearing has not already been scheduled. |
| Support Streamlined Housing Development | <ul style="list-style-type: none"> • The Niagara Official Plan supports intensification within the urban area and the streamlining of approvals that would help to address gaps in the Region’s housing supply. • Further funding commitments may be needed from Provincial and Federal governments to support the expansion and enhancement of the Region’s transit system to avoid potential conflicts related to the removal of parking requirements. |
| Granting Assistance for Manufacturing and Related Industries | <ul style="list-style-type: none"> • Further details are required to assess the financial impact of these regulations to the Niagara Region. The Province should ensure that any funding that is authorized under these regulations is undertaken in a manner that is fiscally responsible for the municipality. • Regional staff would also caution that the regulations should be structured in a manner that would avoid a “race to the bottom” scenario for municipalities, which would lead to a competition for a particular manufacturing business or other industrial or commercial enterprise. |

| Topic | Summary of Regional Comments |
|--|--|
| Changes to the Development Approvals Process | <ul style="list-style-type: none"> Regional staff support the removal of the fee refund provisions. The Niagara Region will have limited opportunity to establish submission requirements for applicants who choose not to proceed with the pre-consultation process, which can result in the submission of incomplete information and delays in processing development applications. Niagara Region charges a fee for all pre-consultations. In the absence of a pre-consultation meeting, the Region will need to adjust related review fees to ensure cost-recovery is maintained. |
| Minister's Zoning Orders | <ul style="list-style-type: none"> Regional staff support the provision of further criteria and structure for the use of Minister's Zoning Orders. The Province should ensure that the Region is consulted on matters related to servicing, growth management, and other infrastructure matters under its jurisdiction. |

Minute Item No. 7.1

CAO 3-2024

Growing Better Together: 2023-2026 Council Strategic Priorities Update

That Report CAO 3-2024, dated April 4, 2024, respecting Growing Better Together: 2023-2026 Council Strategic Priorities, **BE RECEIVED** for information.

Minute Item No. 7.2

COTW-C 2-2024

Niagara Region's Lobbyist Registry

That Memorandum COTW-C 2-2024, dated April 4, 2024, respecting Niagara Region's Lobbyist Registry, **BE RECEIVED** for information.

Minute Item No. 10.1

Confidential Presentation - Technology Update

A Matter of the Security of the Property of the Municipality or Local Board, under s. 239(2)(a) of the Municipal Act, 2001 - Technology Update

That the Confidential Presentation respecting A Matter of the Security of the Property of the Municipality or Local Board, under s. 239(2)(a) of the Municipal Act, 2001 - Technology Update, **BE RECEIVED**.

Minute Item No. 10.2

Training Session - Niagara Region's Lobbyist Registry

An Education or Training Session held under s. 239 (3.1) of the Municipal Act, 2001 – Lobbyist Registry Training Session

That the Confidential Training Session held under s. 239 (3.1) of the Municipal Act, 2001 – Lobbyist Registry Training, **BE RECEIVED**.

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

COTW 2-2024

Thursday, April 4, 2024

**Council Chamber - In Person and Electronic Meeting
Niagara Region Headquarters, Campbell West
1815 Sir Isaac Brock Way, Thorold, ON**

Committee: Bradley (Regional Chair), Bateman, Campion, Chiocchio*,
Craitor, Easton*, Foster, Gale, Ganann, Heit, Huson, Insinna,
Jordan, Kaiser*, Morocco, Redekop, Rigby, Seaborn, Secord*,
Siscoe, Sorrento*, Steele*, Ugulini, Villella, Whalen, Witteveen

Absent/Regrets: Davies, Diodati, Grant, Ip, Junkin, Zalepa

Staff: D. Barnhart, Chief of Staff, Governance, D. Carnegie, Deputy
Chief Administrative Officer, B. Fucile, Corporate Performance
Specialist, D. Gibbs, Director, Legal & Court Services*, T.
Harrison, Commissioner/Treasurer, Corporate Services, S.
Hendrie, Chief Information Officer, A. Jugley, Commissioner,
Community Services, Dr. A. Kasmani, Medical Officer of Health*,
K. Lotimer, Deputy Clerk, S. Madder, Manager, Corporate
Strategy, K. Matreitz, Information Technology Security Manager,
F. Meffe, Director, Human Resources*, A.-M. Norio, Regional
Clerk, C. Ogunniyi, Manager, Diversity, Equity, Inclusion &
Indigenous Relations*, D. Pasto, Risk Management Program
Manager*, T. Ricketts, Commissioner, Public Works*, M.
Robinson, Director, Strategic Transformation Office, M. Sergi,
Commissioner, Growth Strategy & Economic Development, G.
Spezza, Director, Economic Development, A. Stea, Director,
Community & Long Range Planning*, R. Tripp, Chief
Administrative Officer*

* indicates members who participated electronically, all other
members participated in person

1. CALL TO ORDER

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

2. LAND ACKNOWLEDGEMENT

Councillor Huson read the Land Acknowledgment Statement.

3. DISCLOSURES OF PECUNIARY INTEREST

There were no disclosures of pecuniary interest.

4. **PRESENTATIONS**

There were no presentations.

5. **DELEGATIONS**

There were no delegations.

6. **ITEMS FOR CONSIDERATION**

There were no items for consideration.

7. **CONSENT ITEMS FOR INFORMATION**

7.1 **CAO 3-2024**

Growing Better Together: 2023-2026 Council Strategic Priorities Update

Michelle Sergi, Commissioner, Growth Strategy and Economic Development, provided information respecting 2023-2026 Council Strategic Priorities Update. Topics of the presentation included:

- Vision and Mission
- Guiding Principles
- Strategic Lenses
- Operational Plan
- Strategic Priority Operational Teams Approach
- Communications Plan
- Reporting Framework
- Strategic Priorities Highlights
- Effective Region
- Green and Resilient Region
- Equitable Region
- Prosperous Region

Moved by Councillor Seaborn

Seconded by Councillor Ugulini

That Report CAO 3-2024, dated April 4, 2024, respecting Growing Better Together: 2023-2026 Council Strategic Priorities, **BE RECEIVED** for information.

Carried

7.2 COTW-C 2-2024
Niagara Region's Lobbyist Registry

Moved by Councillor Huson
Seconded by Councillor Whalen

That Memorandum COTW-C 2-2024, dated April 4, 2024, respecting
Niagara Region's Lobbyist Registry, **BE RECEIVED** for information.

Carried

Councillor Information Request(s):

Provide a comparison of other municipal lobbyist by-laws to determine if
they include clauses similar to 4.1(e)(i) and 4.1(h). Councillor Gale.

Provide additional information respecting clause 5.3. Councillor Gale.

8. **OTHER BUSINESS**

8.1 Niagara Week

Councillor Villella requested an update respecting Niagara Week
attendance. Daryl Barnhart, Chief of Staff, Governance, advised that once
confirmation on the ministries attending was received, Councillors would
be notified.

9. **CLOSED SESSION**

Moved by Councillor Foster
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 of the Security of the Property of the Municipality or Local Board, under
s. 239(2)(a) of the Municipal Act, 2001 - Technology Update; and

An Education or Training Session held under s. 239 (3.1) of the Municipal Act,
2001 – Lobbyist Registry Training Session

Carried

Committee resolved into closed session at 7:36 p.m.

10. BUSINESS ARISING FROM CLOSED SESSION

Committee reconvened in open session at 9:42 p.m. with the following individuals in attendance:

Committee: Bradley (Regional Chair), Chiocchio*, Craitor, Foster, Gale, Ganann, Heit, Huson, Insinna, Jordan, Morocco, Seaborn, Siscoe, Sorrento*, Steele*, Ugulini, Whalen, Witteveen

Absent/Regrets: Bateman, Campion, Davies, Diodati, Easton, Grant, Ip, Junkin, Kaiser, Redekop, Rigby, Secord, Villella, Zalepa

Staff: D. Barnhart, Chief of Staff, Governance, D. Carnegie, Deputy Chief Administrative Officer, D. Gibbs, Director, Legal & Court Services*, T. Harrison, Commissioner/Treasurer, Corporate Services, S. Hendrie, Chief Information Officer, A. Jugley, Commissioner, Community Services*, K. Lotimer, Deputy Clerk, K. Matreitz, Information Technology Security Manager, A.-M. Norio, Regional Clerk, T. Ricketts, Commissioner, Public Works*, M. Sergi, Commissioner, Growth Strategy & Economic Development, R. Tripp, Chief Administrative Officer*

* indicates members who participated electronically, all other members participated in person

10.1 Confidential Presentation - Technology Update

A Matter of the Security of the Property of the Municipality or Local Board, under s. 239(2)(a) of the Municipal Act, 2001 - Technology Update

Moved by Councillor Whalen

Seconded by Councillor Morocco

That the Confidential Presentation respecting A Matter of the Security of the Property of the Municipality or Local Board, under s. 239(2)(a) of the Municipal Act, 2001 - Technology Update, **BE RECEIVED**.

Carried

10.2 Training Session - Niagara Region's Lobbyist Registry

An Education or Training Session held under s. 239 (3.1) of the Municipal Act, 2001 – Lobbyist Registry Training Session

Moved by Councillor Seaborn

Seconded by Councillor Ganann

That the Confidential Training Session held under s. 239 (3.1) of the Municipal Act, 2001 – Lobbyist Registry Training, **BE RECEIVED.**

Carried

11. **NEXT MEETING**

The next meeting is scheduled for Thursday, May 2, 2024, at 6:30 p.m. in the Council Chamber.

12. **ADJOURNMENT**

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

Jim Bradley
Regional Chair

Kelly Lotimer
Deputy Regional Clerk

Ann-Marie Norio
Regional Clerk

Growing Better Together

2023-2026 COUNCIL STRATEGIC PRIORITIES UPDATE

Vision and Mission

VISION

Modern communities growing better together.

MISSION

Niagara Region delivers service excellence through collaborative and innovative leadership.

2023-2026 Council's Strategic Priorities

**Effective
Region**

**Green and
Resilient
Region**

**Equitable
Region**

**Prosperous
Region**

Guiding Principles



Strategic Lenses

**DEI and
Indigenous
Reconciliation**

**Fiscal
Responsibility**

Innovation

**Sustainability
and Climate
Change**



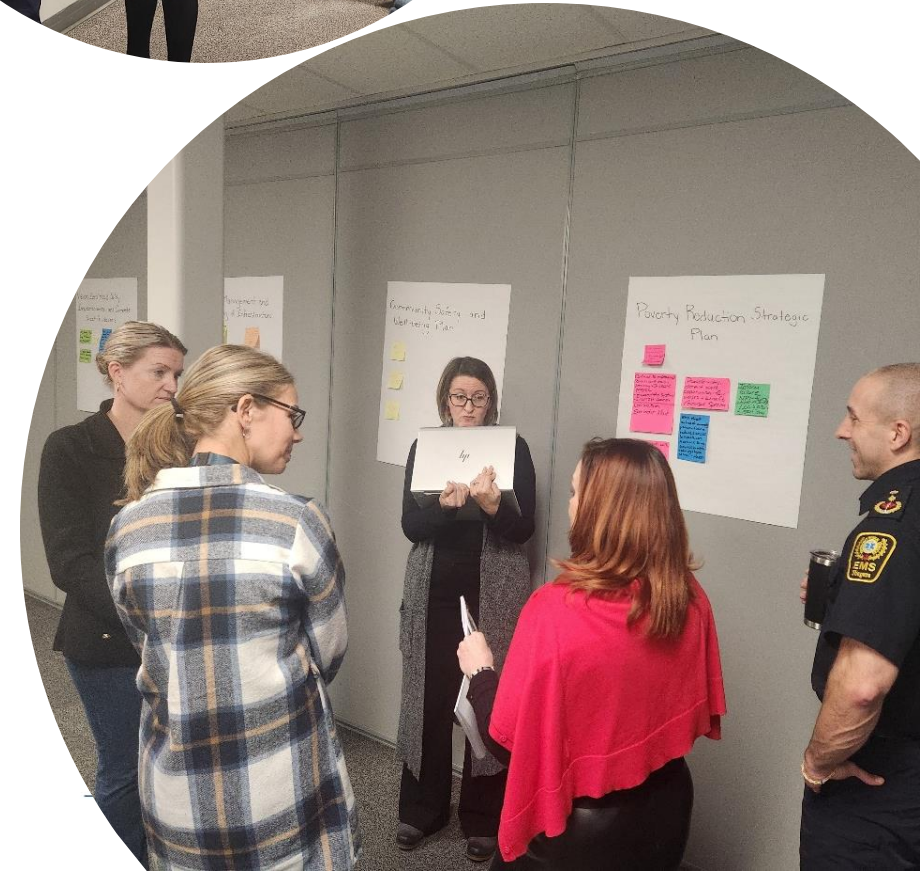
Operational Plan

- Strategic Priority Operational Teams
- Annual Leadership Events
- Non-union Performance Appraisals
- Annual Budget Development
- Corporate Business Plans



SPOT Approach

- Provides cross-corporate oversight of the Strategic Priorities
- Promote corporate-wide accountability
- Encourage teamwork and departmental information sharing
- Support Council with timely updates
- Identify cross-departmental opportunities and barriers



Communications Plan



- **‘Growing Better Together’ brand development and implementation**
- **Social Media and email campaign**
- **External webpage updates**
- **People Leaders toolkit**
- **Vine Page updates**

Reporting Framework



**Highlight
reports aligned
with finance in-
year updates**



**Mid-year and
year-in-review
report**

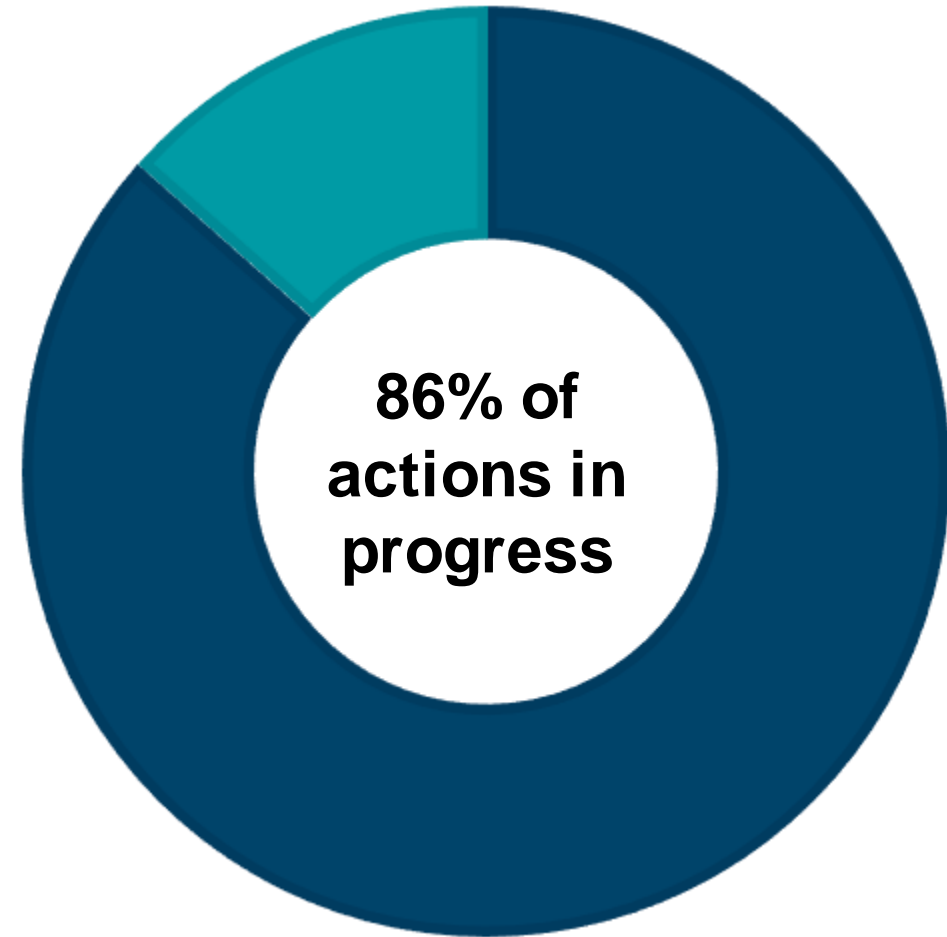


**Corporate
Business Plan
alignment and
reporting**



**Strategic
Priorities
Progress Public
Dashboard**

Strategic Priorities Highlights



Effective Region



- Service, Effectiveness and Accountability Reviews
- Data Management Plan
- Transportation Sustainability
- Water and Wastewater Asset Sustainability
- **Shared Services Strategy**
- Annual Budget and Long-term Forecast Planning
- **Human Resource Plan**

Green and Resilient Region

- **Corporate Climate Change Plan**
- Green Fleet Plan and Policy
- **Energy Conservation and Demand Management Plan**
- Waste Management Plan
- Community Energy Plan
- Climate Adaptation Plan
- South Niagara Water Treatment Plant
- Water, Wastewater Master Servicing Plan Implementation
- Water and Wastewater Biosolids Management Plan
- Greening Strategy



Equitable Region

- **Diversity, Equity and Inclusion Action Plan**
- Indigenous Relations Action Plan
- Health Equity Strategic Plan
- Poverty Reduction Strategy
- **Community Safety and Well-being Plan**
- Growth Management and Staging of Infrastructure Strategy
- Vision Zero Road Safety Implementation and Complete Streets Guidelines
- Attainable Housing Strategy
- Housing and Homelessness Action Plan/Built for Zero Homelessness Plan
- Consolidated Housing Master Plan
- Support for Affordable and Attainable Development



Prosperous Region

- **Economic Development Strategy**
- Labour Force Development Partnerships
- Agri-business Strategy
- Signature Site Strategy
- Core and Emerging Sector Focus
- Expansion of GO Transit
- Transportation Master Plan Update
- Niagara Region Transit Service Support and Growth
- **Government Relations Strategy**



Thank You



Subject: Growing Better Together: 2023-2026 Council Strategic Priorities Update

Report to: Committee of the Whole

Report date: Thursday, April 4, 2024

Recommendations

1. That the report Growing Better Together: 2023-2026 Council Strategic Priorities Update be **RECEIVED** for information.

Key Facts

- The purpose of the report is to provide Council with an update on the implementation of the 2023-2026 Council Strategic Priorities.
- In July 2023, Council approved the 2023-2026 Council Strategic Priorities which included four Priority Areas: Effective Region, Green and Resilient Region, Equitable Region, and Prosperous Region.
- To ensure the Region remains focused on the Priorities, Objectives and Actions, staff developed an operational and communications plan to support implementation.
- People Leaders have been working to ensure 2024 workplans are aligned with the implementation of the Council Strategic Priorities.
- Staff will report to Council on the progress of the Strategic Priorities, along with performance measures throughout 2024-2026.

Financial Considerations

The 2024 Regional Budget, supports fiscal responsibility and continues to focus on delivering the 2023-2026 Strategic Priorities while responding to fiscal challenges, including increasing resource and supply costs, as well as changes in Provincial funding and legislation. Actions identified in the 2023-2026 Council Strategic Priorities will be brought forward for consideration in the annual budget process.

The Region's budget and associated impacts directly affect our ability to achieve Council's Priorities. The budget is developed in part to support the four Priority Areas

and changes to planned budgetary allocations would require revisiting commitments identified in the Strategic Priorities.

Analysis

Background

In July 2023, Council approved the 2023-2026 Council Strategic Priorities (CAO 10-2023), guided by the vision of “Modern communities growing better together.” To achieve the vision, a mission, guiding principles, four priority areas, objectives and planned actions were developed.

The four Priority Areas were identified by Council to meet key community needs for the 2023-2026 term of Council and include:

- Effective Region
- Green and Resilient Region
- Equitable Region
- Prosperous Region

Appendix 1 provides an overview of the Council Strategic Priorities.

In past years, Council has received annual updates on the progress and status of implementation of Council Strategic Plans, as well as a summary of accomplishments. This term of Council staff is planning to report more frequently and in various methods to Council and the community.

Council Strategic Priorities Organizational Alignment

In 2023, an operational plan and communications plan were developed to support implementation, as well as inform and engage Niagara Region Council, staff, and the community on the progress of the Priorities. Actions identified in both plans were determined based on meeting the following goals:

1. Integrate the Council Strategic Priorities into the Region’s operations as the guiding direction for what we do as an organization.
2. Publicly demonstrate the alignment and implementation of the Council Strategic Priorities with community needs and Provincial directions.

Operational Plan

The goal of the Operational Plan is to embed the Strategic Priorities into the Region's day to day operations and planning, including department workplans and budget, performance accountability and learning and development for staff.

The operational tactics include:

- Strategic Priority Operational Teams (SPOT)
- Corporate Business Plans
- Council report template updates
- Non-union people leaders' performance objectives
- A spring People Leaders' summit focused on the Council Strategic Priorities
- Annual budget development aligned with the Priorities
- Council and community reporting and performance measures

More details on the above actions, their description and implementation timing can be found in Appendix 2.

Communications Plan

The purpose of the Communications Plan is to provide a detailed and comprehensive overview of the various objectives, key messages, audiences, and communications tactics for the 2023-2026 Council Strategic Priorities. The communications plan works to achieve the following objectives:

1. Establish a narrative that re-enforces Council Strategic Priorities through storytelling to highlight connections between the priorities and Niagara's growing communities using a "Growing Better Together" brand.
2. Integrate Council Strategic Priorities into the Niagara Region workplace culture using an internal communications strategy designed to provide staff with the resources, tools and reminders needed to achieve Council's goals.
3. Increase awareness of Niagara Region's initiatives and actions to key audiences by in real-time using digital and traditional communications tactics to reach a larger audience.
4. Demonstrate Niagara Region's alignment with provincial directions through marketing techniques to target key audiences and potential decision makers.

The actions planned and their implementation status to achieve each of the above four objectives can be found in Appendix 2.

Council Strategic Priorities Reporting Framework

There are multiple components to the Council Strategic Priorities reporting framework that will allow the Region to measure the success of achieving the goals and objectives of the Priorities and ensure the work we do aligns with the Strategic Priorities.

The reporting framework components are:

- Council Strategic Priority highlight reports aligned with Finance in-year updates
- Mid-year and year-in-review Council Strategic Priorities report
- Corporate Business Plan alignment and reporting
- Strategic Priority Progress Public Dashboard

The reporting framework has been developed to measure the Region's progress in terms of achieving the goals and objectives of the Council Strategic Priorities. The close alignment between the budget process and business plans, will ensure we are taking steps to implement the Strategic Priorities. Additionally, creating a dynamic and accessible dashboard will create increased awareness and transparency to the implementation of the Priorities.

Council Strategic Priority highlight, mid-year and year-in review reports will provide more frequent and manageable updates to Council on the status and work that has been achieved within each of the Priority areas. The content and updates will be supported by the cross-divisional Strategic Priority Operational Teams (SPOT) members.

Corporate Business Plans across the Region will include initiatives that contribute to work plans for departments and divisions. These business plans not only implement the Strategic Priorities but also serve to implement the capital and operating budgets. As the initiatives in the business plans progress, the goals and objectives of the strategic plan get further implemented. Reporting on the Priorities will also include updates to work identified in the Business Plans.

The Strategic Priority Progress Dashboard will be developed through the continued implementation of the Region's strategic plan reporting tool Envisio. This public dashboard will provide Council and staff the opportunity to identify areas that the Region is making progress on and areas that may require some additional focus or resourcing.

Performance Measures

Performance measures, aligned with the implementation of the Council Strategic Priorities are in development with collaboration from the Strategic Priority Operational Teams (SPOT).

The final performance measures will be included in the mid-year and year-in-review update report. The measures are meant to capture how well a Regional service is working to contribute to Council's Strategic Priorities goals and objectives, communicate service performance, and ensure accountability for results.

2024 Strategic Priority Highlights

The Region has made significant advancement in each of the four Priorities with 32 out of 37 of the actions launched or in progress. Highlights on actions will be brought to Council frequently to ensure enhanced communication with Council and the community on the implementation of the Council Strategic Priorities.

Appendix 3 highlights two actions within each of the four Priority areas that have recently made progress.

Conclusion

The Council Strategic Priorities guide the Region's planning, budgets, corporate business plans and day-to-day operations, enabling the organization to dedicate adequate resources to address the priorities and actions approved by Council. Embedding the Priority actions into the organization, along with reporting to Council on the implementation of the priorities is essential to creating trust, accountability, and transparency to the community.

Other Pertinent Reports

- [CAO-10 2023](#) Growing Better Together: 2023-2026 Council Strategic Priorities

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This report was prepared with support from Bianca Fucile, Corporate Performance Specialist and in consultation with the Corporate Leadership Team, the Strategic Priority Operational Teams (SPOT), and reviewed by Michelle Sergi, Commissioner.

Appendices

- Appendix 1 2023-2026 Council Strategic Priorities Overview
- Appendix 2 Communication and Operational Tactics
- Appendix 3 March 2024 Council Strategic Priorities Highlights

Growing Better Together

Vision

Modern communities growing better together.

Mission

Niagara Region delivers service excellence through collaborative and innovative leadership.

Guiding Principles

The guiding principles form the foundation for Council's Strategic Priorities by helping to steer and influence Council decisions on how Niagara Region should deliver its services to the community.

1. Strategic Lenses

- Diversity, equity, inclusion and Indigenous reconciliation
 - Fiscal responsibility
 - Innovation
 - Sustainability and climate change
2. Partnerships

3. Transparency and Accountability

Regional Council has identified the following priorities for 2023-2026:

Effective Region

Remaining an employer of choice by transforming service delivery in a way that is innovative, collaborative and fiscally-responsible.

Objectives

- 1.1 Implement continuous improvement and modernized processes to ensure value-for-money in regional services and programs
- 1.2 Explore and implement opportunities to improve service delivery outcomes through shared services
- 1.3 Deliver fiscally-responsible and sustainable core services
- 1.4 Invest and support a skilled and aligned workforce at Niagara Region

Actions

- Service, Effectiveness and Accountability Reviews
- Data Management Plan
- Transportation Sustainability
- Water and Wastewater Asset Sustainability
- Shared Services Strategy
- Annual Budget and Long-term Forecast Planning
- Human Resource Plan

Green and Resilient Region

Focusing on reducing our collective carbon footprint and preparing to adapt to climate change impacts by ensuring current and future infrastructure is resilient.

Objectives

- 2.1 Deliver operations and services in alignment with the Region's greenhouse gas emission target and climate change goals
- 2.2 Partner with the Local Area Municipalities and community organizations to advance climate change and resilience in the Region
- 2.3 Build resiliency into our Regional infrastructure to support growth and prepare for the impacts of climate change

Actions

- Corporate Climate Change Plan
- Green Fleet Plan and Policy
- Energy Conservation and Demand Management Plan
- Waste Management Plan
- Community Energy Plan
- Climate Adaptation Plan
- South Niagara Wastewater Treatment Plant
- Water, Wastewater Master Servicing Plan Implementation
- Wastewater Biosolids Management Plan
- Greening Strategy

Equitable Region

Providing opportunities for a safe and inclusive Niagara by listening and responding to our current community needs and planning for future growth.

Objectives

- 3.1 Ensure the Region is inclusive, welcoming and free of discrimination
- 3.2 Support growth and development post Bill 23
- 3.3 Improve access to affordable and attainable housing

Actions

- Diversity, Equity, and Inclusion Action Plan
- Indigenous Relations Action Plan
- Health Equity Strategic Plan
- Poverty Reduction Strategy
- Community Safety and Well-being Plan
- Growth Management and Staging of Infrastructure Strategy
- Vision Zero Road Safety Initiative Implementation and Complete Streets Guidelines
- Attainable Housing Strategy
- Housing and Homelessness Action Plan/Built for Zero Homelessness Plan
- Consolidated Housing Master Plan
- Support for Affordable and Attainable Development

Prosperous Region

Advocating with senior governments for future growth and enhancing Niagara's transportation network to help support a diverse economy by creating a Region where new and existing businesses can thrive and grow locally, nationally and internationally.

Objectives

- 4.1 Attract and retain businesses, create jobs and support a skilled workforce in Niagara
- 4.2 Build "Niagara" as a global brand and invest in the growth of its emerging sectors
- 4.3 Invest and enhance access to transit, active transportation and other transportation systems in the Region
- 4.4 Be an effective and unified voice to advocate with senior governments on behalf of Niagara

Actions

- Economic Development Strategy
- Labour Force Development Partnerships
- Agri-business Strategy
- Signature Site Strategy
- Core and Emerging Sector Focus
- Expansion of GO Transit
- Transportation Master Plan Update
- Niagara Region Transit Service Support and Growth
- Government Relations Strategy

2023-2026 Council Strategic Priorities

Operational Tactics

| Tactic | Description | Status and Timing |
|--|--|--|
| Corporate Business Plans <ul style="list-style-type: none"> Will provide staff with a guiding plan for the operational day to day work that drives the organization into the future. | <ul style="list-style-type: none"> Business plans will be created for each department and division across the Region. Business plans include initiatives that contribute to workplans for departments and divisions. These business plans implement the Strategic Priorities and serve to implement the capital and operating budgets. | <p>In Progress</p> <p>Planned Completion Q2 2024</p> |
| Strategic Priority Oversight Teams (SPOT) <ul style="list-style-type: none"> Teams provide a structured approach for priority setting, managing progress of the key activities and developing and reporting on implementation of the Council Strategic Priorities and the corporate performance measures. The teams ensure a cross-corporate lens on Strategic Priority deliverables, promote corporate-wide accountability, encourage teamwork and departmental information sharing and will provide | <ul style="list-style-type: none"> Four teams have been formed to ensure oversight of the progress towards completion of the Strategic Priorities. SPOT teams will meet throughout the year to discuss progress on implementation of the Priorities. Deliverables and performance measures will be identified. Progress updates on actions will be updated by SPOT team members or supporting staff into the Envisio tool. | <p>Launched in January 2023</p> <p>Ongoing</p> |

| Tactic | Description | Status and Timing |
|--|--|---|
| Council with timely updates showcasing successes and challenges. | | |
| Council Staff Report Template | <ul style="list-style-type: none"> Staff will review the current Council staff report template and determine methods to integrate content on considerations of the Council Strategic Priorities' guiding principles and lenses into staff recommendations and Council decision making. | Q4 2024 |
| Non-Union Leaders Performance Objectives | <ul style="list-style-type: none"> For 2024, People Leaders will have a corporate-wide shared objective to champion, align and implement the Council Strategic Priorities. | Complete |
| Leadership Summit | <ul style="list-style-type: none"> Host a People Leaders summit for all leadership staff in the organization focused on the Council Strategic Priorities. | In progress Event planned for March 26 |
| Reporting Framework | <ul style="list-style-type: none"> Develop a standard report framework to demonstrate to Council how the Council Strategic Priorities are progressing. Reporting on Council Strategic Priorities to coincide with year-in finance reports. Develop a Council Strategic Priorities public dashboard to showcase outputs and outcomes | In progress |

| Tactic | Description | Status and Timing |
|--------------------------------|---|-------------------|
| | accomplished. Performance Measures and analytics will be included. | |
| Annual Budget Alignment | <ul style="list-style-type: none"> • Council Strategic Priorities will be integrated into the budget development process. • Communicate how the Priorities drive operating and capital budget decisions and resource requirements | In progress |

Communication Tactics

| Tactic | Description | Status and Timing |
|--|--|-------------------|
| Growing Better Together Brand | Develop a new “Growing Better Together” brand including a narrative to support the project. | Complete |
| Internal Communications and Workplace Tools | Develop digital and traditional graphic assets to further promote the “Growing Better Together” brand as well as provide staff with additional resources to incorporate the Council Strategic Priorities into their everyday work. | In progress |
| External Communications | Promote Council Strategic Priorities updates and milestones to key interested parties using digital and traditional communications channels. | Ongoing |

Council Strategic Priorities

March 2024 Highlights

Effective Region

| Action | Highlights |
|---------------------------------|---|
| Shared Services Strategy | <p>The work on shared services addresses four underlying principles established by the Area CAOs, serving the public good, increasing efficiency and effectiveness, improving customer services, as well as, coordinating the use of resourcing and staffing.</p> <p>In October 2023, Report PDS 30-2023 provided an update on the first phase of activities for shared services, including a building services review, identified opportunities for procurement process, policy governance review and expanding on joint procurement. In partnership with Area CAOs, work has commenced on the Building Services Review and Joint Procurement initiatives by outlining workplans, developed in collaboration with subject matter experts.</p> <p>A comprehensive update on these initiatives, as well as other shared services work will be provided to the Planning and Economic Development Committee in April 2024.</p> |
| Human Resource Plan | <p>The launch of the People Plan aims to support employee's health and wellbeing while also providing opportunities and resources needed for growth. Activities focused on cultivating top talent and reducing employee turnover have commenced.</p> <p>These include, recognizing staff who advance diversity, equity, and inclusion (DEI) principles within their work. In 2023, eight staff were given an award in this category. A corporate learning calendar was promoted and made available to staff, to encourage employees and leaders to advance their skills, along with implementing leadership exploration pathways for non-leaders to understand potential career options.</p> <p>In Q3/Q4 2024, an engagement survey will gather feedback from all Niagara Region staff, and the benefits compensation review will be completed.</p> |

Green-Resilient Region

| Action | Highlights |
|---|---|
| Corporate Climate Change Action Plan | <p>The development of the Corporate Climate Change Action Plan (CCAP) is underway due to the successful selection of an external consultant and the creation of the internal cross-division corporate action plan sub-committee. The CCAP will provide the Region with short- and long-term strategies to align with meeting the corporate greenhouse gas emission reduction target of net-zero GHG emissions by 2050. This includes actions for energy reduction at corporate facilities, wastewater treatment plants, fleet vehicles, and street lighting, as well as policies and initiatives throughout our operations and service delivery. A draft plan is aimed to be completed in Q2 2024, following that will be a presentation to Council in Q3 2024.</p> |
| Energy Conservation and Demand Management Plan | <p>The 2019 to 2023 Energy Conservation and Demand Management (CDM) Plan has been completed and work is underway to create a new Plan for 2024-2028. Achievements for the 2019-2023 plan include, establishing the Niagara Region Energy Working Group, quarterly meetings with client groups to find energy reduction opportunities, embedding energy reduction goals and guidelines into Service Level Agreements (SLA's) with Region Departments, and establishing a LEED Silver minimum standard for new facility construction. These efforts helped to reduce energy use in Corporate and Long-Term Care buildings by 8% combined electricity and natural gas reduction on a per square foot basis since 2018.</p> <p>The new Plan will be developed in parallel with the Corporate Climate Change Action Plan (CCAP) and will help to define the goals for corporate energy and greenhouse gas reduction over the next five years. Development of a new CDM Plan includes a comprehensive review of the progress made over the last five years (2019-2023). The goal is to have an updated CDM Plan, with an evaluation of past achievements and establishment of future targets, submitted to Committee in Q2 of 2024. Additionally, from Q2-Q3 2024, staff will be working with consultants to develop a Pathway to Net Zero for 8-12 corporate buildings, as well as, an in-depth feasibility study for deep carbon cutting measures at the Region's Headquarters building. This includes a soil thermal conductivity test to confirm the feasibility of geothermal heating/cooling.</p> |

Equitable Region

| Action | Highlights |
|---|---|
| Diversity, Equity, and Inclusion Action Plan | <p>The Diversity, Equity, and Inclusion (DEI) Action Plan reaches all Niagara Region staff and community members. It aims to build welcoming and inclusive communities and workplaces, while eliminating barriers. A new employee recognition category celebrated twenty staff who advanced DEI work in the organization or community. A DEI Community of Practice was established in Niagara with over 100 members. The DEI team developed a learning curriculum for staff, Councillors, and volunteers. The development of a DEI handbook is underway. This resource will help staff incorporate DEI into their daily work. It will provide advice in areas such as communication, leadership, and community engagement.</p> |
| Community Safety and Well-being Plan | <p>The Community Safety and Well-being Plan (CSWB) is working to improve responses to 9-1-1 calls involving mental health/ addictions. In 2023, CSWB collected and analyzed data, reviewed identified pain points with the Action Table, and engaged in jurisdictional scans and a literature review to develop recommendations to improve 9-1-1 responses. On March 5th 2024, the report COM 9-2024 CSWB 911 Action Table: Findings and Recommendations was put forward for consideration and approved at Committee.</p> <p>In collaboration with community agencies, the CSWB team devised a region-wide plan to expand the Situation Table model across all of Niagara region. Table meetings meet regularly to identify community members who are at risk for crime or victimization and provide support before a crisis event occurs. The planning and implementation of the expansion plan includes 40 participating agencies across 12 sectors in a collective effort to use community resources more effectively. In October 2023, the first two Tables were launched, including Table 1: Port-Colborne, Wainfleet, Welland, Pelham, and Table 2: St. Catharines, Thorold. In January 2024, Table 3: Niagara Falls, Niagara-on-the-lake, Fort Erie, and Table 4: Grimsby, Lincoln, West Lincoln.</p> <p>CSWB drafted the Gun and Gang Prevention Strategy through the Building Safer Communities Fund. In September 2023, a call for grant applications was launched to mobilize the strategy and action the areas of focus identified by the community. This resulted in 9 agencies being supported in providing youth crime prevention and intervention programming throughout the Niagara Region.</p> |

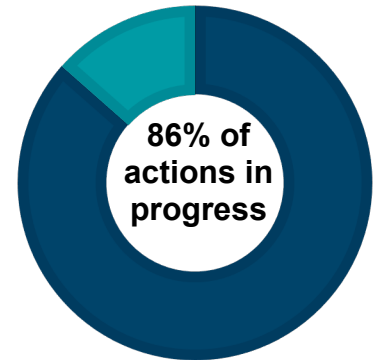
Prosperous Region

| Action | Highlights |
|--------------------------------------|---|
| Economic Development Strategy | <p>The Economic Development Strategy outlines the goals and actions that will guide the Niagara Economic Development team to build a strong and sustainable economy for Niagara residents.</p> <p>A Customer Relationship Management system has been procured and implemented for Niagara Economic Development (NED). By leveraging the Microsoft Dynamics platform staff can document customer interactions, track progress on open files, respond efficiently, prioritize opportunities, and ensure succession. NED in partnership with the Workforce Collective, post-secondary institutions, Niagara Industrial Association, and local employment agencies created the ‘Workforce Coalition.’ This coalition has developed a pilot project to identify and recruit the necessary skills and attract the required labour force in core and emerging sectors.</p> |
| Government Relations Strategy | <p>Throughout 2023, considerable efforts were made to be proactive in Niagara’s Government Relations approach to ensure Regional priorities were showcased to upper levels of government.</p> <p>In addition to participating in annual advocacy initiatives, the Region continued to establish positive relationships with local partners and other levels of government, launched unique “Growing Better Together” branding for the Region’s core priorities and was proactive in hosting Niagara-specific advocacy events. These efforts helped bolster the Region’s reputation as a municipal leader while demonstrating how Niagara is working to advance areas of mutual interest with the provincial and federal governments.</p> <p>To build off 2023 successes, pre-budget submissions were completed during provincial and federal consultations to reaffirm advocacy priorities in Q1.</p> <p>Preparations for Niagara Week taking place in Q2 are underway and efforts to streamline external grant opportunities across the organization is targeted for late Q3 early Q4.</p> |

Council Strategic Priorities Actions Initiated or In Progress

Effective Region

- Service, Effectiveness and Accountability Reviews
- Data Management Plan
- Water and Wastewater Asset Sustainability
- Shared Services Strategy
- Annual Budget and Long-term Forecast Planning
- Human Resource Plan



Green/Resilient Region

- Waste Management Plan
- Energy Conservation and Demand Management Plan
- Corporate Climate Change Action Plan
- Greening Strategy
- Water, Wastewater Master Servicing Plan Implementation
- South Niagara Wastewater Treatment Plant
- Water and Wastewater Biosolids Management Plan

Equitable Region

- Diversity, Equity and Inclusion Action Plan
- Indigenous Relations Action Plan
- Health Equity Strategic Plan
- Community Safety and Well-being Plan
- Poverty Reduction Strategy
- Growth Management and Staging of Infrastructure Strategy
- Vision Zero Road Safety Implementation
- Attainable Housing Strategy
- Support for Affordable and Attainable Development
- Consolidate Housing Master Plan
- Housing and Homelessness Action Plan/Built for Zero Homelessness Plan

Prosperous Region

- Economic Development Strategy
- Core and Emerging Sector Focus
- Argi-business Strategy
- Labour Force Development Partnerships
- Signature Site Strategy
- Niagara Region Transit Service Support and Growth
- Expansion of GO Transit
- Government Relations Strategy

Memorandum

COTW-C 2-2024

Subject: Niagara Region's Lobbyist Registry

Date: April 4, 2024

To: Regional Council

From: Ann-Marie Norio, Regional Clerk

At its Committee of the Whole meeting held September 7, 2023, Regional Council was in receipt of training regarding Niagara Region's Lobbyist Registry. At that meeting a request was made for additional training to be conducted and for the by-law and reports to be re-circulated to Council.

Background

The purpose of a lobbyist registry is to put in place disclosure requirements to ensure that residents have access to information about persons who attempt to influence decisions of public office holders through the use of lobbying in relation to legislative actions.

In November, 2021, Regional Council approved the establishment of a Lobbyist Registry Program and approved By-law 2022-24 on April 14, 2022. The By-law included a provision that the enforcement and penalties section of the By-law would not come into effect until six months after the date the By-law was passed. This delay provided an "educational" period for lobbyists to gain familiarity with the By-law requirements.

In order to enforce the By-law, a Lobbyist Registrar is required whose role is to conduct inquiries in respect of a request made by Council, a Member of Council or by a member of the public about compliance with the Lobbyist Registry By-law or Lobbyist Code of Conduct. There were significant difficulties in being able to procure Lobbyist Registrar Services and the enforcement and penalties section of the By-law was further delayed twice, as such that section will come into effect on April 14, 2024.

Further to the training provided on the Lobbyist Registry during Council orientation at the start of the term and the session on September 7, 2023, in order to ensure Council has a full understanding of its roles and responsibilities with respect to the Lobbyist Registry By-law, staff will be conducting an education and training session during the closed session portion of the Committee of the Whole meeting on April 4, 2024.

The Lobbyist Registry By-law and applicable reports received by Council, have been attached to this memorandum.

Respectfully submitted and signed by

Ann-Marie Norio
Regional Clerk

Attachments:

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| By-law 2022-24 | Lobbyist Registry By-law |
| CLK 2-2021 | Considerations for a Lobbyist Registry |
| CLK 4-2021 | Considerations for a Mandatory Lobbyist Registry |
| CLK 12-2021 | Implementation of a Mandatory Lobbyist Registry |
| CLK 7-2022 | Extension of Education Period for Implementation of Lobbyist Registry |
| CLK 3-2023 | Lobbyist Registry |
| CLK 7-2023 | Lobbyist Registrar Services |

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| Bill No. 2022-24 | Authorization Reference: CSC 11-2021 Minute Item 5.5 |
| <i>As amended by: By-law No. 2022-89 By-law No. 2023-28</i> | <i>CL 17-2022 Minute Item 9.2.2 CL 5-2023 Minute Item 10.2</i> |

THE REGIONAL MUNICIPALITY OF NIAGARA

BY-LAW NO. 2022-24

A BY-LAW TO ESTABLISH AND MAINTAIN A LOBBYIST REGISTRY FOR THE REGIONAL MUNICIPALITY OF NIAGARA

WHEREAS section 223.9 of the Municipal Act S.O., 2001, Chapter 25, as amended, (the Act) authorizes The Regional Municipality of Niagara to establish and maintain a Lobbyist Registry in which shall be kept registrations and returns filed by persons who lobby The Regional Municipality of Niagara's Public Office Holders;

WHEREAS section 223.11 of the Act authorizes The Regional Municipality of Niagara to appoint a Lobbyist Registrar who is responsible for performing in an independent manner the functions assigned by the Region of Niagara with respect to the Lobbyist Registry;

WHEREAS sections 8, 9, and 10 of the Act authorize The Regional Municipality of Niagara to pass by-laws necessary or desirable for municipal purposes, and in particular paragraph 2 of subsection 10(2) authorizes by-laws respecting the accountability and transparency of the municipality and its operations,

WHEREAS a Lobbyist Registry is considered a publicly accessible accountability and transparency tool;

WHEREAS it is reasonable for Members of Council and the public at large to know the nature and amount of legitimate lobbying of local government; and

WHEREAS Council desires to establish and maintain a Lobbyist Registry and appoint a Lobbyist Registrar to provide transparency about persons who lobby the Region of Niagara Public Office Holders.

NOW THEREFORE the Council of The Regional Municipality of Niagara enacts as follows:

PART I DEFINITIONS

1. For the purposes of this By-law:

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| Bill No. 2022-24 | Authorization Reference: CSC 11-2021 Minute Item 5.5 |
| <i>As amended by: By-law No. 2022-89 By-law No. 2023-28</i> | <i>CL 17-2022 Minute Item 9.2.2 CL 5-2023 Minute Item 10.2</i> |

“Communication” means any substantive form of communication including a formal meeting, email, letter, phone call or meaningful dialogue or exchange;

"Council" means the Council of The Regional Municipality of Niagara;

"Lobby" or "Lobbying" means any Communication with a Public Office Holder by an individual who is paid or who represents a business or financial interest with the goal of trying to influence any legislative action including development, introduction, passage, defeat, amendment or repeal of a by-law, motion, resolution or the outcome of a decision on any matter before Council, a Committee of Council, or a staff member acting under delegated authority;

"Lobbyist" means:

- a) **"Consultant Lobbyist"**: an individual who Lobbies for payment on behalf of a client (another individual, a business, partnership, organization or other entity);
- b) **"In-house Lobbyist"**: an individual who is an employee, partner or sole proprietor and who Lobbies on behalf of their own employer, business or other entity; and
- c) **"Voluntary Unpaid Lobbyist"**: an individual who Lobbies without payment on behalf of an individual, business or any other for-profit entity for the benefit of the interests of the individual, business or for-profit entity;

"Lobbyist Registrar" means the individual appointed by Council in accordance with section 223.11 of the Municipal Act, 2001;

“Lobbyist Registry” means a system of registration in which shall be kept the Registrations and Returns of persons who Lobby Public Office Holders and which shall include such information as required pursuant to this By-law;

"Public Office Holder" means:

- a) A member of Regional Council;
- b) An officer or employee of The Regional Municipality of Niagara;
- c) A member of a local board or committee established by Council;

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| Bill No. 2022-24 | Authorization Reference: CSC 11-2021 Minute Item 5.5 |
| <i>As amended by: By-law No. 2022-89 By-law No. 2023-28</i> | <i>CL 17-2022 Minute Item 9.2.2 CL 5-2023 Minute Item 10.2</i> |

- d) Any accountability officer, appointed under the Municipal Act, 2001, including but not limited to the Integrity Commissioner, the Lobbyist Registrar, Ombudsman, and/or Closed Meeting Investigator; and
- e) Individuals under contract with the Region providing consulting or other advisory services to the Region related to matters with budgetary or operational impacts during the term of their contract.

"Region" means The Regional Municipality of Niagara;

"Registration" means a first filing by a Lobbyist regarding a subject matter he or she intends to Lobby on as set out in subsection 8(1); and

"Return" means an update of a Registration filed by a Lobbyist as set out in subsection 8.2.

PART 2 ESTABLISHMENT OF A LOBBYIST REGISTRY

2. Lobbyist Registry

- 2.1 The Regional Clerk shall develop and maintain a Lobby Registry under the oversight of the Lobbyist Registrar, in which shall be kept all Registrations and Returns filed under this by-law.
- 2.2 The Lobbyist Registry shall be available for public inspection through electronic, web-based access at all reasonable times.

3. Exempted Persons and Organizations

- 3.1 The following persons and organizations shall not be considered Lobbyists when carrying out official duties on behalf of and authorized by the public sector bodies they represent:
 - a) Government or public sector not including the Region and other municipal bodies:
 - i. Members of the Senate or House of Commons of Canada, the legislative assembly of a province, the council or legislative assembly of a territory, or persons on the staff of the members

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| Bill No. 2022-24 | Authorization Reference: CSC 11-2021 Minute Item 5.5 |
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- ii. Members of a First Nation council as defined in the Indian Act or of the council of an Indian band established by an Act of the Parliament of Canada, or persons on the staff of the members
 - iii. Employees or consultants retained by the Government of Canada, the government of a province or territory, a First Nation council, a federal or provincial crown corporation or other federal or provincial public agency
 - iv. Members of a council or other statutory body, including a local board, charged with the administration of the civil or municipal affairs of a municipality in Canada other than the Region, persons on staff of the members, or officers or employees of the municipality or local board
 - v. Members of a national or sub-national foreign government, persons on the staff of the members, or officers, employees, diplomatic agents, consular officers or official representatives in Canada of the government
- b) Officials and employees of the Region and other municipal bodies:
- i. Public Office Holders
 - ii. Members or employees of a local board of the Region
 - iii. Members of an advisory committee appointed by Council
- c) Other public sector:
- i. Persons Communicating on behalf of local school boards
 - ii. Persons Communicating on behalf of healthcare institutions

4. Exempted Activities

4.1 Lobbying does not include:

- a) Communication that occurs during a meeting of Regional Council or a Committee of Council;

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- b) Communication that occurs during a public process such as a public meeting, hearing, consultation, open house or media event held or sponsored by the Region or a Public Office Holder or related to an application;
- c) Communication that is restricted solely to a request for information;
- d) Communication that is restricted solely to compliments or complaints about a service or program;
- e) Communication with a Public Office Holder by an individual on behalf of an individual, business or other entity about:
 - i. the enforcement, interpretation or application of any Act or by-law, save and except the Region's Procurement By-law, by the Public Office Holder and with respect to the individual, business or other entity;
 - ii. the implementation or administration of any policy, program, directive or guideline by the Public Office Holder and with respect to the individual, business or other entity;
 - iii. a personal matter of the individual, business or other entity unless it is Communication that is in respect of a matter that falls under the definition of Lobbying, that is for the special benefit of the individual, business or other entity;
- f) Communication by an applicant, an interested party or their representatives with respect to an application for a service, grant, planning approval, permit or other license or permission:
 - i. with a Public Office Holder if the Communication is restricted to providing general information on an application, including a proposed or pending application, or to inquire about the application review process;
 - ii. with an employee of the Region if the Communication is part of the normal course of the approval process;

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- iii. with an employee of the Region if the Communication is with respect to planning or development applications and the officer or employee has a role in the processing of a planning or development application during the formal pre-application consultation, the filing of the application and the application review process, including the preparation of development agreements;
- g) Submitting a bid proposal as part of the procurement process and any Communication with designated employees of the Region as permitted in the procurement policies and procurement documents of the Region;
- h) Communication with a Public Office Holder by an individual on behalf of an individual, business or other entity in direct response to a written request from the Public Office Holder;
- i) Communication to a Public Office Holder by a constituent, or an individual on behalf of a constituent on a general neighbourhood or public policy issue;
- j) Communication directly related to those Region-initiated consultative meetings and processes where an individual is participating as an interested party;
- k) Communication for or against a policy or program that state a position where the primary focus is a broad community benefit or detriment, whether Region-wide or local, and where that position would have no direct, indirect or perceived benefit to a business or financial interest of the individual, business or other entity on whose behalf the Communication is undertaken;
- l) Communication regarding a business or financial interest by not-for-profit businesses or other not-for-profit entity where such business or entity has no paid staff.

5. Prohibitions

- 5.1 No person, on whose behalf another person undertakes Lobbying activities, shall make a payment for the Lobbying activities that is in whole or in part contingent on the successful outcome of any Lobbying activities.

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- 5.2 No person who Lobbies a Public Office Holder shall receive payment that is in whole or in part contingent on the successful outcome of any Lobbying activities.
- 5.3 No former Public Office Holder shall engage in lobbying activities for a period of twelve (12) months after ceasing to be a Public Office Holder of the Region.
- 5.4 No person will Lobby a Public Office Holder unless they are Registered in accordance with this By-law.
- 5.5 No person will provide false or incomplete information in their Registration or Return.
- 5.6 No Lobbyist will offer or provide goods, services or financial compensation in return for support as a part of their Lobbying.

6. Lobbyist Registrar

- 6.1 The Region may appoint an Integrity Commissioner as the Lobbyist Registrar in accordance with section 223 of the Municipal Act, 2001.
- 6.2 The Lobbyist Registrar has the authority to conduct inquiries in respect of a request made by Council, a Member of Council or by a member of the public about compliance with the Lobbyist Registry By-law or the Lobbyist Code of Conduct (attached as Schedule "A"), as set out under section 223.12 of the Municipal Act, 2001.
- 6.3 The Lobbyist Registrar's responsibilities include:
 - a) overseeing the administration of the Lobbyist Registry system;
 - b) providing advice, opinions and interpretation pertaining to the administration, application and enforcement of this By-law;
 - c) conducting inquiries in respect of a request made about compliance with this By-law, which may include requesting that a Public Office Holder gather information concerning Lobbying of him or her and provide that information to Lobbyist Registrar;
 - d) suspending or revoking a Registration;

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- e) enforcing this By-law;
- f) advising Regional Council on Lobbying matters and recommending improvements to this By-law; and
- g) providing an annual report to Regional Council and any other reports as the Lobbyist Registrar considers appropriate.

7. Responsibilities of a Public Office Holder

7.1 A Public Office Holder's responsibilities include:

- a) responding, in a timely and complete manner, to a request from the Lobbyist Registrar under subsection 6.2(c) to gather and provide information; and
- b) ending, as soon as practicable, Lobbying by a Lobbyist who is prohibited from Lobbying and reporting, in a timely manner, such Lobbying to the Lobbyist Registrar.

7.2 Except when responding to a request from the Lobbyist Registrar under subsection 6.3(c), a Public Office Holder's responsibilities under this By-law do not include gathering or providing information concerning Lobbying of him or her.

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PART 3: REGISTRATION AND REPORTING OF LOBBYING ACTIVITY

8. Registrations and Returns

- 8.1 All Lobbyists shall file a Return regarding Lobbying Communication within five (5) business days of the first Communication occurring. The Registration shall include:
- a) their name, address and contact information;
 - b) if they are a Consultant Lobbyist, In-house Lobbyist or Voluntary Unpaid Lobbyist;
 - c) the name of the individual, client or other entity, including all business names under which the individual, client or other entity is operating, on whose behalf he or she is Lobbying;
 - d) the name of the individual or individuals they are Lobbying;
 - e) the subject matter and date on which the Lobbying will start and finish, with the date on which the Lobbying finishes being no more than one year after the date on which the Lobbying starts; and
 - f) any such further information as the Lobbyist Registrar may require.
- 8.2 A Lobbyist shall file a Return updating any change or addition to information provided under Section 8.1 in his or her Registration.
- 8.3 If Lobbying continues for more than one year, a Lobbyist shall file a new Registration for each year the lobbying continues.
- 8.4 The Lobbyist is solely responsible for meeting the requirements with respect to Registrations and Returns set out in this section.
- 8.5 Lobbyists shall read and adhere to the Code of Conduct for Lobbyists during all Lobbying activities with Public Office Holders
- 8.6 The Lobbyist Code of Conduct is attached hereto as Schedule "A" and forms part of this By-law.

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PART 4: ENFORCEMENT AND PENALTIES

9. Penalties

- 9.1 The Registrar may impose a temporary ban on Lobbying in accordance with the following scheme if the Registrar finds that the requirements of this By-law and Code of Conduct have not been met:
- a) for 30 days for a first contravention;
 - b) for 60 days for a second contravention;
 - c) for a period of time longer than 60 days as determined by the Lobbyist Registrar for a third or subsequent contravention.
- 9.2 When the Lobbyist Registrar prohibits an individual from Lobbying, the Lobbyist Registrar:
- a) shall notify the individual and all Public Office Holders of the prohibition and the reason for the prohibition in such manner as the Lobbyist Registrar determines; and
 - b) shall post the prohibition and the reason for the prohibition on the website.
- 9.3 The Lobbyist Registrar may remove a Registration or Return from the Lobbyist Registry if the Lobbyist Registrar finds that the individual who filed the Registration or Return has contravened this By-law.
- 9.4 When a Registration or Return is removed from the Lobbyist Registry, the individual who filed the Registration or Return is deemed, for the purposes of his or her existing and future obligations under this By-law, not to have filed the Registration or Return.
- 9.5. In accordance with subsection 223.12(7) of the Municipal Act, 2001, should the Lobbyist Registrar determine, when conducting an inquiry, that there are reasonable grounds to believe that an individual has contravened a provincial Act or the Criminal Code of Canada, the Lobbyist Registrar shall immediately refer the matter to appropriate authorities and suspend the inquiry pending the outcome of any resulting police investigation.

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PART 5: TITLE, SCOPE AND INTERPRETATION

10. This By-law shall be known as the Lobbyist Registry By-law.
11. In the event of a conflict between the provisions of this by-law and the provisions of another by-law of The Regional Municipality of Niagara the provisions of the more restrictive enactment shall prevail.
12. In the event any provision, or part thereof, of this by-law is found by a court of competent jurisdiction, to be ultra vires, such provision or part thereof, shall be deemed to be severed, and the remaining portion of such provision and all provisions of this by-law shall remain in full force and effect.
13. That this By-law shall come into force and effect on the date on which it is passed, with the exception of Part 4: Enforcement and Penalties, which is to come into force and effect twenty-four (24) months after.

THE REGIONAL MUNICIPALITY OF NIAGARA

James Bradley, Regional Chair

Ann-Marie Norio, Regional Clerk

Passed: April 14, 2022

Schedule "A"

Lobbyist Code of Conduct

Lobbyists are expected to comply with the standards of behaviour for lobbyists and the conduct of lobbying activities set out in this Code of Conduct when lobbying public office holders.

1. Honesty

Lobbyists shall conduct with integrity and honesty all relations with public office holders, clients, employers, the public and other lobbyists.

2. Openness

Lobbyists shall be open and transparent about their lobbying activities at all times, including identifying in all communications with public office holders that are lobbying, while maintaining and respecting necessary confidentiality.

3. Disclosure of Identity and Purpose

- (a) Lobbyists communicating with public office holders shall, at all times, disclose the identity of the individual, business or organization on whose behalf they are lobbying, as well as the subject matter of the communication.
- (b) Lobbyists shall register their name and company information and all lobbying activity with public office holders in accordance with the provisions of the Lobbyist Registry By-law.

4. Information and Confidentiality

- (a) Lobbyists shall inform their client, employer or organization of the obligations under the Lobbyist Registry By-law and their obligation to adhere to the Lobbyists' Code of Conduct.
- (b) Lobbyists shall provide information that is accurate and factual to public office holders.
- (c) Lobbyists shall not knowingly mislead anyone and shall use proper care to avoid doing so inadvertently.
- (d) Lobbyists shall not divulge confidential information unless they have obtained the informed consent of their client, employer or organization, or disclosure is required by law.

Schedule "A"

- (e) Lobbyists shall not use any confidential or other insider information obtained in the course of their lobbying activities to the disadvantage of their client, employer or organization.

5. Competing Interests

- (a) Lobbyists shall not represent conflicting or competing interests without the written consent of those whose interests are involved.
- (b) Lobbyists shall advise public office holders that they have informed their clients of any actual or potential conflict of interest and obtained the informed consent of each client concerned before proceeding or continuing with the undertaking.
- (c) Lobbyists shall not lobby public office holders on a subject matter for which they also provide advice to the Region.

6. Improper Influence

- (a) Lobbyists shall avoid both the deed and the appearance of impropriety.
- (b) Lobbyists shall not knowingly place public office holders in a conflict of interest or in breach of the public office holders' codes of conduct or standards of behaviour.
- (c) Lobbyists will not offer any goods, services or financial compensation in return for support as a part of their lobbying.

7. Restriction on Communication

- (a) Lobbyists shall not communicate with public office holders in relation to a procurement process except as permitted by the Region's procurement policies and procurement documents.
- (b) Lobbyists shall not engage in lobbying activities where the Lobbyist Registrar has prohibited them from lobbying for a specified period of time.

Subject: Considerations for a Lobbyist Registry

Report to: Corporate Services Committee

Report date: Wednesday, February 17, 2021

Recommendations

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

Key Facts

- The purpose of this report is to provide information respecting the creation and maintenance of a lobbyist registry.
- At its meeting held on December 17, 2020, Regional Council passed a resolution directing staff to research and report back with recommendations for the creation and maintenance of a lobbyist registry.
- A lobbyist registry is considered a publicly accessible accountability and transparency tool.
- Section 223.9(1) of the Municipal Act, 2001, provides authority for establishing and maintaining a lobbyist registry.
- Section 223.11(1) of the Act also permits a municipality to appoint a “registrar who is responsible for performing in an independent manner the functions assigned by the municipality with respect to the registry and the system of registration.”
- Niagara Region has other transparency and accountability measures in place that can address concerns regarding lobbying.
- There are a number of factors to consider in terms of the type of lobbyist registry model that Council may wish to implement including financial implications to initiating a lobbyist registry that were not considered as part of the 2021 budget process.

Financial Considerations

Should Council wish to proceed with establishing any model of Lobbyist Registry, there are initial start-up and annual operating costs that would be required for an online registry system. This would include information technology required, annual expenses required to maintain the registry and additional costs associated with appointing the Lobbyist Registrar and the hiring of additional administrative/policy support staff.

The costs would vary depending on the Lobbyist Registry model selected, the number of complaints and inquiries received as well as the enforcement model. The City of Vaughan, implemented a mandatory registry with enforcement and budgeted approximately \$250,000 which included the appointment of a Lobbyist Registrar and administrative staff to maintain the Lobbyist Registry.

In 2016 the Town of Caledon provided a report to their Council estimating initial costs for implementation of a registry between \$50,000 and \$100,000 with potential annual costs based on research of Ontario municipalities with active registries ranging from \$55,000 to \$130,000.

Analysis

At its meeting held on December 17, 2020, Regional Council passed the following motion:

- 1. That Council **DIRECT** staff to research and report back with recommendations for the creation and maintenance of a Lobbyist Registry, which should include a regular, transparent reporting process and contains a jurisdictional scan for best practices from other municipal governments in Ontario, such as Toronto, Ottawa, Hamilton, Brampton, Peel Region, Vaughan, and Collingwood; and*
- 2. That this motion **BE CIRCULATED** to Niagara's 12 local area municipalities.*

Section 223.9(1) of the Municipal Act, 2001, authorizes a municipality “to establish and maintain a registry in which shall be kept such returns as may be required by the municipality that are filed by persons who lobby public office holders”.

A lobbyist registry provides a mechanism for public disclosure of lobbying activities. It is a tool that may lead to greater accountability and transparency for local government by allowing public office holders and members of the public to know who is attempting to influence local government.

The basic elements of lobbying legislation are similar across Canada; however, there are key elements that vary, such as, but not limited to, the definition of a “public office holder”, the responsibility of the public office holder, the time limits for the registration, the amount of lobbying activity that will trigger registration requirements, and the penalties in case of a contravention of the by-law and code of conduct.

Lobbying occurs when an individual who represents a business or has a financial interest communicates with a public office holder, with the intent to influence a decision on governmental matters outside of the City's normal procedures and processes including but not limited to:

- arrangement of a meeting between a public office holder and any other person on any of the subject matters listed below;
- the outcome of a decision on any matter before Council, a Committee of Council or staff member, or a local board;
- development, introduction, passage, defeat, amendment or repeal of a Region by-law, motion or resolution;
- development, approval, amendment, application or termination of a Region policy, program, directive, guideline;
- purchase of goods, services or construction and the award of a contract by the Region;
- approval, approval with conditions, or refusal of an application for a service, grant, planning approval, permit or other licence or permission by the Region; and,
- transfer to or from the Region of any interest in or asset of any business, enterprise or institution.

The goal of any municipal lobbying registry is to ensure that lobbying is carried out transparently and in a manner that ensures accountability as outlined in Section 223.9 to Section 223.12 of the Municipal Act, 2001, S.O. 2001, c 25 (the "Act").

There are certain activities that, while they may seek to influence municipal behaviour, are not generally considered lobbying. These may include but are not limited to:

- Municipal staff, in their official capacity, discussing official business with Council members or other public officials;
- Individuals acting in their personal capacity to make representations before Council, Committees of Council or Local Boards;
- Providing information to a public official in response to a request;
- Members of other levels of government communicating with public officials while acting in their official capacity; and,
- Casual conversations with public officials that do not specifically pertain to municipal business.

Section 223.9 (1) of the Municipal Act, 2001, S.O. 2001, c 25 (the “Act”) authorizes a municipality to establish and maintain a registry in which shall be kept such returns as may be required by the municipality that are filed by persons who lobby public officer holders.

Although there is variation in the definition of “public office holder” between established Lobbyist Registry by-laws, generally, a public office holder is a member of Council; an officer or employee of the municipality; a member of a local board or a Committee established by Council and any person on his or her staff; an accountability officer appointed under the Municipal Act, 2001, such as Integrity Commissioner, Lobbyist Registrar, Ombudsman, etc.

Section 223.9 (2) of the Act also authorizes the municipality to provide for a system of registration of persons who lobby public office holders and to do the following things:

- Define lobby.
- Require persons who lobby public officer holders to file returns and give information to the municipalities.
- Specify the returns to be filed and the information to be given to the municipality by persons who lobby public officer holders and specify the time within which the returns must be filed and the information provided.
- Exempt persons from the requirement to file returns and provide information.
- Specify activities with respect to which the requirement to file returns and provide information that does not apply.
- Establish a code of conduct for persons who lobby public officer holders.
- Prohibit former public office holders from lobbying current public office holders for the period of time specified in the by-law.
- Prohibit a person from lobbying public office holders without being registered.
- Impose conditions for registration, continued registration or a renewal of registration.
- Refuse to register a person, and suspend or revoke a registration.
- Prohibit persons who lobby public office holders from receiving payment that is in whole or in part contingent on the successful outcome of any lobbying activities.

A review of the definition of “lobby” and “lobbying” from various lobbyist registries suggests a common view that lobbying is any communication with a public office holder about the following things:

- a by-law, bill or resolution that requires a decision by Council, a committee or other decision maker acting under municipal authority;

- the development, approval or termination of policies or programs;
- the purchase of goods and services, construction procurement, and the awarding of contracts;
- applications for planning approval, permits, service, grants and other licences or permissions;
- the award of financial contributions, grants or other financial benefits; and
- the transfer from the Region of any interest in or asset of an institution, enterprise or business.

Most Lobbyist Registry By-laws identify the following three types of lobbyists:

1. Consultant lobbyist: an individual who lobbies for payment on behalf of a client (another individual, company, partnership or organization). If the consultant arranges for a meeting between a public office holder and a third party, this is considered lobbying.
2. In-house lobbyist: an individual who is an employee, partner or sole proprietor who lobbies on behalf of their own employer, business or organization.
3. Voluntary unpaid lobbyist: an individual who lobbies without payment on behalf of an individual, business or organization for the benefit of the interests of the individual, business or other organization.

Examples of organizations that hire or retain Lobbyists include business, trade, industry, professional or voluntary organizations; a trade union or labour organization; a chamber of commerce or board of trade; and, an association, a charitable/not-for-profit organization, a coalition or an interest group.

A Lobbyist Registry is an accountability and transparency tool that involves the registration and regulation of lobbying activities. The Lobbyist Registry would apply to anyone who wishes to lobby a public office holder outside of a public forum and the Region's normal procedures and processes. Section 223.9 (3) of the Act states that the registry shall be available for public inspection in the manner and during the time that the municipality may determine.

There are three Lobbyist Registry models that could be considered for implementation:

1. Voluntary Registry – No Enforcement

- Develop a voluntary registry with no formal enforcement wherein lobbyists may choose to register with the Clerk who then posts the registrations online
- There is no complaint mechanism

2. Mandatory Registry – Self Enforcement (Self-Monitored)

- Develop a mandatory registry with no formal enforcement wherein anyone who wishes to undertake lobbying activities must register with the Clerk who then posts the registrations online
- Council members are responsible for enforcement i.e. the onus is on the member of Council not to meet with someone they consider to be a lobbyist, unless the individual has registered as a lobbyist
- Amend the Code of Conduct for Members of Council so that any interactions with un-registered lobbyists or acceptance of gifts from lobbyists can be breaches of the Code
- Any complaints regarding lobbying activity are reported to the Integrity Commissioner

3. Mandatory Registry – With Enforcement Measures

- Develop a mandatory registry with formal enforcement
- Develop a Code of Conduct for Lobbyists
- Amend the Code of Conduct for Members of Council to codify appropriate interactions with lobbyists
- A complaint regime is developed wherein individuals may file a complaint with the Registrar (could be the Integrity Commissioner) if they believe that a lobbyist is not following the Lobbyist Code of Conduct
- A by-law is enacted and offences and penalties for by-law contraventions are established

Considerations in establishing a registry would be who would be appointed as the Lobbyist Registrar; the process for registering; developing a process for reporting on lobbying activities after registering; creating and maintaining a web page with a searchable online registry; and, developing a Code of Conduct for lobbyists and a Registry by-law.

Review of Other Municipalities

Currently, municipalities in Ontario that have established a Lobbyist Registry include the Region of Peel, Toronto, Hamilton, Ottawa, Brampton, Vaughan and, more recently, Collingwood. Appendix 1 provides a comparison chart. The City of Vaughan implemented a phased-in approach for their Lobbyist Registry whereby it started as a Voluntary Registry in 2017 but transitioned to a mandatory registry with enforcement a year later in 2018.

The Town of Collingwood implemented a Lobbyist Registry in 2020; however, the first six months of the Lobbyist Registry program were considered educational and penalties for contraventions were not applied.

Municipalities who have investigated but chosen not to implement a Lobbyist Registry include the Region of Durham, Brantford, Caledon, Guelph, London, Milton and Mississauga.

For those municipalities that have chosen not to establish a Lobbyist Registry, reasons include, the costs associated with establishing and maintaining such a registry, as well as the existence of other accountability and transparency measures such as: legislation and organizational policies which address interactions between Members of Council, staff and various third parties, requirements of Purchasing by-laws, Codes of Conduct for Council and staff, Integrity Commissioner services, Declarations of Interest Registry, the Municipal Conflict of Interest Act, R.S.O. 1990, c. M. 50, and a Municipal Ombudsman/Closed Meetings Investigator.

Any mandatory registry would need to include an online registration process administered by a Lobbyist Registrar appointed by Council as well as a Code of Conduct for Lobbyists, Lobbyist By-law and would require each lobbyist to register their activity with the City prior to commencing lobbying activities or within a given timeframe after lobbying activities have taken place.

Lobbyist Registrar

Section 223.11 of the Act authorizes a municipality to appoint a registrar who is responsible for performing in an independent manner the functions assigned by the municipality with respect to the registry as described in Section 223.9 (1) and the system of registration and other matters described in Section 223.9 (2). Brampton,

Ottawa, Vaughan and Peel have appointed their Integrity Commissioners as their Lobbyist Registrar.

The Lobbyist Registrar is an independent person or body that performs duties as assigned by Council such as regulating lobbying activity by overseeing public disclosure of lobbying activity and ensuring adherence to a Lobbyist Code of Conduct. The Registrar may also enforce the by-law; review, verify and approve registrations; and, deliver information and training materials. Generally, the following are duties of a Lobbyist Registrar:

- Establish and maintain a registry of Lobbyists with a record of all returns and documents filed;
- Verify information contained in any documents filed;
- Refuse to accept a filing or document that does not comply with the Lobbyist Registry;
- Remove a filing if the person who filed does not comply with their duty to provide clarifying information;
- Issue interpretation bulletins and advisory opinions with respect to enforcement, interpretation or application of the by-law to Council;
- Investigate and report to Council on investigations and make recommendations to Council on punitive measures related to Code of Conduct violations or other applicable policies; and,
- Other duties and parameters to the position as assigned by Council.

There are many considerations regarding administering a Lobbyist Registry such as responsibility for maintaining the Registry, the registration process, the process for reporting lobbyist activities, and creation and maintenance of a searchable online registry for public access. Typically, the Lobbyist Registry would include information on individuals who lobby such as:

- name and business address;
- employer, organization or association;
- who the individual is lobbying on behalf of;
- the public office holders they are lobbying;
- the general nature of the subject matter of their lobbying; and,
- the dates on which their lobbying will start and finish.

One common component of online Lobbyist Registries is a 'Frequently Asked Questions' webpage to help determine if an activity is defined as lobbying. In addition to this feature, significant public education would need to take place to ensure the public is aware of what a Lobbyist Registry is and how it may affect them.

A mandatory registry would also include provisions for inquiries and significant sanctions and penalties for Lobbyists not in compliance. The Lobbyist Registrar may be given a range of enforcement powers including the ability to suspend or revoke a registration, impose conditions on the registration, and implement sanctions or penalties on a sliding scale dependent on the number of violations.

The Lobbyist Registrar may conduct an inquiry when requested to do so by Council as a whole, by a single member of Council or by a member of the public, and may provide a public report back to Council regarding any inquiry conducted. Provisions set out in the City of Toronto model provide that the Lobbyist Registrar may prosecute breaches of the by-law under the Provincial Offences Act with fines ranging from \$25,000 up to \$100,000. Any report from a Lobbyist Registrar must be made public.

There may also be a requirement for an administrative system to allow for management of registrations as well as staff to oversee the registry. It is helpful to note that in the City of Toronto, seven full-time staff make up the Office of the Lobbyist Registrar, not including the Lobbyist Registrar; however, the City of Toronto has a dynamic Lobbyist Registry office that has been in place over a decade.

There are a number of factors to consider when reviewing the options to establish a Lobbyist Registry, in particular, balancing the costs and benefits of such an approach. There are financial and staffing implications with respect to implementing and maintaining a Lobbyist Registry as the registry would require ongoing staff and financial resources including initial and annual operating costs, appointment of a Lobbyist Registrar, creation and maintenance of an online registration system, and potential hiring of staff to administer the registry.

Existing Accountability and Transparency Measures

Niagara Region has an Accountability and Transparency Policy as well as a contract with an Integrity Commissioner who can provide advice and conduct investigations related to breaches of the Code of Conduct for Members of Council or contraventions of the Municipal Conflict of Interest Act. In addition, there are accountability and

transparency measures that already exist and are well established for elected officials including:

- Code of Conduct for Members of Council
- Integrity Commissioner Services
- Municipal Conflict of Interest Act
- Declaration of Interest Registry
- Procurement By-law
- Council's Procedural By-law

In addition, the Region has a Code of Ethics/Conflict of Interest Policy for staff that was strengthened as a result of the recommendations from the Ontario Ombudsman report "Inside Job". Additionally, the Code of Conduct could be amended to include provisions specifically related to lobbying.

Alternatives Reviewed

This report has been provided for information purposes only, as Council has options to consider related to the type of lobbyist registry model that could be implemented. Council could:

- a) consider not establishing a Lobbyist Registry and instead rely on existing policies and legislation which address concerns regarding contracting and relations with third parties such as the Procurement By-law, Accountability and Transparency Policy, Code of Ethics/Conflict of Interest Policy, Municipal Conflict of Interest Act and the Code of Conduct for Members of Council to ensure accountability and transparency.
- b) if it wishes to implement a lobbyist registry, identify the preferred model (voluntary, mandatory – self enforcement, mandatory with enforcement) and direct staff to provide a report on the costs of the proposed model, including staffing, technology requirements, processes, necessary by-law and code of conduct and options for a Lobbyist Registrar.

Relationship to Council Strategic Priorities

This report aligns to Council's strategic priority of sustainable and engaging government including promoting an organizational culture that values continuous improvement, collaboration, and innovation and enhancing communication.

Other Pertinent Reports

None.

Prepared and Recommended by:

Ann-Marie Norio
Regional Clerk

Submitted by:

Ron Tripp, P. Eng.
Acting Chief Administrative Officer

This report was prepared in consultation with Donna Gibbs, Director, Legal and Court Services.

Appendices

Appendix 1 Municipal Comparison Chart

| Municipality | Year Established | Integrity Commissioner Appointed as Lobbyist Registrar | Penalties |
|---------------------|-------------------------|---|---|
| Brampton | 2015 | Yes | First contravention: may be prohibited from lobbying for 30 days Second contravention: may be prohibited from lobbying for 90 days Third or subsequent contravention: Lobbyist Registrar to determine appropriate penalty that is greater than a penalty for a second contravention |
| Hamilton | 2015 | No | First contravention: may be prohibited from lobbying for 30 days Second contravention: may be prohibited from lobbying for 60 days Third contravention or subsequent contravention: may be prohibited from lobbying for longer than 60 days as determined by the Lobbyist Registrar |
| Ottawa | 2012 | Yes | First breach: banned from communicating with public office holders for one month Second breach: banned from communicating with public office holders for three months Third breach: Integrity Commissioner determines appropriate sanction |

| | | | |
|-------------|------|-----|---|
| Peel | 2017 | Yes | First breach: banned from communicating with public office holders for one month Second breach: banned from communicating with public office holders for three months Third breach: Integrity Commissioner determines appropriate sanction |
| Toronto | 2008 | No | First breach: the lobbyist is banned from communicating with public office holders for one month; Second breach: the lobbyist is banned from communicating with public office holders for three months; and Third breach: the Lobbyist Registrar may ban the lobbyist from communicating with public office holders for a period of not more than two years. The Lobbyist Registrar can also prosecute breaches of the Lobbying By-law under the Provincial Offences Act (POA). Every person convicted of an offence under the Lobbying By-law is liable on a first conviction to a fine of not more than \$25,000 and on each subsequent conviction to a fine of not more than \$100,000. |
| Vaughan | 2017 | No | First offence: prohibited from lobbying until completion of information and education meeting with Lobbyist Registrar Second offence: prohibited from lobbying for 3 months Third or subsequent offences: prohibition of lobbying activities as determined by the Lobbyist Registrar |
| Collingwood | 2020 | No | First contravention: ban on communication for 30 days Second contravention: ban on communication for 60 days Third or subsequent contravention: ban on communication for longer than 60 days as determined by the Lobbyist Registrar |

Subject: Considerations for a Mandatory Lobbyist Registry

Report to: Corporate Services Committee

Report date: Wednesday, May 12, 2021

Recommendations

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

Key Facts

- The purpose of this report is to provide information respecting a mandatory lobbyist registry.
- At its meeting held on February 17, 2021, Corporate Services Committee deferred a motion respecting the implementation of a mandatory lobbyist registry to allow consultation with stakeholders.
- A lobbyist registry is considered a publicly accessible accountability and transparency tool.
- Section 223.9(1) of the Municipal Act, 2001, provides authority for establishing and maintaining a lobbyist registry.
- Section 223.11(1) of the Act also permits a municipality to appoint a “registrar who is responsible for performing in an independent manner the functions assigned by the municipality with respect to the registry and the system of registration.”
- Niagara Region has other transparency and accountability measures in place that can address concerns regarding lobbying.

Financial Considerations

As was noted in Report CLK 2-2021, should Council wish to proceed with establishing any model of Lobbyist Registry, there are initial start-up and annual operating costs that would be required for an online registry system. This would include information technology required, annual expenses required to maintain the registry and additional costs associated with appointing the Lobbyist Registrar and the hiring of additional administrative/policy support staff.

The costs would vary depending on the number of complaints and inquiries received as well as the enforcement model. The City of Vaughan, implemented a mandatory registry

with enforcement and budgeted approximately \$250,000 which included the appointment of a Lobbyist Registrar and administrative staff to maintain the Lobbyist Registry.

Analysis

At its meeting held on February 17, 2021, Corporate Services Committee considered Report CLK 2-2021 and subsequently considered the following motion:

1. *That staff **BE DIRECTED** to provide options, and a recommendation, for the retention of a Lobbyist Registrar and that considerations for the retention of a Lobbyist Registrar form part of the budget proposals for 2022;*
2. *That specific mechanisms for the establishment of a mandatory Lobbyist Registry with enforcement **BE DEVELOPED** for implementation in 2022;*
3. *That feedback about the establishment of a mandatory Lobbyist Registry with enforcement for Niagara Region **BE SOUGHT** from Public Affairs Association of Canada; Niagara's chambers of commerce; and other pertinent associations or organizations; and*
4. *That the report(s) indicated in the first three parts of this motion **BE PROVIDED** at the May 2021 Corporate Services Committee meeting.*

The motion was deferred to allow staff to undertake consultation. Staff was further requested to provide information respecting a mandatory registry. Feedback was sought from the local chambers of commerce and the Public Affairs Association of Canada. Only the Niagara Chamber Partnership responded and that feedback is attached as Appendix 1 to this report. The Chamber requested that should Council implement a lobbyist registry, it consider the following:

- That a clear definition of lobbying be established, aligning with definitions used in other jurisdictions
- That thresholds, participation requirements, and administrative requirements be established, facilitating transparency without stifling healthy civic engagement from local businesses
- That a phased implementation approach be taken, starting with a simple and straightforward process (an annual, one-time, online registration, for example) that can be expanded in successive years

The goal of any municipal lobbying registry is to ensure that lobbying is carried out transparently and in a manner that ensures accountability as outlined in Section 223.9 to Section 223.12 of the Municipal Act, 2001, S.O. 2001, c 25 (the “Act”).

There are certain activities that, while they may seek to influence municipal behaviour, are not generally considered lobbying. These may include but are not limited to:

- Municipal staff, in their official capacity, discussing official business with Council members or other public officials;
- Individuals acting in their personal capacity to make representations before Council, Committees of Council or Local Boards;
- Providing information to a public official in response to a request;
- Members of other levels of government communicating with public officials while acting in their official capacity; and,
- Casual conversations with public officials that do not specifically pertain to municipal business.

Section 223.9 (1) of the Municipal Act, 2001, S.O. 2001, c 25 (the “Act”) authorizes a municipality to establish and maintain a registry in which shall be kept such returns as may be required by the municipality that are filed by persons who lobby public officer holders.

Although there is variation in the definition of “public office holder” between established Lobbyist Registry by-laws, generally, a public office holder is a member of Council; an officer or employee of the municipality; a member of a local board or a Committee established by Council and any person on his or her staff; an accountability officer appointed under the Municipal Act, 2001, such as Integrity Commissioner, Lobbyist Registrar, Ombudsman, etc.

Section 223.9(2) of the Act also authorizes the municipality to provide for a system of registration of persons who lobby public office holders and to do the following things:

- Define lobby.
- Require persons who lobby public officer holders to file returns and give information to the municipalities.
- Specify the returns to be filed and the information to be given to the municipality by persons who lobby public officer holders and specify the time within which the returns must be filed and the information provided.
- Exempt persons from the requirement to file returns and provide information.

- Specify activities with respect to which the requirement to file returns and provide information that does not apply.
- Establish a code of conduct for persons who lobby public officer holders.
- Prohibit former public office holders from lobbying current public office holders for the period of time specified in the by-law.
- Prohibit a person from lobbying public office holders without being registered.
- Impose conditions for registration, continued registration or a renewal of registration.
- Refuse to register a person, and suspend or revoke a registration.
- Prohibit persons who lobby public office holders from receiving payment that is in whole or in part contingent on the successful outcome of any lobbying activities.

A review of the definition of “lobby” and “lobbying” from various lobbyist registries suggests a common view that lobbying is any communication with a public office holder about the following things:

- a by-law, bill or resolution that requires a decision by Council, a committee or other decision maker acting under municipal authority;
- the development, approval or termination of policies or programs;
- the purchase of goods and services, construction procurement, and the awarding of contracts;
- applications for planning approval, permits, service, grants and other licences or permissions;
- the award of financial contributions, grants or other financial benefits; and
- the transfer from the Region of any interest in or asset of an institution, enterprise or business.

Most Lobbyist Registry By-laws identify the following three types of lobbyists:

1. Consultant lobbyist: an individual who lobbies for payment on behalf of a client (another individual, company, partnership or organization). If the consultant arranges for a meeting between a public office holder and a third party, this is considered lobbying.
2. In-house lobbyist: an individual who is an employee, partner or sole proprietor who lobbies on behalf of their own employer, business or organization.
3. Voluntary unpaid lobbyist: an individual who lobbies without payment on behalf of an individual, business or organization for the benefit of the interests of the individual, business or other organization.

A Lobbyist Registry is an accountability and transparency tool that involves the registration and regulation of lobbying activities. The Lobbyist Registry would apply to anyone who wishes to lobby a public office holder outside of a public forum and the Region's normal procedures and processes. Section 223.9 (3) of the Act states that the registry shall be available for public inspection in the manner and during the time that the municipality may determine.

There are two options for consideration should Council wish to implement a mandatory lobbyist registry.

Mandatory Registry – Self Enforcement (Self-Monitored)

- Develop a mandatory registry with no formal enforcement wherein anyone who wishes to undertake lobbying activities must register with the Clerk who then posts the registrations online
- Council members are responsible for enforcement i.e. the onus is on the member of Council not to meet with someone they consider to be a lobbyist, unless the individual has registered as a lobbyist
- Amend the Code of Conduct for Members of Council so that any interactions with un-registered lobbyists or acceptance of gifts from lobbyists can be breaches of the Code
- Any complaints regarding lobbying activity are reported to the Integrity Commissioner

Mandatory Registry – With Enforcement Measures

- Develop a mandatory registry with formal enforcement
- Develop a Code of Conduct for Lobbyists
- Amend the Code of Conduct for Members of Council to codify appropriate interactions with lobbyists
- A complaint regime is developed wherein individuals may file a complaint with the Registrar (could be the Integrity Commissioner) if they believe that a lobbyist is not following the Lobbyist Code of Conduct
- A by-law is enacted and offences and penalties for by-law contraventions are established

Should a mandatory registry with enforcement be established, a Lobbyist Registrar would need to be retained and processes would need to be formalized including the process for registering; reporting on lobbying activities after registering; creating and maintaining a web page with a searchable online registry; and, developing a Code of Conduct for lobbyists and a Registry by-law.

Lobbyist Registrar

Section 223.11 of the Act authorizes a municipality to appoint a registrar who is responsible for performing in an independent manner the functions assigned by the municipality with respect to the registry as described in Section 223.9 (1) and the system of registration and other matters described in Section 223.9 (2). Brampton, Ottawa, Vaughan and Peel have appointed their Integrity Commissioners as their Lobbyist Registrar.

The Lobbyist Registrar is an independent person or body that performs duties as assigned by Council such as regulating lobbying activity by overseeing public disclosure of lobbying activity and ensuring adherence to a Lobbyist Code of Conduct. The Registrar may also enforce the by-law; review, verify and approve registrations; and, deliver information and training materials. Generally, the following are duties of a Lobbyist Registrar:

- Establish and maintain a registry of Lobbyists with a record of all returns and documents filed;
- Verify information contained in any documents filed;
- Refuse to accept a filing or document that does not comply with the Lobbyist Registry;
- Remove a filing if the person who filed does not comply with their duty to provide clarifying information;
- Issue interpretation bulletins and advisory opinions with respect to enforcement, interpretation or application of the by-law to Council;
- Investigate and report to Council on investigations and make recommendations to Council on punitive measures related to Code of Conduct violations or other applicable policies; and,
- Other duties and parameters to the position as assigned by Council.

There are many considerations regarding administering a Lobbyist Registry such as responsibility for maintaining the Registry, the registration process, the process for reporting lobbyist activities, and creation and maintenance of a searchable online registry for public access. Typically, the Lobbyist Registry would include information on individuals who lobby such as:

- name and business address;
- employer, organization or association;
- who the individual is lobbying on behalf of;
- the public office holders they are lobbying;
- the general nature of the subject matter of their lobbying; and,
- the dates on which their lobbying will start and finish.

One common component of online Lobbyist Registries is a 'Frequently Asked Questions' webpage to help determine if an activity is defined as lobbying. In addition to this feature, significant public education would need to take place to ensure the public is aware of what a Lobbyist Registry is and how it may affect them.

A mandatory registry would also include provisions for inquiries and significant sanctions and penalties for Lobbyists not in compliance. The Lobbyist Registrar may be given a range of enforcement powers including the ability to suspend or revoke a registration, impose conditions on the registration, and implement sanctions or penalties on a sliding scale dependent on the number of violations.

The Lobbyist Registrar may conduct an inquiry when requested to do so by Council as a whole, by a single member of Council or by a member of the public, and may provide a public report back to Council regarding any inquiry conducted. Provisions set out in the City of Toronto model provide that the Lobbyist Registrar may prosecute breaches of the by-law under the Provincial Offences Act with fines ranging from \$25,000 up to \$100,000. Any report from a Lobbyist Registrar must be made public.

There may also be a requirement for an administrative system to allow for management of registrations as well as staff to oversee the registry. It is helpful to note that in the City of Toronto, seven full-time staff make up the Office of the Lobbyist Registrar, not including the Lobbyist Registrar; however, the City of Toronto has a dynamic Lobbyist Registry office that has been in place over a decade.

There are a number of factors to consider when reviewing the options to establish a Lobbyist Registry, in particular, balancing the costs and benefits of such an approach. There are financial and staffing implications with respect to implementing and maintaining a Lobbyist Registry as the registry would require ongoing staff and financial resources including initial and annual operating costs, appointment of a Lobbyist

Registrar, creation and maintenance of an online registration system, and potential hiring of staff to administer the registry.

Alternatives Reviewed

This report has been provided for information purposes only, as Council has the option to consider if it would like to implement a mandatory lobbyist registry. Council could:

- a) consider not establishing a Lobbyist Registry and instead rely on existing policies and legislation which address concerns regarding contracting and relations with third parties such as the Procurement By-law, Accountability and Transparency Policy, Code of Ethics/Conflict of Interest Policy, Municipal Conflict of Interest Act and the Code of Conduct for Members of Council to ensure accountability and transparency.
- b) if it wishes to implement a mandatory lobbyist registry (mandatory – self enforcement or mandatory with enforcement) and direct staff to provide a report on the costs of the proposed model, including staffing, technology requirements, processes, necessary by-law and code of conduct and options for a Lobbyist Registrar.

Relationship to Council Strategic Priorities

This report aligns to Council's strategic priority of sustainable and engaging government including promoting an organizational culture that values continuous improvement, collaboration, and innovation and enhancing communication.

Other Pertinent Reports

CLK 2-2021 Considerations for a Lobbyist Registry

Prepared by and Recommended by:

Ann-Marie Norio
Regional Clerk

Submitted by:

Ron Tripp, P.Eng.
Acting Chief Administrative Officer

Appendices

Appendix 1 Correspondence from Niagara Chamber Partnership

NIAGARA CHAMBER PARTNERSHIP

Unlocking the power of a Niagara-wide network



April 29, 2021

Regional Clerk Ann-Marie Norio
Regional Municipality of Niagara
1815 Sir Isaac Brock Way
Thorold ON L2V 4T7

RE: CONSIDERATIONS FOR A LOBBYIST REGISTRY
Recommendations from the Niagara Chamber Partnership

Dear Ms. Norio,

On behalf of the Niagara Chamber Partnership (representing chambers/boards of trade in the municipalities of Fort Erie, Grimsby, Lincoln, Niagara Falls, Niagara-on-the-Lake, Pelham, Port Colborne, Thorold, Wainfleet, Welland, and West Lincoln), we are submitting the following recommendations for Regional Council's consideration:

- That a clear definition of lobbying be established, aligning with definitions used in other jurisdictions
- That thresholds, participation requirements, and administrative requirements be established, facilitating transparency without stifling healthy civic engagement from local businesses
- That a phased implementation approach be taken, starting with a simple and straight-forward process (an annual, one-time, online registration, for example) that can be expanded in successive years

Thank you for the opportunity to provide feedback and recommendations as Regional Council builds on initiatives that increase public accountability and transparency.

Sincerely,

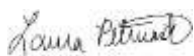




Fort Erie Chamber of Commerce



Grimsby Chamber of Commerce



Lincoln Chamber of Commerce



Niagara Falls Chamber of Commerce



Niagara-on-The-Lake Chamber of Commerce



Port Colborne-Wainfleet Chamber of Commerce



Niagara Board of Trade and Commerce



Welland/Pelham Chamber of Commerce



West Lincoln Chamber of Commerce



Subject: Implementation of a Mandatory Lobbyist Registry

Report to: Corporate Services Committee

Report date: Wednesday, November 10, 2021

Recommendations

1. That the implementation of a Lobbyist Registry Program for Niagara Region, **BE APPROVED**, subject to approval of funding for a Lobbyist Registrar as part of the 2022 budget process;
2. That subject to approval of funding as part of the 2022 budget process:
 - a) the draft by-law (Appendix 1 to Report CLK 12-2021) to establish and maintain a Lobbyist Registry **BE APPROVED** in principle;
 - b) the draft Lobbyist Code of Conduct (Appendix 2 to Report CLK 12-2021) **BE APPROVED** in principle;
 - c) the first six months of implementation of the Lobbyist Registry following passage of the by-law be considered an education period where penalties and sanctions will not be applied;
 - d) the Integrity Commissioner **BE APPOINTED** as the Lobbyist Registrar;
 - e) the Regional Clerk **BE AUTHORIZED** to develop the necessary forms and procedures related to the Lobbyist Registry program including a complaint intake process;
 - f) That the Code of Conduct for Members of Council **BE AMENDED** to include provisions regarding the obligations of Council under the Lobbyist Registry By-law; and
 - g) That the Regional Clerk **BE DIRECTED** to present the by-law to establish and maintain a Lobbyist Registry for passage by Council at its next meeting after budget approval.

Key Facts

- The purpose of this report is to seek Council's approval for the implementation of a Lobbyist Registry program.

- At its meeting held on May 12, 2021, the Corporate Services Committee considered Report CLK 4-2021 and directed staff to prepare a report on a mandatory Lobbyist Registry with enforcement.
- A lobbyist registry is considered a publicly accessible accountability and transparency tool.
- Section 223.9(1) of the Municipal Act, 2001, provides authority for establishing and maintaining a lobbyist registry.
- Section 223.11(1) of the Act also permits a municipality to appoint a “registrar who is responsible for performing in an independent manner the functions assigned by the municipality with respect to the registry and system of registration”.
- The implementation of a lobbyist registry would supplement other transparency and accountability measures that the Region already has in place to address concerns regarding lobbying such as the Procurement By-law, Accountability and Transparency Policy, Code of Ethics/Conflict of Interest Policy, Municipal Conflict of Interest Act and the Code of Conduct for Member of Council.

Financial Considerations

As Council's direction is to proceed with a mandatory registry, there will be costs for a Lobbyist Registrar. An operating budget business case for \$50,000 has been included for Council's consideration as part of the 2022 budget process. These monies are anticipated to cover the expenses for a Lobbyist Registrar who will be responsible to investigate complaints related to alleged contraventions of the Lobbyist Registry By-law and Lobbyist Code of Conduct but will be dependent on the number of complaints received and oversee compliance with the program.

Staff have confirmed that supporting technology requirements can be handled internally at no additional cost and current staffing levels can accommodate the maintenance of the Registry subject to the number of registrations that may be received and the time spent responding to inquiries.

Analysis

At its meeting held on May 20, 2021, Regional Council approved the following recommendation of the Corporate Services Committee:

That Report CLK 4-2021, dated May 12, 2021, respecting Mandatory Lobbyist Registry **BE RECEIVED**; and

That staff **BE DIRECTED** to provide a report on the costs of the establishment of a mandatory Lobbyist Registry with enforcement, including staffing, technology requirements, processes, necessary by-law and Code of Conduct changes, and options for a Lobbyist Registrar and that considerations for the establishment of a Lobbyist Registry form part of the budget proposals for 2022.

A Lobbyist Registry is an accountability and transparency tool that involves the registration and regulation of lobbying activities. The Lobbyist Registry would apply to anyone who wishes to lobby a public office holder outside of a public forum and the Region's normal procedures and processes. Section 223.9 (3) of the Act states that the registry shall be available for public inspection in the manner and during the time that the municipality may determine.

Further to the direction to undertake consultation, staff received feedback from the Niagara Chamber Partnership requesting that the establishment of any lobbyist registry consider the following:

- That a clear definition of lobbying be established, aligning with definitions used in other jurisdictions
- That thresholds, participation requirements, and administrative requirements be established, facilitating transparency without stifling healthy civic engagement from local businesses
- That a phased implementation approach be taken, starting with a simple and straightforward process (an annual, one-time, online registration, for example) that can be expanded in successive years

The goal of any municipal lobbying registry is to ensure that lobbying is carried out transparently and in a manner that ensures accountability as outlined in Sections 223.9 to 223.12 of the Municipal Act, 2001, S.O. 2001, c 25 (the "Act").

Chief Justice Bellamy, who recommended the first municipal lobbyist registry as part of her 2005 Toronto computer leasing inquiry, states that although lobbyists are in the business of exerting influence over a decision, it does not mean that outcome is necessarily against the public's interest. Justice Bellamy states that "what is against the public's interest is when lobbying occurs in secret."

The Bellamy Report states that "lobbying is best understood broadly as an organized effort to influence the development or ultimate fate of anything the government does: pass a law, develop a policy or program, award a contract, or give away money".

Generally speaking, a lobbyist works on behalf of third party who would directly benefit from the outcome of a specific decision.

Lobbying, as defined in the draft by-law is defined as: means any communication with a public office holder by an individual who is paid or represents a business or financial interest with the goal of trying to influence any legislative action including the development, introduction, passage, defeat, amendment or repeal of a by-law, motion, resolution or the outcome of a decision on any matter before Council, a Committee of Council, or a staff member acting under delegated authority.

From the practical standpoint of a lobbyist registry, is important to note that lobbying can take place via numerous mediums (i.e. telephone calls, emails, in-person meetings, text messages, etc.) and can occur whenever there is a meaningful exchange with someone in public office that materially advances the position of a lobbyist. Lobbying activities can happen in both formal and informal settings, and should never involve the exchange of any goods, services or financial compensation in return for the support of the elected official.

There are certain activities that, while they may seek to influence municipal behaviour, are not generally considered lobbying. These may include but are not limited to:

- Municipal staff, in their official capacity, discussing official business with Council members or other public officials;
- Individuals acting in their personal capacity to make representations before Council, Committees of Council or Local Boards;
- Providing information to a public official in response to a request;
- Advocacy activities which are generally carried out by community groups and associations and are communications that state a position for a general regional benefit;
- Members of other levels of government communicating with public officials while acting in their official capacity; and,
- Casual conversations with public officials that do not specifically pertain to municipal business.

Proposed Lobbyist Registry Program

Section 223.9 (1) of the Act authorizes a municipality to establish and maintain a registry in which shall be kept such returns as may be required by the municipality that are filed by persons who lobby public officer holders.

The Act contains provisions related to the establishment of a registry that allow a registry to be customized based on need, provided there is compliance with the general requirements.

Staff propose the implementation of a registry in the form of an online searchable tool that is accessible to the public for people to register their communication activity with public office holders if it falls under the definition of “lobbying” as outlined in the Lobbyist Registry By-law attached as Appendix 1.

A user-friendly, accessible tool has been developed which would be available on Niagara Region’s website. The tool will collect information from the lobbyists as they will be required to complete a submission form for review by Clerk’s Office staff for verification. Upon approval, the information will be posted to the website. A screen shot of the Registry Tool can be found at Appendix 3. A dedicated webpage will house the by-law, lobbyist code of conduct, frequently asked questions as well as the Registry. Subject to Council approval of the program, a complaint form and procedure will also be posted on this webpage. This complaint form and procedure will be similar to the process for complaints submitted regarding alleged code of conduct violations.

Within five (5) days of any lobbying activity, a lobbyist will be required to read and acknowledge reading the Lobbyist By-law and accompanying Code of Conduct and submit their name, title, business information, date of lobbying and provide particulars related to the issue being lobbied. The information will be reviewed by staff and if all necessary fields are complete, will be uploaded to the Lobbyist Registry on the website where it will be available for the public to view. If the form submitted is incomplete or other follow up is required, staff may refer the submission to the Lobbyist Registrar for further review. Staff will endeavour to ensure the completeness of the information submitted but may post incomplete submissions in the interest of transparency.

The online tool will be available for lobbyists to register their lobbying activities and the public and individuals who may be impacted by the program to browse and familiarize themselves with the tool, with no penalties being enforced during the first six months the Registry is active.

One common component of online Lobbyist Registries, which will be implemented, is a ‘Frequently Asked Questions’ webpage to help individuals determine if an activity is defined as lobbying. In addition to this feature, a robust communications plan would be developed including education to ensure the public is aware of what a Lobbyist Registry is and how it may affect them.

To help support elected officials in their potential communications with lobbyists, Councillors will be provided “business cards” that may be handed out in the event of in-person discussions with a lobbyist. These cards will remind the lobbyist of the need to register the communication online, and the Region’s commitment to accountability and transparency.

A mandatory Registry will also include provisions for inquiries and sanctions and penalties for Lobbyists not in compliance. The Lobbyist Registrar will be given a range of enforcement powers including the ability to suspend or revoke a registration, impose conditions on the registration, and implement sanctions or penalties on a sliding scale dependent on the number of violations.

Lobbyist Registrar

Section 223.11 of the Act authorizes a municipality to appoint a registrar who is responsible for performing in an independent manner the functions assigned by the municipality with respect to the registry as described in Section 223.9 (1) and the system of registration and other matters described in Section 223.9 (2). Brampton, Ottawa, Vaughan and Peel have appointed their Integrity Commissioners as their Lobbyist Registrar. Staff are recommending that Niagara Region follow a similar approach and will include the duties of a Lobbyist Registrar as part of the RFP for an Integrity Commissioner that will be issued before year-end. The appointment of the Lobbyist Registrar will occur at the same time as the appointment of the Integrity Commissioner.

Inquiries and Sanctions

Section 223.12(1) of the Act permits the Lobbyist Registrar to conduct an inquiry when requested to do so by Council, a member of Council or by a member of the public. The inquiry would be related to compliance with the requirements of the lobbyist registry, or the Lobbyist Code of Conduct. Inquiries must be conducted confidentially. Subject to Council approval and funding, staff will develop complaint procedures and processes similar to the process in place for Integrity Commissioner complaints.

Section 223.9(1) of the Act allows for a municipality to “impose conditions for registration, continued registration or a renewal of registration” and to “refuse to register a person, and suspend or revoke a registration”. These tools allow a municipality to develop their own sanctions or penalties when the registry by-law is contravened.

Where the Lobbyist Registrar is conducting an inquiry, and the Registrar “determines that there are reasonable grounds to believe that there has been a contravention of any other Act or of the Criminal Code”, the Registrar must immediately refer the matter to the appropriate authority. The inquiry must also be suspended until any police investigation and charge is disposed of. The suspension of the inquiry must be reported to Council.

The Lobbyist Registrar may provide a public report back to Council regarding any inquiry conducted and penalty imposed. Any report from a Lobbyist Registrar must be made public.

The Registrar may impose a temporary ban on lobbying if it is deemed that the requirements of the by-law and code of conduct have not been met. Staff have proposed that the following penalty structure be implemented after the six (6) month education period which is similar to the penalties in place by other municipalities.

| | |
|-----------------|--|
| First Offence: | Prohibition of lobbying activities for a 30 day period |
| Second Offence: | Prohibition of lobbying activities for a 60 day period |
| Third Offence: | Prohibition of lobbying activities as determined by the Lobbyist Registrar |

Where the Lobbyist Registrar determines that there has been a violation, the resultant penalty must be communicated to the lobbyist, Public Office Holders and the general public. Information about the lobbyist and their penalty will be communicated to public office holders and will be published on the Lobbyist Registry page on the website.

To support the effectiveness of the Lobbyist Registrar, there is a need to establish some obligations under the Lobbyist Registry By-law for Public Office Holders, namely Regional Councillors, officers or employees of the Region in a management position or with decision-making powers, members of Committees established by Council, any accountability officers appointed under the Muncipl Act, 2001 and individuals under contract with the Region. It is recommended that any Public Office Holder will cease any lobbying related communications with a lobbyist who is prohibited from lobbying and report such lobbying to the Registrar. As well, Public Office Holders will be responsible for providing information in a timely manner to the Lobbyist Registrar with regards to an inquiry being conducted by the Registrar.

Lobbyist Code of Conduct

Lobbyists are expected to comply with specific standards of behaviour when lobbying public office holders. The Code of Conduct will ensure that all lobbyists are aware of the responsibilities and expected conduct while conducting lobbying. A proposed Lobbyist Code of Conduct is attached as Appendix 2.

Alternatives Reviewed

This report has been provided at the direction of Council to establish a mandatory Lobbyist Registry. Council could consider not establishing a Lobbyist Registry and instead rely on existing policies and legislation which address concerns regarding contracting and relations with third parties such as the Procurement By-law, Accountability and Transparency Policy, Code of Ethics/Conflict of Interest Policy, Municipal Conflict of Interest Act and the Code of Conduct for Members of Council to ensure accountability and transparency.

Relationship to Council Strategic Priorities

This report aligns to Council's strategic priority of sustainable and engaging government including promoting an organizational culture that values continuous improvement, collaboration, and innovation and enhancing communication.

Other Pertinent Reports

| | |
|------------|--|
| CLK 2-2021 | Considerations for a Lobbyist Registry |
| CLK 4-2021 | Considerations for a Mandatory Lobbyist Registry |

Prepared and Recommended by:
Ann-Marie Norio
Regional Clerk

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

This report was prepared in consultation with Donna Gibbs, Director, Legal and Court Services.

Appendices

| | |
|------------|---------------------------------|
| Appendix 1 | Draft Lobbyist Registry By-law |
| Appendix 2 | Draft Lobbyist Code of Conduct |
| Appendix 3 | Draft Registry Tool for Website |

THE REGIONAL MUNICIPALITY OF NIAGARA

BY-LAW NO. <>

A BY-LAW TO ESTABLISH AND MAINTAIN A LOBBYIST
REGISTRY FOR THE REGIONAL MUNICIPALITY OF
NIAGARA

WHEREAS section 223.9 of the Municipal Act S.O., 2001, Chapter 25, as amended, (the Act) authorizes The Regional Municipality of Niagara to establish and maintain a Lobbyist Registry in which shall be kept registrations and returns filed by persons who lobby The Regional Municipality of Niagara's Public Office Holders;

WHEREAS section 223.11 of the Act authorizes The Regional Municipality of Niagara to appoint a Lobbyist Registrar who is responsible for performing in an independent manner the functions assigned by the Region of Niagara with respect to the Lobbyist Registry;

WHEREAS sections 8, 9, and 10 of the Act authorize The Regional Municipality of Niagara to pass by-laws necessary or desirable for municipal purposes, and in particular paragraph 2 of subsection 10(2) authorizes by-laws respecting the accountability and transparency of the municipality and its operations,

WHEREAS a Lobbyist Registry is considered a publicly accessible accountability and transparency tool;

WHEREAS it is reasonable for Members of Council and the public at large to know the nature and amount of legitimate lobbying of local government; and

WHEREAS Council desires to establish and maintain a Lobbyist Registry and appoint a Lobbyist Registrar to provide transparency about persons who lobby the Region of Niagara Public Office Holders.

NOW THEREFORE the Council of The Regional Municipality of Niagara enacts as follows:

PART I DEFINITIONS

1. For the purposes of this By-law:

"Communication" means any substantive form of communication including a formal meeting, email, letter, phone call or meaningful dialogue or exchange;

"Council" means the Council of The Regional Municipality of Niagara;

"Lobby" or "Lobbying" means any Communication with a Public Office Holder by an individual who is paid or who represents a business or financial interest with the goal of trying to influence any legislative action including development, introduction, passage, defeat, amendment or repeal of a by-law, motion, resolution or the outcome of a decision on any matter before Council, a Committee of Council, or a staff member acting under delegated authority;

"Lobbyist" means:

- a) **"Consultant Lobbyist"**: an individual who Lobbies for payment on behalf of a client (another individual, a business, partnership, organization or other entity);
- b) **"In-house Lobbyist"**: an individual who is an employee, partner or sole proprietor and who Lobbies on behalf of his or her own employer, business or other entity; and
- c) **"Voluntary Unpaid Lobbyist"**: an individual who Lobbies without payment on behalf of an individual, business or any other for-profit entity for the benefit of the interests of the individual, business or for-profit entity;

"Lobbyist Registrar" means the individual appointed by Council in accordance with section 223.11 of the Municipal Act, 2001;

"Lobbyist Registry" means a system of registration in which shall be kept the Registrations and Returns of persons who Lobby Public Office Holders and which shall include such information as required pursuant to this By-law;

"Public Office Holder" means:

- a) A member of Regional Council;
- b) An officer or employee of The Regional Municipality of Niagara;
- c) A member of a local board or committee established by Council;
- d) Any accountability officer, appointed under the Municipal Act, 2001, including but not limited to the Integrity Commissioner, the Lobbyist Registrar, Ombudsman, and/or Closed Meeting Investigator;
- e) Individuals under contract with the Region providing consulting or other advisory services to the Region related to matters with budgetary or operational impacts during the term of their contract.

"Region" means The Regional Municipality of Niagara;

"Registration" means a first filing by a Lobbyist regarding a subject matter he or she intends to Lobby on as set out in subsection 8(1); and

"Return" means an update of a Registration filed by a Lobbyist as set out in subsection 8.2.

PART 2 ESTABLISHMENT OF A LOBBYIST REGISTRY

2. Lobbyist Registry

- 2.1 The Regional Clerk shall develop and maintain a Lobby Registry under the oversight of the Lobbyist Registrar, in which shall be kept all Registrations and Returns filed under this by-law.
- 2.2 The Lobbyist Registry shall be available for public inspection through electronic, web-based access at all reasonable times.

3. Exempted Persons and Organizations

- 3.1 The following persons and organizations shall not be considered Lobbyists when carrying out official duties on behalf of and authorized by the public sector bodies they represent:
- a) Government or public sector not including the Region and other municipal bodies:
 - i. Members of the Senate or House of Commons of Canada, the legislative assembly of a province, the council or legislative assembly of a territory, or persons on the staff of the members
 - ii. Members of a First Nation council as defined in the Indian Act or of the council of an Indian band established by an Act of the Parliament of Canada, or persons on the staff of the members
 - iii. Employees or consultants retained by the Government of Canada, the government of a province or territory, a First Nation council, a federal or provincial crown corporation or other federal or provincial public agency
 - iv. Members of a council or other statutory body, including a local board, charged with the administration of the civil or municipal affairs of a

municipality in Canada other than the Region, persons on staff of the members, or officers or employees of the municipality or local board

- v. Members of a national or sub-national foreign government, persons on the staff of the members, or officers, employees, diplomatic agents, consular officers or official representatives in Canada of the government
- b) Officials and employees of the Region and other municipal bodies:
 - i. Public Office Holders
 - ii. Members or employees of a local board of the Region
 - iii. Members of an advisory committee appointed by Council
- c) Other public sector:
 - i. Persons Communicating on behalf of local school boards
 - ii. Persons Communicating on behalf of healthcare institutions

4. Exempted Activities

4.1 Lobbying does not include:

- a) Communication that occurs during a meeting of Regional Council or a Committee of Council;
- b) Communication that occurs during a public process such as a public meeting, hearing, consultation, open house or media event held or sponsored by the Region or a Public Office Holder or related to an application;
- c) Communication that is restricted solely to a request for information;
- d) Communication that is restricted solely to compliments or complaints about a service or program;
- e) Communication with a Public Office Holder by an individual on behalf of an individual, business or other entity about:

- i. the enforcement, interpretation or application of any Act or by-law, save and except the Region's Procurement By-law, by the Public Office Holder and with respect to the individual, business or other entity;
 - ii. the implementation or administration of any policy, program, directive or guideline by the Public Office Holder and with respect to the individual, business or other entity;
 - iii. a personal matter of the individual, business or other entity unless it is Communication that is in respect of a matter that falls under the definition of Lobbying, that is for the special benefit of the individual, business or other entity;
- f) Communication by an applicant, an interested party or their representatives with respect to an application for a service, grant, planning approval, permit or other license or permission:
 - i. with a Public Office Holder if the Communication is restricted to providing general information on an application, including a proposed or pending application, or to inquire about the application review process;
 - ii. with an employee of the Region if the Communication is part of the normal course of the approval process;
 - iii. with an employee of the Region if the Communication is with respect to planning or development applications and the officer or employee has a role in the processing of a planning or development application during the formal pre-application consultation, the filing of the application and the application review process, including the preparation of development agreements;
- g) submitting a bid proposal as part of the procurement process and any Communication with designated employees of the Region as permitted in the procurement policies and procurement documents of the Region;
- h) Communication with a Public Office Holder by an individual on behalf of an individual, business or other entity in direct response to a written request from the Public Office Holder;
- i) Communication to a Public Office Holder by a constituent, or an individual on behalf of a constituent on a general neighbourhood or public policy issue;

- j) Communication directly related to those Region-initiated consultative meetings and processes where an individual is participating as an interested party; Communication for or against a policy or program that state a position where the primary focus is a broad community benefit or detriment, whether Region-wide or local, and where that position would have no direct, indirect or perceived benefit to a business or financial interest of the individual, business or other entity on whose behalf the Communication is undertaken;
- k) Communication regarding a business or financial interest by not-for-profit businesses or other not-for-profit entity where such business or entity has no paid staff.

5. Prohibitions

- 5.1 No person, on whose behalf another person undertakes Lobbying activities, shall make a payment for the Lobbying activities that is in whole or in part contingent on the successful outcome of any Lobbying activities.
- 5.2 No person who Lobbies a Public Office Holder shall receive payment that is in whole or in part contingent on the successful outcome of any Lobbying activities.
- 5.3 No former Public Office Holder shall engage in lobbying activities for a period of twelve (12) months after ceasing to be a Public Office Holder of the Region.
- 5.4 No person will Lobby a Public Office Holder unless they are Registered in accordance with this By-law.
- 5.5 No person will provide false or incomplete information in their Registration or Return.
- 5.6 No Lobbyist will offer or provide goods, services or financial compensation in return for support as a part of their Lobbying.

6. Lobbyist Registrar

- 6.1 The Region may appoint an Integrity Commissioner as the Lobbyist Registrar in accordance with section 223 of the Municipal Act, 2001.
- 6.2 The Lobbyist Registrar has the authority to conduct inquiries in respect of a request made by Council, a Member of Council or by a member of the public about compliance with the Lobbyist Registry By-law or the Lobbyist Code of Conduct (attached as Schedule "A"), as set out under section 223.12 of the Municipal Act, 2001.
- 6.3 The Lobbyist Registrar's responsibilities include:
- a) overseeing the administration of the Lobbyist Registry system;
 - b) providing advice, opinions and interpretation pertaining to the administration, application and enforcement of this By-law;
 - c) conducting inquiries in respect of a request made about compliance with this By-law, which may include requesting that a Public Office Holder gather information concerning Lobbying of him or her and provide that information to Lobbyist Registrar;
 - d) suspending or revoking a Registration;
 - e) enforcing this By-law;
 - f) advising Regional Council on Lobbying matters and recommending improvements to this By-law; and
 - g) providing an annual report to Regional Council and any other reports as the Lobbyist Registrar considers appropriate.

7. Responsibilities of a Public Office Holder

- 7.1 A Public Office Holder's responsibilities include:
- a) responding, in a timely and complete manner, to a request from the Lobbyist Registrar under subsection 6.2(c) to gather and provide information; and

- b) ending, as soon as practicable, Lobbying by a Lobbyist who is prohibited from Lobbying and reporting, in a timely manner, such Lobbying to the Lobbyist Registrar.
- 7.2 Except when responding to a request from the Lobbyist Registrar under subsection 6.3(c), a Public Office Holder's responsibilities under this By-law do not include gathering or providing information concerning Lobbying of him or her.

PART 3: REGISTRATION AND REPORTING OF LOBBYING ACTIVITY

8. Registrations and Returns

- 8.1 All Lobbyists shall file a Return regarding Lobbying Communication within five (5) business days of the first Communication occurring. The Registration shall include:
- a) their name, address and contact information;
 - b) if they are a Consultant Lobbyist, In-house Lobbyist or Voluntary Unpaid Lobbyist;
 - c) the name of the individual, client or other entity, including all business names under which the individual, client or other entity is operating, on whose behalf he or she is Lobbying;
 - d) the name of the individual or individuals they are Lobbying;
 - e) the subject matter and date on which the Lobbying will start and finish, with the date on which the Lobbying finishes being no more than one year after the date on which the Lobbying starts; and
 - f) any such further information as the Lobbyist Registrar may require.
- 8.2 A Lobbyist shall file a Return updating any change or addition to information provided under Section 8.1 in his or her Registration.
- 8.3 If Lobbying continues for more than one year, a Lobbyist shall file a new Registration for each year the lobbying continues.
- 8.4 The Lobbyist is solely responsible for meeting the requirements with respect to Registrations and Returns set out in this section.

- 8.5 Lobbyists shall read and adhere to the Code of Conduct for Lobbyists during all Lobbying activities with Public Office Holders
- 8.6 The Lobbyist Code of Conduct is attached hereto as Schedule "A" and forms part of this By-law.

PART 4: ENFORCEMENT AND PENALTIES

9. Penalties

- 9.1 The Registrar may impose a temporary ban on Lobbying in accordance with the following scheme if the Registrar finds that the requirements of this By-law and Code of Conduct have not been met:
- a) for 30 days for a first contravention;
 - b) for 60 days for a second contravention;
 - c) for a period of time longer than 60 days as determined by the Lobbyist Registrar for a third or subsequent contravention.
- 9.2 When the Lobbyist Registrar prohibits an individual from Lobbying, the Lobbyist Registrar:
- a) shall notify the individual and all Public Office Holders of the prohibition and the reason for the prohibition in such manner as the Lobbyist Registrar determines; and
 - b) shall post the prohibition and the reason for the prohibition on the website.
- 9.3 The Lobbyist Registrar may remove a Registration or Return from the Lobbyist Registry if the Lobbyist Registrar finds that the individual who filed the Registration or Return has contravened this By-law.
- 9.4 When a Registration or Return is removed from the Lobbyist Registry, the individual who filed the Registration or Return is deemed, for the purposes of his or her existing and future obligations under this By-law, not to have filed the Registration or Return.
- 9.5 In accordance with subsection 223.12(7) of the Municipal Act, 2001, should the Lobbyist Registrar determine, when conducting an inquiry, that there are reasonable grounds to believe that an individual has contravened a provincial Act

or the Criminal Code of Canada, the Lobbyist Registrar shall immediately refer the matter to appropriate authorities and suspend the inquiry pending the outcome of any resulting police investigation.

PART 5: TITLE, SCOPE AND INTERPRETATION

10. This By-law shall be known as the Lobbyist Registry By-law.
11. In the event of a conflict between the provisions of this by-law and the provisions of another by-law of The Regional Municipality of Niagara the provisions of the more restrictive enactment shall prevail.
12. In the event any provision, or part thereof, of this by-law is found by a court of competent jurisdiction, to be ultra vires, such provision or part thereof, shall be deemed to be severed, and the remaining portion of such provision and all provisions of this by-law shall remain in full force and effect.
13. That this By-law shall come into force and effect on the date on which it is passed, with the exception of Part 4: Enforcement and Penalties, which is to come into force and effect six (6) months after.

THE REGIONAL MUNICIPALITY OF NIAGARA

James Bradley, Regional Chair

Ann-Marie Norio, Regional Clerk

Passed: <date>

PROPOSED SCHEDULE “A”

Lobbyist Code of Conduct

Lobbyists are expected to comply with the standards of behaviour for lobbyists and the conduct of lobbying activities set out in this Code of Conduct when lobbying public office holders.

1. Honesty

Lobbyists shall conduct with integrity and honesty all relations with public office holders, clients, employers, the public and other lobbyists.

2. Openness

Lobbyists shall be open and transparent about their lobbying activities at all times, including identifying in all communications with public office holders that are lobbying, while maintaining and respecting necessary confidentiality.

3. Disclosure of Identity and Purpose

(a) Lobbyists communicating with public office holders shall, at all times, disclose the identity of the individual, business or organization on whose behalf they are lobbying, as well as the subject matter of the communication.

(b) Lobbyists shall register their name and company information and all lobbying activity with public office holders in accordance with the provisions of the Lobbyist Registry By-law.

4. Information and Confidentiality

(a) Lobbyists shall inform their client, employer or organization of the obligations under the Lobbyist Registry By-law and their obligation to adhere to the Lobbyists' Code of Conduct.

(b) Lobbyists shall provide information that is accurate and factual to public office holders.

(c) Lobbyists shall not knowingly mislead anyone and shall use proper care to avoid doing so inadvertently.

(d) Lobbyists shall not divulge confidential information unless they have obtained the informed consent of their client, employer or organization, or disclosure is required by law.

(e) Lobbyists shall not use any confidential or other insider information obtained in the course of their lobbying activities to the disadvantage of their client, employer or organization.

5. Competing Interests

- (a) Lobbyists shall not represent conflicting or competing interests without the written consent of those whose interests are involved.
- (b) Lobbyists shall advise public office holders that they have informed their clients of any actual or potential conflict of interest and obtained the informed consent of each client concerned before proceeding or continuing with the undertaking.
- (c) Lobbyists shall not lobby public office holders on a subject matter for which they also provide advice to the Region.

6. Improper Influence

- (a) Lobbyists shall avoid both the deed and the appearance of impropriety.
- (b) Lobbyists shall not knowingly place public office holders in a conflict of interest or in breach of the public office holders' codes of conduct or standards of behaviour.
- (c) Lobbyists will not offer any goods, services or financial compensation in return for support as a part of their lobbying.

7. Restriction on Communication

- (a) Lobbyists shall not communicate with public office holders in relation to a procurement process except as permitted by the Region's procurement policies and procurement documents.
- (b) Lobbyists shall not engage in lobbying activities where the Lobbyist Registrar has prohibited them from lobbying for a specified period of time.

Register as a Lobbyist

[INTRO TEXT HERE]

Contact Information

* First Name

* Last Name

* Name of organization on behalf of whom you are contacting Niagara Region

* Address

* Phone

xxx-xxx-xxxx

* Email

Figure 1


* What kind of Lobbyist are you?

- ☒ Consultant
☐ In-house
☐ Voluntary unpaid


* Subject matter

Select one... ▼

* Range from



* Range from



* Brief description of your communication

* Have you held a position with Niagara Region within the last 12 months?

- ☐ Yes
☒ No

Persons Lobbied

* First name

* Last name

* Position

[+ Add a person](#)

Lobbyist Registry

[INTRO TEXT HERE]

| Name | Organization | Town / city | Type | Person(s) lobbied | Subject | Dates | Description |
|------------|--------------|----------------|------------|----------------------------------|----------------------|--------------------|-------------|
| Tony Stark | Avengers | St. Catharines | Consultant | Steve Rogers, Bruce Banner, Thor | Economic development | August 1 - 7, 2021 | test |

Subject: Extension of Education Period for Implementation of Lobbyist Registry

Report to: Regional Council

Report date: Thursday, September 22, 2022

Recommendations

1. That the educational period for the application of penalties and sanctions of the Lobbyist Registry By-law **BE EXTENDED** for an additional six (6) months;
2. That the necessary by-law to enact this extension **BE PRESENTED** to Council for consideration.

Key Facts

- The purpose of this report is to seek Council's approval to extend the educational period for the application of penalties and sanctions for contraventions of the Lobbyist Registry By-law.
- At its meeting held on April 14, 2022, Regional Council approved By-law 2022-24, being a By-law to Establish and Maintain a Lobbyist Registry for The Regional Municipality of Niagara.
- The by-law included a provision of an educational period of six (6) months before the enforcement of any penalties and sanctions in order to provide an opportunity for communication and education to the public regarding this initiative and to allow staff the necessary time to undertake a competitive RFP process for Lobbyist Registrar services.
- Due to the RFP process being cancelled as a result of none of the proponents passing the technical benchmark, staff are recommending an extension of the educational period to permit another competitive procurement process to be initiated.

Financial Considerations

Funding related to the Lobbyist Registrar has been included in the 2023 budget and there may be cost-savings achieved as a result of the extension of the educational

period as complaints would not be received during this period; however, any cost-saving would be dependent on the number of complaints received.

Analysis

At its meeting held on November 18, 2021, Regional Council approved the recommendation of its Corporate Services Committee to implement a Lobbyist Registry Program for Niagara Region subject to the approval of funding in the 2022 budget. The funding for the Lobbyist Registry Program was approved as part of the 2022 budget process.

The recommendation to approve implementation of the Registry included a provision that the first six months following passage of the By-law would be an education period where penalties and sanctions would not be applied. The Lobbyist Registry By-law includes that the Enforcement and Penalties section will come into force and effect six (6) months after the effective date of the By-law which was April 14, 2022.

This period was to provide an opportunity to educate potential lobbyists on the duties and responsibilities when lobbying public office holders. In addition, it was also to permit the undertaking of a competitive procurement process for Lobbyist Registrar Services in conjunction with an RFP for Integrity Commissioner Services.

Request for Proposal Contract 2022-RFP-43 was issued to the market on July 26, 2022 via Niagara Region's Electronic Bidding Platform and closed on August 10, 2022. Unfortunately the RFP process was cancelled as a result of no proponents passing the technical benchmark.

The Municipal Act, 2001, authorizes municipalities to establish lobbyist registries. Although it is compulsory in Toronto, only a handful of other municipalities have created lobbyist registries, including the cities of Brampton, Hamilton, Ottawa, and Vaughan, the Town of Collingwood, and the Region of Peel. In addition the City of Burlington has recently initiated a voluntary registry. Many of these municipalities either retain a full time Lobbyist Registrar, have someone acting as both their Integrity Commissioner and Lobbyist Registrar or have their Integrity Commissioner undertake this work. Given that many municipalities are just embarking on establishing registries the market for lobbyist registrar services is small and many Integrity Commissioners do not do lobbyist work.

As the Lobbyist Registry By-law contains explicit language with respect to the role and responsibilities of the Lobbyist Registrar to conduct inquiries regarding compliance with

the By-law and to impose sanctions for by-law contraventions, staff are recommending that the educational period for the application of penalties and sanctions be extended for an additional six (6) months to allow staff to undertake a new procurement process to secure a Lobbyist Registrar.

Staff would use this opportunity to provide additional education to potential lobbyists and this extension would further allow additional time to ensure new Councillors are aware of their obligations as public office holders in accordance with the By-law.

Alternatives Reviewed

As Council's direction was to implement a mandatory Lobbyist Registry, a Lobbyist Registrar is required to fulfill specific roles and responsibilities to ensure adherence to the By-law. As such, a Lobbyist Registrar would be required to undertake those duties. Council could consider making the Registry voluntary which would eliminate the need for a Lobbyist Registrar; however, this would mean that there would not be any mechanism to deal with non-compliance.

Relationship to Council Strategic Priorities

This report aligns to Council's strategic priority of sustainable and engaging government including promoting an organizational culture that values continuous improvement, collaboration, and innovation and enhancing communication.

Other Pertinent Reports

CLK 2-2021 Considerations for a Lobbyist Registry

CLK 4-2021 Considerations for a Mandatory Lobbyist Registry

CLK 12-2021 Implementation of a Mandatory Lobbyist Registry

Prepared and submitted by:

Ann-Marie Norio
Regional Clerk

Submitted by:

Ron Tripp, P. Eng.
Chief Administrative Officer

This report was prepared in consultation with Donna Gibbs, Director, Legal & Court Services, and Jeff Mulligan, Procurement Manager.

Subject: Lobbyist Registry

Report to: Regional Council

Report date: Wednesday, March 22, 2023

Recommendations

1. That the educational period for the application of penalties and sanctions of the Lobbyist Registry By-law **BE EXTENDED** for an additional one (1) year period;
2. That the necessary by-law to enact this extension **BE PRESENTED** to Council for consideration; and
3. That staff **BE DIRECTED** to provide a report by the end of Q2 outlining options for the Lobbyist Registry.

Key Facts

- The purpose of this report is to seek Council's approval to extend the educational period for the application of penalties and sanctions for contraventions of the Lobbyist Registry By-law.
- At its meeting held on April 14, 2022, Regional Council approved By-law 2022-24, being a By-law to Establish and Maintain a Lobbyist Registry for The Regional Municipality of Niagara.
- The by-law included a provision of an educational period of six (6) months before the enforcement of any penalties and sanctions in order to provide an opportunity for communication and education to the public regarding this initiative and to allow staff the necessary time to undertake a competitive RFP process for Lobbyist Registrar services.
- Staff have undertaken two competitive procurement processes to seek a Lobbyist Registrar that have both proven unsuccessful. The most recent Request for Proposal (RFP) closed on March 21, 2023, without any proposals being submitted. As a result, staff are recommending an extension of the educational period to allow staff to provide Council with options for consideration respecting the Registry.

Financial Considerations

Funding related to the Lobbyist Registrar has been included in the 2023 budget and there may be cost-savings achieved as a result of the extension of the educational period as complaints would not be received during this period; however, any cost-saving would be dependent on the number of complaints received once a registry is operational.

Analysis

At its meeting held on November 18, 2021, Regional Council approved the recommendation of its Corporate Services Committee to implement a Lobbyist Registry Program for Niagara Region subject to the approval of funding in the 2022 budget. The funding for the Lobbyist Registry Program was approved as part of the 2022 budget process.

The recommendation to approve implementation of the Registry included a provision that the first six months following passage of the By-law would be an education period where penalties and sanctions would not be applied. The Lobbyist Registry By-law includes that the Enforcement and Penalties section will come into force and effect six (6) months after the effective date of the By-law which was April 14, 2022.

This period was to provide an opportunity to educate potential lobbyists on the duties and responsibilities when lobbying public office holders. In addition, it was also to permit the undertaking of a competitive procurement process for Lobbyist Registrar Services in conjunction with an RFP for Integrity Commissioner Services.

Request for Proposal Contract 2022-RFP-43 was issued to the market on July 26, 2022 via Niagara Region's Electronic Bidding Platform and closed on August 10, 2022. Unfortunately the RFP process was cancelled as a result of no proponents passing the technical benchmark.

On February 17, 2023, Request for Proposal Contract 2023-RFP-7, was issued to the market via Niagara Region's Electronic Bidding Platform. The RFP was refined to further clarify expectations for the role and was initially scheduled to close on March 9. As a result of no plan takers at that time, staff had an addenda issued, extended the deadline until March 21, 2023 and requested that Procurement staff undertake additional advertising to promote the opportunity. Unfortunately the RFP closed on March 21, 2023 and did not receive any submissions.

The Municipal Act, 2001, authorizes municipalities to establish lobbyist registries. Although it is compulsory in Toronto, only a handful of other municipalities have created lobbyist registries, including the cities of Brampton, Hamilton, Ottawa, and Vaughan, the Town of Collingwood, and the Region of Peel. In addition the City of Burlington has recently initiated a voluntary registry. Many of these municipalities either retain a full time Lobbyist Registrar, have someone acting as both their Integrity Commissioner and Lobbyist Registrar or have their Integrity Commissioner undertake this work. Given that many municipalities are just embarking on establishing registries the market for lobbyist registrar services is small and many Integrity Commissioners do not do lobbyist work.

As the Lobbyist Registry By-law contains explicit language with respect to the role and responsibilities of the Lobbyist Registrar to conduct inquiries regarding compliance with the By-law and to impose sanctions for by-law contraventions, staff are recommending that the educational period for the application of penalties and sanctions be extended for an additional one (1) year to allow staff to undertake a fulsome review of options with respect to next steps on the Lobbyist Registry. These options would be presented to Council for consideration no later than the end of Q2.

Staff would use this opportunity to provide additional education to the public/potential lobbyists and this extension would further allow additional time to ensure new Councillors are aware of their obligations as public office holders in accordance with the By-law.

Alternatives Reviewed

As Council's direction was to implement a mandatory Lobbyist Registry, a Lobbyist Registrar is required to fulfill specific roles and responsibilities to ensure adherence to the By-law. Given that staff have undertaken two competitive procurement processes to seek a Lobbyist Registrar that have not been successful, staff are proposing to bring forward a report outlining options including alternatives for next steps with respect to the Registry will provide Council with information to make a decision respecting how it would like to move forward, which requires a further extension to the educational period.

Relationship to Council Strategic Priorities

This report aligns to Council's strategic priority of sustainable and engaging government including promoting an organizational culture that values continuous improvement, collaboration, and innovation and enhancing communication.

Other Pertinent Reports

CLK 2-2021 Considerations for a Lobbyist Registry

CLK 4-2021 Considerations for a Mandatory Lobbyist Registry

CLK 12-2021 Implementation of a Mandatory Lobbyist Registry

CLK 7-2022 Extension of Education Period for Implementation of Lobbyist Registry

Prepared and recommended by:

Ann-Marie Norio
Regional Clerk

Recommended by:

Ron Tripp, P. Eng.
Chief Administrative Officer

This report was prepared in consultation with Donna Gibbs, Director, Legal & Court Services, and Jeff Mulligan, Procurement Manager.

Appendices

None.

Subject: Lobbyist Registrar Services

Report to: Corporate Services Committee

Report date: Wednesday, August 9, 2023

Recommendations

1. That Regional Council **APPROVE** the single sourcing of Lobbyist Registrar Services to Boghosian+Allen LLP, to provide Lobbyist Registrar Services for The Regional Municipality of Niagara for a term concluding on October 31, 2024 with an option to extend from November 1, 2024 to October 31, 2027;
2. That David Boghosian of Boghosian+Allen LLP, **BE APPOINTED** as the Lobbyist Registrar for The Regional Municipality of Niagara;
3. That the Regional Chair and Regional Clerk **BE AUTHORIZED** to execute the necessary agreement with Boghosian+Allen LLP, in a form satisfactory to the Director of Legal and Court Services; and
4. That the necessary by-law to appoint David Boghosian **BE PREPARED** and **PRESENTED** to Council for passage upon execution of the agreement.

Key Facts

- The purpose of this report is to seek Council's approval to single source service for a Lobbyist Registrar.
- At its meeting held on April 14, 2022, Regional Council approved By-law 2022-24, being a By-law to Establish and Maintain a Lobbyist Registry for The Regional Municipality of Niagara.
- The by-law included a provision of an educational period of six (6) months before the enforcement of any penalties and sanctions in order to provide an opportunity for communication and education to the public regarding this initiative and to allow staff the necessary time to undertake a competitive RFP process for Lobbyist Registrar services.
- Staff have undertaken two competitive procurement processes to seek a Lobbyist Registrar that have both proven unsuccessful. The most recent Request for Proposal (RFP) closed on March 21, 2023, without any proposals being submitted.

- Staff are recommending using a single source option to secure Lobbyist Registrar Services in order to be able to move forward with enforcement of the Lobbyist Registry By-law.

Financial Considerations

Lobbyist Registrar services would be billed to the Region on a fixed hourly rate when utilized and vary depending on how often the services are used and this arrangement would remain in place during the term of the agreement.

Expenditures incurred for investigations, advice and/or reports by the Lobbyist Registrar would be expensed through the Clerk's Office yearly operating budget in which funding for Lobbyist Registrar services was included.

Analysis

At its meeting held on November 18, 2021, Regional Council approved the recommendation of its Corporate Services Committee to implement a Lobbyist Registry Program for Niagara Region subject to the approval of funding in the 2022 budget. The funding for the Lobbyist Registry Program was approved as part of the 2022 budget process.

The recommendation to approve implementation of the Registry included a provision that the first six months following passage of the By-law would be an education period where penalties and sanctions would not be applied. The Lobbyist Registry By-law includes that the Enforcement and Penalties section will come into force and effect six (6) months after the effective date of the By-law which was April 14, 2022. The By-law has since been amended twice to extend the education period with the current extension set to expire on April 14, 2024. Should the provision of Lobbyist Registrar services be approved as a single source, staff would bring forward a by-law to amend the expiration date of the education period.

This education period was to provide an opportunity to educate potential lobbyists on the duties and responsibilities when lobbying public office holders. In addition, it permitted the undertaking of a competitive procurement process for Lobbyist Registrar Services in conjunction with an RFP for Integrity Commissioner Services.

Request for Proposal Contract 2022-RFP-43 was issued to the market on July 26, 2022, via Niagara Region's Electronic Bidding Platform and closed on August 10, 2022.

Unfortunately the RFP process was cancelled as a result of no proponents passing the technical benchmark. Boghosian+Allen LLP, provided the only bid submission; however, as noted above, did not achieve the required technical benchmark which was due to a lack of points being allocated for specific experience as a Lobbyist Registrar. Although Mr. Boghosian does not have specific experience as a Lobbyist Registrar, his extensive litigation and investigative expertise as well as his work as an Integrity Commissioner provide him with the necessary foundational skills to undertake this work.

On February 17, 2023, Request for Proposal Contract 2023-RFP-7, was issued to the market via Niagara Region's Electronic Bidding Platform. The RFP was refined to further clarify expectations for the role and was initially scheduled to close on March 9. As a result of no plan takers at that time, staff issued an addenda which extended the deadline until March 21, 2023, and requested that Procurement staff undertake additional advertising to promote the opportunity. The RFP closed on March 21, 2023 and did not receive any submissions.

The Municipal Act, 2001, authorizes municipalities to establish lobbyist registries. Although it is compulsory in Toronto, only a handful of other municipalities have created lobbyist registries, including the cities of Brampton, Hamilton, Ottawa, and Vaughan, the Town of Collingwood, the Region of Peel and most recently Pickering. In addition, the City of Burlington has recently initiated a voluntary registry. Many of these municipalities either retain a full time Lobbyist Registrar, have someone acting as both their Integrity Commissioner and Lobbyist Registrar or have their Integrity Commissioner undertake this work. Given that many municipalities are just embarking on establishing registries, the market for lobbyist registrar services is small and many Integrity Commissioners do not perform lobbyist work.

David Boghosian has acted for Ontario municipalities, their elected officials and staff in a wide variety of matters over the past 30 years and is widely regarded as an expert practitioner in the field of municipal law in the province. Mr. Boghosian is the managing partner of Boghosian+Allen LLP, and a leader in the provision of legal services to a large number of municipalities in the areas of general municipal law and general civil litigation among other areas. He also serves as the Integrity Commissioner for the Town of Pelham, the Town of Fort Frances and the City of Greater Sudbury. With over 30 years of investigation, trial and appeal experience in the context of municipal government, Mr. Boghosian's combined experience and skills make him ideally suited for the role of Lobbyist Registrar and staff are recommending his appointment.

As the Lobbyist Registry By-law contains explicit language with respect to the role and responsibilities of the Lobbyist Registrar to conduct inquiries regarding compliance with the By-law and to impose sanctions for by-law contraventions, staff are recommending utilizing the option of single sourcing to obtain Lobbyist Registrar Services from Boghosian+Allen LLP, in accordance with Procurement By-law 02-2016, as amended, specifically Section 18 (a) (vii) “there are no bids in response to a Bid Solicitation; and consideration could be given to add (ii) a Good or Service is Purchased for testing or trial use”.

The recommended term of the contract is for one year with an option to extend for an additional three years. This term was selected given that it would not tie an entire term of Council to this service provider.

Alternatives Reviewed

As Council’s direction was to implement a mandatory Lobbyist Registry, a Lobbyist Registrar is required to fulfill specific roles and responsibilities to ensure adherence to the By-law. Given that staff have undertaken two competitive procurement processes to seek a Lobbyist Registrar that have been unsuccessful, staff are proposing that Lobbyist Registrar Services be single sourced in order to secure these services. Council could decide not to proceed with the Lobbyist Registry and repeal the by-law negating the requirement for a Lobbyist Registrar or could make the Registry voluntary in which no penalties would be applicable and the onus would be on Lobbyists to voluntarily register their lobbying activities.

Relationship to Council Strategic Priorities

The recommendations in this report align with Council’s Strategic Priority of an Effective Region through demonstration of continuous improvement and modernized processes.

Other Pertinent Reports

CLK 2-2021 Considerations for a Lobbyist Registry

CLK 4-2021 Considerations for a Mandatory Lobbyist Registry

CLK 12-2021 Implementation of a Mandatory Lobbyist Registry

CLK 7-2022 Extension of Education Period for Implementation of Lobbyist Registry

CLK 3-2023 Lobbyist Registry

Prepared and Recommended by:

Ann-Marie Norio
Regional Clerk

Submitted by:

Ron Tripp, P. Eng.
Chief Administrative Officer

This report was prepared in consultation with Jeff Mulligan, Procurement Manager.

Appendices

None.

Minute Item No. 6.1

PW 8-2024

Electrical Electronic Equipment (EEE) Regulation - Lighting Materials

That Report PW 8-2024, dated April 9, 2024, respecting Electrical Electronic Equipment (EEE) Regulation – Lighting Materials, **BE RECEIVED** and the following recommendations **BE APPROVED**:

1. That the Director of Waste Management **BE AUTHORIZED** to execute an agreement with Product Care Association of Canada for the collection and funding of designated lighting materials under the Electrical and Electronic Equipment Regulation (O.Reg. 522/20) made under *the Resource Recovery and Circular Economy Act*, 2016, in a form satisfactory to the Director of Legal and Court Services; and
2. That the Director of Waste Management **BE AUTHORIZED** to negotiate and execute future agreement(s) with one or more producers and/or Producer Responsibility Organizations for the collection and funding of designated lighting materials under the Electrical and Electronic Equipment Regulation (O.Reg. 522/20) made under the Resource Recovery and Circular Economy Act, 2016, provided that any such agreement(s) provide compensation to Niagara Region for the collection, haulage, proper recycling and/or disposal of designated lighting materials in accordance with a Council approved program; and are in a form satisfactory to the Director of Legal and Court Services.

Minute Item No. 6.2

PW 9-2024

Regional Road 98 Montrose Road Reconstruction Increase to Approved Budget for Contract 2021-T-269

That Report PW 9-2024, dated April 9, 2024, respecting Regional Road 98 Montrose Road Reconstruction Increase to Approved Budget for Contract 2021-T-269, **BE RECEIVED** and the following recommendations **BE APPROVED**:

1. That a capital budget adjustment in the amount of \$2,664,034 gross and \$0 net **BE RECEIVED** (and **INITIATED**) for the Road Widening and Reconstruction of Regional Road 98 (Montrose Road), Regional Road 47 (Lyons Creek Road) and Biggar Road in the City of Niagara Falls with funding from the City of Niagara Falls; and
2. That Contract 2021-T-269 Road Widening and Reconstruction of Regional Road 98 (Montrose Road), Regional Road 47 (Lyons Creek Road) and Biggar Road in the City of Niagara Falls, awarded to Beam-Rankin Joint Venture Ltd. in the amount of \$30,646,492 (including 13% HST), **BE INCREASED** by \$3,578,963 (including 13% HST), for a total revised Contract of \$34,225,455 (including 13% HST).

Minute Item No. 6.3

PW 10-2024

South Niagara Wastewater Treatment Solution – Award Notice for Detailed Design and Construction Services for the South Niagara Wastewater Treatment Plant and Outfall

That Report PW 10-2024, dated April 9, 2024, respecting South Niagara Wastewater Treatment Solution – Award Notice for Detailed Design and Construction Services for the South Niagara Wastewater Treatment Plant and Outfall, **BE RECEIVED** and the following recommendation **BE APPROVED**:

1. That Contract 2023-RFP-176 Detailed Design and Construction Services for the South Niagara Wastewater Treatment Plant and Outfall **BE AWARDED** to Stantec Consulting Inc. as the highest ranked proponent in the competitive request for proposal process at their bid price of \$12,617,193.85 (including 13% HST) for Phase 1 Design.

Minute Item No. 6.4

PW 11-2024

Vision Zero: Automated Speed Enforcement Preliminary Results and Next Steps

That Report PW 11-2024, dated April 9, 2024, respecting Vision Zero: Automated Speed Enforcement Preliminary Results and Next Steps, **BE RECEIVED** and the following recommendations **BE APPROVED**:

1. That Regional Council **AUTHORIZE** the expansion of the Automated Speed Enforcement (ASE) program by four (4) cameras annually in 2025 and 2026, subject to confirmation of available funding from fine collections, to improve road safety in the 12 Community Safety Zones (CSZs) previously approved by PW 34-2023 and in approximately 12 additional CSZs on local road networks; and
2. That the Commissioner of Public Works **BE AUTHORIZED** to enter an extension of the agreement with Redflex Traffic Systems (Canada) Limited, in a form satisfactory to the Director of Legal and Court Services, for an extended term of approximately 60 months from date of execution, in the amount of an upset limit of \$1,863,835 (including 13% HST).

Minute Item No. 6.5

PW 12-2024

Extension to 2023-T-38 Supply & Delivery of Ferric Chloride

That Report PW 12-2024, dated April 9, 2024, respecting Extension to 2023-T-38 Supply & Delivery of Ferric Chloride, **BE RECEIVED** and the following recommendations **BE APPROVED**:

1. That Contract 2023-T-38 – Supply and Delivery of Ferric Chloride with Fanchem Ltd. (dba PVS Benson) **BE EXTENDED** under the same terms and conditions, as outlined in Report PW 2024, for the one (1) year optional extension at the total estimated cost of \$4,019,930 including 13% HST; and
2. That the Chief Administrative Officer **BE AUTHORIZED** to approve the issuance of a Purchase Order to effect the extension of the contract.

Minute Item No. 7.1

PW 7-2024

2024 Niagara Children's Water Festival Update

That Report PW 7-2024, dated April 9, 2024, respecting 2024 Niagara Children's Water Festival Update, **BE RECEIVED**.

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

PWC 4-2024

Tuesday, April 9, 2024

**Council Chamber - In Person and Electronic Meeting
Niagara Region Headquarters, Campbell West
1815 Sir Isaac Brock Way, Thorold, ON**

Committee: Bateman*, Bradley (Regional Chair)*, Chiocchio*, Foster, Gale, Grant*, Huson, Insinna (Committee Vice-Chair), Junkin*, Morocco*, Seaborn, Siscoe*, Sorrento*, Steele, Ugulini, Witteveen (Committee Chair), Zalepa*

Other Councillors: Ganann*

Absent/Regrets: Diodati, Easton, Heit, Rigby, Villella

Staff: C. Courteau, Associate Director, Water Wastewater Integrated Systems, A. Deschenes, Waste Wastewater Engagement & Education Coordinator, S. Fraser, Associate Director, Transportation Planning, D. Gibbs, Director, Legal & Court Services, C. Habermehl, Acting Commissioner, Public Works, T. Harrison, Commissioner/Treasurer, Corporate Services*, R. Hill, Legislative Assistant, P. Lambert, Acting Director, Waste Wastewater Services, B. Menage, Director, Procurement & Strategic Acquisitions*, R. Muzzell, Manager, Program Financial Support*, A.-M. Norio, Regional Clerk, J. Spratt, Legislative Coordinator, F. Tassone, Director, Transportation Services, R. Tripp, Chief Administrative Officer, M. Vink, Manager, Court Services*

* indicates members who participated electronically, all other members participated in person

1. CALL TO ORDER

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

2. LAND ACKNOWLEDGEMENT STATEMENT

Committee Chair Witteveen read the Land Acknowledgement Statement.

3. **DISCLOSURES OF PECUNIARY INTEREST**

There were no disclosures of pecuniary interest.

4. **PRESENTATIONS**

There were no presentations.

5. **DELEGATIONS**

There were no delegations.

6. **ITEMS FOR CONSIDERATION**

6.1 **PW 8-2024**

Electrical Electronic Equipment (EEE) Regulation - Lighting Materials

Moved by Councillor Seaborn
Seconded by Councillor Huson

That Report PW 8-2024, dated April 9, 2024, respecting Electrical Electronic Equipment (EEE) Regulation – Lighting Materials, **BE RECEIVED** and the following recommendations **BE APPROVED**:

1. That the Director of Waste Management **BE AUTHORIZED** to execute an agreement with Product Care Association of Canada for the collection and funding of designated lighting materials under the Electrical and Electronic Equipment Regulation (O.Reg. 522/20) made under *the Resource Recovery and Circular Economy Act, 2016*, in a form satisfactory to the Director of Legal and Court Services; and
2. That the Director of Waste Management **BE AUTHORIZED** to negotiate and execute future agreement(s) with one or more producers and/or Producer Responsibility Organizations for the collection and funding of designated lighting materials under the Electrical and Electronic Equipment Regulation (O.Reg. 522/20) made under the Resource Recovery and Circular Economy Act, 2016, provided that any such agreement(s) provide compensation to Niagara Region for the collection, haulage, proper recycling and/or disposal of designated lighting materials in accordance with a Council approved program; and are in a form satisfactory to the Director of Legal and Court Services.

Carried

6.2 PW 9-2024

Regional Road 98 Montrose Road Reconstruction Increase to Approved Budget for Contract 2021-T-269

Moved by Councillor Gale

Seconded by Councillor Foster

That Report PW 9-2024, dated April 9, 2024, respecting Regional Road 98 Montrose Road Reconstruction Increase to Approved Budget for Contract 2021-T-269, **BE RECEIVED** and the following recommendations **BE APPROVED**:

1. That a capital budget adjustment in the amount of \$2,664,034 gross and \$0 net **BE RECEIVED** (and **INITIATED**) for the Road Widening and Reconstruction of Regional Road 98 (Montrose Road), Regional Road 47 (Lyons Creek Road) and Biggar Road in the City of Niagara Falls with funding from the City of Niagara Falls; and
2. That Contract 2021-T-269 Road Widening and Reconstruction of Regional Road 98 (Montrose Road), Regional Road 47 (Lyons Creek Road) and Biggar Road in the City of Niagara Falls, awarded to Beam-Rankin Joint Venture Ltd. in the amount of \$30,646,492 (including 13% HST), **BE INCREASED** by \$3,578,963 (including 13% HST), for a total revised Contract of \$34,225,455 (including 13% HST).

Carried

6.3 PW 10-2024

South Niagara Wastewater Treatment Solution – Award Notice for Detailed Design and Construction Services for the South Niagara Wastewater Treatment Plant and Outfall

Moved by Councillor Ugolini

Seconded by Councillor Steele

That Report PW 10-2024, dated April 9, 2024, respecting South Niagara Wastewater Treatment Solution – Award Notice for Detailed Design and Construction Services for the South Niagara Wastewater Treatment Plant and Outfall, **BE RECEIVED** and the following recommendation **BE APPROVED**:

1. That Contract 2023-RFP-176 Detailed Design and Construction Services for the South Niagara Wastewater Treatment Plant and Outfall **BE AWARDED** to Stantec Consulting Inc. as the highest ranked proponent in the competitive request for proposal process at their bid price of \$12,617,193.85 (including 13% HST) for Phase 1 Design.

Carried

6.4 PW 11-2024

Vision Zero: Automated Speed Enforcement Preliminary Results and Next Steps

Moved by Councillor Insinna
Seconded by Councillor Steele

That Report PW 11-2024, dated April 9, 2024, respecting Vision Zero: Automated Speed Enforcement Preliminary Results and Next Steps, **BE RECEIVED** and the following recommendations **BE APPROVED**:

1. That Regional Council **AUTHORIZE** the expansion of the Automated Speed Enforcement (ASE) program by four (4) cameras annually in 2025 and 2026, subject to confirmation of available funding from fine collections, to improve road safety in the 12 Community Safety Zones (CSZs) previously approved by PW 34-2023 and in approximately 12 additional CSZs on local road networks; and
2. That the Commissioner of Public Works **BE AUTHORIZED** to enter an extension of the agreement with Redflex Traffic Systems (Canada) Limited, in a form satisfactory to the Director of Legal and Court Services, for an extended term of approximately 60 months from date of execution, in the amount of an upset limit of \$1,863,835 (including 13% HST).

Carried

Councillor Information Request(s):

Ensure Regional Councillors are notified of service disruptions with the online ticket payment system. Councillor Bateman.

6.5 PW 12-2024

Extension to 2023-T-38 Supply & Delivery of Ferric Chloride

Moved by Councillor Insinna
Seconded by Councillor Seaborn

That Report PW 12-2024, dated April 9, 2024, respecting Extension to 2023-T-38 Supply & Delivery of Ferric Chloride, **BE RECEIVED** and the following recommendations **BE APPROVED**:

1. That Contract 2023-T-38 – Supply and Delivery of Ferric Chloride with Fanchem Ltd. (dba PVS Benson) **BE EXTENDED** under the same terms and conditions, as outlined in Report PW 2024, for the one (1) year optional extension at the total estimated cost of \$4,019,930 including 13% HST; and
2. That the Chief Administrative Officer **BE AUTHORIZED** to approve the issuance of a Purchase Order to effect the extension of the contract.

Carried

7. **CONSENT ITEMS FOR INFORMATION**

7.1 PW 7-2024

2024 Niagara Children's Water Festival Update

Moved by Councillor Insinna
Seconded by Councillor Steele

That Report PW 7-2024, dated April 9, 2024, respecting 2024 Niagara Children's Water Festival Update, **BE RECEIVED**.

Carried

8. **OTHER BUSINESS**

8.1 Wastewater Vacuum Truck Verbal Update

Frank Tassone, Director, Transportation Services, provided an update respecting the wastewater vacuum truck. Director Tassone advised that staff are continuing to work with the vendor to get the vacuum truck in service as soon as possible and are reviewing next steps with the vendor and Legal Services. It was noted that once the vehicle is in service, additional information would come forward including rationale for providing this service in-house or contracting it out.

8.2 Road Markings – Regional Road 116 (Sodom Road) City of Niagara Falls

Councillor Gale requested an update on the double solid line road markings on Regional Road 116 (Sodom Road) near Mann Street. Frank Tassone, Director, Transportation Services, advised Committee that this area is being prioritized and markings should be in place in the next 8-10 weeks, following the line painting contract being issued and the streets being cleaned.

8.3 Regional Road 116 (Gorham Road), Town of Fort Erie

Councillor Insinna requested a review of Regional Road 116 (Gorham Road) in the Town of Fort Erie, following concerns respecting traffic volumes from the QEW to Crystal Beach. Frank Tassone, Director, Transportation Services, advised that the Town had previously undertaken a study which would be reviewed as part of the Region's Transportation Master Plan update.

8.4 Vandalism on Regional Property

Councillor Huson requested information on the financial impacts of vandalism to regional property. Ron Tripp, Chief Administrative Officer, advised that information would be provided to Committee respecting the estimated annual budget impact that vandalism has on the organization.

9. **NEXT MEETING**

The next meeting will be held on Tuesday, May 7, 2024, at 9:30 a.m. in the Council Chamber, Regional Headquarters.

10. **ADJOURNMENT**

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

Councillor Witteveen
Committee Chair

Jenna Spratt
Legislative Coordinator

Ann-Marie Norio
Regional Clerk

Subject: Electrical Electronic Equipment (EEE) Regulation - Lighting Materials

Report To: Public Works Committee

Report date: Tuesday, April 9, 2024

Recommendations

1. That the Director of Waste Management **BE AUTHORIZED** to execute an agreement with Product Care Association of Canada for the collection and funding of designated lighting materials under the Electrical and Electronic Equipment Regulation (O.Reg. 522/20) made under *the Resource Recovery and Circular Economy Act*, 2016, in a form satisfactory to the Director of Legal and Court Services; and
2. That the Director of Waste Management **BE AUTHORIZED** to negotiate and execute future agreement(s) with one or more producers and/or Producer Responsibility Organizations for the collection and funding of designated lighting materials under the Electrical and Electronic Equipment Regulation (O.Reg. 522/20) made under the Resource Recovery and Circular Economy Act, 2016, provided that any such agreement(s) provide compensation to Niagara Region for the collection, haulage, proper recycling and/or disposal of designated lighting materials in accordance with a Council approved program; and are in a form satisfactory to the Director of Legal and Court Services.

Key Facts

- Historically, Niagara Region has funded the collection and disposal of electronic equipment brought to Niagara Region Household Hazardous Waste Depots.
- Implementation of the Electrical and Electronic Equipment Regulation (O.Reg. 522/20) places responsibility for the collection and disposal of electronic equipment with Producer Responsibility Organizations (PROs).
- The purpose of this report is to request authorization to enter into a funding agreement with Product Care Association of Canada (PCA), a Producer Responsibility Organization (PRO), to reimburse Niagara Region for allowing continued use of Niagara Region Household Hazardous Waste Depots as collection sites for designated lighting materials (Appendix 1).
- The funding agreement will have a net benefit of approximately \$50,500 in 2024, with a net benefit of \$5,500 annually beginning in 2025.

- The report also seeks delegated authority to negotiate and execute future collection and funding agreements with producers and/or Producer Responsibility Organizations (PROs) of designated lighting materials.

Financial Considerations

Niagara Region's 2024 operating budget included a \$45,000 expense for the recycling and disposal of designated lighting materials collected at Niagara Region Household Hazardous Waste Depots. A funding agreement with PCA will eliminate these recycling and disposal operating costs as well as provide additional revenues. Niagara Region will receive additional compensation for acting as a collection site based on the number of light bulbs collected equating to approximately \$5,500 annually.

The funding agreement with PCA is retroactive to January 1, 2023, covering all costs incurred since that date. Therefore, Niagara Region will be able to retroactively recover the 2023 recycling and disposal costs of approximately \$45,000 and further be compensated as a 2023 collection site in the amount of \$5,500.

Beginning in 2025, the historical recycling and disposal costs (\$45,000) will no longer be included in the operating budget making the net financial benefit of this funding agreement, going forward, approximately \$5,500 annually.

Analysis

The enactment of the Resource Recovery and Circular Economy Act, 2016 (RRCEA), marked the transition to an Extended Producer Responsibility framework in Ontario. Under the Extended Producer Responsibility framework, Producers and brand holders are accountable for recovering resources and reducing waste associated with their products and packaging.

The Ministry of Environment, Conservation and Parks (MECP) finalized O. Reg. 522/20: Electrical and Electronic Equipment Regulation (Regulation) on September 20, 2020. The Regulation was implemented in phases, with Producer obligations for electronics commencing on January 1, 2021, and designated lighting materials on January 1, 2023. Throughout 2023, it became evident that PCA would serve as the PRO representing producers of designated lighting material. Over the past twelve (12) months, PCA and municipalities, including Niagara Region, have been collaborating to develop a funding agreement for the collection of designated lighting materials. The final agreement was provided to municipalities for execution in late 2023.

Niagara Region's hazardous waste program has been operating since the 1990s, providing residents options for household hazardous waste disposal (including lighting materials). Since 2010, Niagara Region's operating budget has included lighting material collection and recycling / disposal costs amounting to approximately \$45,000 annually.

The transition to an Extended Producer Responsibility framework under the Resource Recovery and Circular Economy Act, 2016 includes Electrical and Electronic materials which incorporates lighting materials. The timeline for the transition of lighting materials under the Act has progressed as follows:

Sept. 20, 2020:

- The Ministry of Environment, Conservation and Parks finalized O. Reg. 522/20: Electrical and Electronic Equipment Regulation (Regulation).

Jan. 1, 2021:

- Producer obligations for electronics begins.

Jan. 1, 2023:

- Producer obligations for designated lighting materials begins.

Throughout 2023:

- Product Care Association registers with Resource Productivity and Recovery Authority as the Producer Responsibility Organization for designated lighting materials.
- Product Care Association and municipalities develop a compensation agreement for designated lighting materials collection.

Late 2023:

- Final agreement was provided to municipalities for execution.

2024:

- If an agreement is executed, PCA as the Producer Responsibility Organization for designated lighting materials takes on the responsibility for the collection and recycling/disposal of lighting materials, divesting those operating costs from the municipality.

Alternatives Reviewed

Alternative 1, Do not execute funding agreement with PCA - If Niagara Region does not execute a funding agreement with PCA, the annual operating budget will continue to include approximately \$45,000 for the recycling and disposal of lighting materials. Additionally, Niagara Region would not be compensated for the number of designated lighting materials collected, estimated at approximately \$5,500 annually.

Alternative 2, Niagara Region stops collects lighting material – This could result in improper disposal of these materials.

Both alternatives are not being recommended as a continuation of the program with an executed funding agreement would provide safe disposal options for lighting materials and result in annual cost savings and net benefit for Niagara Region.

Relationship to Council Strategic Priorities

This report supports the Council's Strategic Priority of an Effective Region.

Other Pertinent Reports

- PWC-C40-2020 on the Electrical and Electronic Equipment Regulation (EEE)
- PW 21-2021 Proposed Producer Responsibility Regulations for Hazardous and Special Products

Prepared by:

Andrew Winters
Program Manager
Waste Disposal Operations

Recommended by:

Terry Ricketts, P.Eng.
Commissioner of Public Works
Public Works Department

Submitted by:

Ron Tripp, P.Eng.

Chief Administrative Officer

This report was prepared in consultation with Brian Wilson, Legal Counsel, and reviewed by Renee Muzzell, Manager, Program Financial Support and Catherine Habermebl, Director, Waste Management Services

Appendices

Appendix 1 Designated Lighting Materials under O. Reg. 522/20

PW 8-2024 Appendix 1 - Designated Lighting Materials under O. Reg. 522/20

The Regulation specifies the designated lighting materials that Producers must manage, encompassing all associated costs related to collection, haulage, and processing.

The types of lighting materials for which Producers are responsible to manage include:

- Bulbs
- Dimmable light bulbs
- Fluorescent bulbs
- Halogen bulbs
- Headlight bulbs
- High-intensity discharge (HID) lamps
- Indicator lights
- Incandescent bulbs
- Lamps
- Light emitting diode (LED) bulbs
- Mini and miniature bulbs
- Motion-activated bulbs
- Replacement bulbs & lamps
- Tube lights
- UV lamps
- Wi-Fi light bulbs

Subject: Gross Budget Adjustment and Contract Increase for the Road Widening and Reconstruction of Regional Road 98 (Montrose Road), Regional Road 47 (Lyons Creek Road) and Biggar Road in the City of Niagara Falls

Report to: Public Works Committee

Report date: Tuesday, April 9, 2024

Recommendations

1. That a capital budget adjustment in the amount of \$2,664,034 gross and \$0 net **BE RECEIVED** (and **INITIATED**) for the Road Widening and Reconstruction of Regional Road 98 (Montrose Road), Regional Road 47 (Lyons Creek Road) and Biggar Road in the City of Niagara Falls with funding from the City of Niagara Falls; and
2. That Contract 2021-T-269 Road Widening and Reconstruction of Regional Road 98 (Montrose Road), Regional Road 47 (Lyons Creek Road) and Biggar Road in the City of Niagara Falls, awarded to Beam-Rankin Joint Venture Ltd. in the amount of \$30,646,492 (including 13% HST), **BE INCREASED** by \$3,578,963 (including 13% HST), for a total revised Contract of \$34,225,455 (including 13% HST).

Key Facts

- This project consists of road improvements to Montrose Road, Lyons Creek Road, and Biggar Road which include widening to an urbanized cross section with a multi-use path, improvements to existing and new signalized intersections, and installation of new municipal servicing. This project is being undertaken in support of the proposed South Niagara Hospital, recent Southwest Niagara Falls urban boundary expansion and in partnership with the City of Niagara Falls.
- To date, \$43,458,148 has been approved in the Capital budget for the Reconstruction of RR 98 (Montrose Rd) from Lyons Creek to Canadian Drive, of which \$25,331,531 is the Regional share, \$3,000,000 is Ministry of Transportation Ontario (MTO) share and \$15,126,617 is the City's portion of the project.
- The purpose of this report is to seek Council's approval to increase the gross budget for Project 20001191 (Reconstruction of Regional Road 98) from Lyons Creek to Canadian Drive by \$2,664,034.
- The gross project budget increase pertains to the City's portion of the project due to unforeseen poor soil quality, as well as the need for additional watermain work, road

construction, construction materials testing, and contract administration. The City of Niagara Falls has committed to funding the additional costs by prioritizing a request for the additional funds in their 2025 Capital Budget, and will need to enter into an updated cost sharing agreement with the Region to reflect their additional works/changes.

- Per the Budget Control By-Law 2017-63 (as amended) Section 6.6(b), Council approval is required for gross budget adjustments funded by external sources greater than \$1,000,000.
- Further, this report seeks Council's approval to increase the Contract amount previously awarded to Beam-Rankin Joint Venture Ltd from \$30,646,492 to \$34,225,455 to complete all required works.
- The Purchasing and Execution Authority of the Region's Procurement By-law states that the purchasing authority for competitive bid process over \$5,000,000 is Council, which includes increases to a contract award.
- Subject to Council approval of this report, an updated cost sharing agreement will be entered into between the Region and the City of Niagara Falls to reflect all additional works and related costs.

Financial Considerations

Project Budget Adjustment

To date, Council has approved a total budget of \$43,458,148 for Project 20001191, the road widening and reconstruction of Regional Road 98 (Montrose Road), Lyons Creek to Canadian Drive.

The City of Niagara Falls and the MTO are cost sharing partners with the Region in this project. As such, the original cost sharing agreement identified funding contributions of \$3,000,000 from MTO and \$12,708,429 from the City.

Following the tender award, an Official Plan Amendment that included an Urban Boundary expansion in the Southwest area of Niagara Falls was approved. City of Niagara Falls Staff recommended the installation of an additional local sanitary sewer be added to the current construction contract, 2021-T-269. In March 2023, City of Niagara Falls Council approved, under report MW-2023-08, a Gross Budget Increase of \$1,500,000 for costs associated with undertaking the proposed additional sanitary sewer works for a revised total budget of \$15,126,617 (including non-recoverable HST) for the City's portion of the project.

Since that time, the City's portion of the project has incurred further costs related to addressing poor soil quality as well as the need for additional watermain work, additional road construction works, construction materials testing, and contract administration. The added cost has increased the City's share by an additional \$2,664,034, for a total revised share of the project of \$17,790,651.

The existing cost sharing agreement with the City of Niagara Falls commits to payment for actual costs incurred, including all surcharges and non-recoverable HST; but requires amendment to include the additional works/changes the City has requested since the original cost sharing agreement was entered into. The City of Niagara Falls, Chief Administrative Officer, executed a Letter of Acknowledgment, included as Appendix 3 to Report PW 9-2024, to address the increase to the City's cost sharing amount. Through this letter, the City of Niagara Falls has committed to include an appropriate addition to their 2025 Capital Budget to cover the City's final estimated cost sharing amount for the project. The amended cost sharing agreement will be revised to include the additional works of \$2,418,188 already included in the City's approved capital budget, as well as the additional unfunded portion of City costs to complete the work of \$2,664,034 to align the cost sharing agreement with the total revised City portion of \$17,790,651.

Constructor Contract Adjustment

As of the end of December 2023, approximately 75% of the total value of construction works has been completed; pending approval of this report, the balance will be completed when construction resumes in spring of 2024.

The Region's consulting engineer, Parsons Inc, has prepared an estimate to complete the balance of the required works. The estimate has been reviewed by staff and is valued at \$34,225,455 (including non-recoverable HST). As such, staff recommend an adjustment of \$3,578,963 to the contract with Beam-Rankin Joint Venture, the Region's constructor. This adjustment will increase the original contract from \$30,646,492 (including 13% HST) to a total revised contract of \$34,225,455 (including 13% HST).

The contract increase of \$3,223,028 (including non-recoverable HST) will be funded by the outstanding cost-share contribution from the City of Niagara Falls, together with the Region's existing approved project budget.

A full budget breakdown can be found in Appendix 2 to Report PW 9-2024 (Total Estimated Project Cost).

Analysis

The overall project limits include Regional Road 98 (Montrose Road) between Grassy Brook Rd and Regional Road 47 (Lyons Creek Road)/Biggar Road; and Regional Road 47 (Lyons Creek Road)/ Biggar Road between Willodell Road and approximately 1000m west of Montrose Road, in the City of Niagara Falls. Works beyond these limits included in the overall project will be undertaken in subsequent phases.

The proposed improvements to Montrose Road and Biggar Road include road widening to an urban cross section with a multi-use path, and sidewalks. Servicing, road capacity improvements and traffic signal installation were completed to service the new South Niagara Hospital.

Following award of the construction tender, an Official Plan Amendment that included an Urban Boundary expansion in the Southwest area of Niagara Falls was approved. The City requested the installation of a local sanitary sewer be added to accommodate the anticipated future growth.

Further to the additional work requested by the City, the project encountered poor soil conditions. A large quantity of existing soil was found to be unsuitable as fill material due to high moisture content, and consequently had to be trucked offsite and replaced with clean fill.

Alternatives Reviewed

Delay or deletion of unfinished tender items. Delaying the completion of the unfinished tender items will impact private property owners (i.e. landscaping restoration) and would result in higher costs to address the deleted or delayed elements in future years. For example, the construction of traffic signals and roadway illumination has already commenced; it would be operationally impractical to halt the work and have it completed under separate contract in the future. More importantly, delay or deletion of the proposed upgrades would not meet the demands of future development within the project area, or satisfy commitments made in support of the South Niagara Hospital.

Relationship to Council Strategic Priorities

The recommendations in this report align with Council's Strategic Priority of ensuring a Prosperous Region through improvements to the transportation network, including active transportation, and to create jobs through attracting new business.

This project is being undertaken in support of the proposed South Niagara Hospital and anticipated future mixed-use development within the surrounding Strategic Growth Area identified in the Niagara Region Official Plan by providing road capacity and infrastructure improvements.

Prepared by:

Chris Latham, C.E.T.
Project Manager
Public Works Department

Recommended by:

Terry Ricketts, P. Eng.
Commissioner of Public Works
Public Works Department

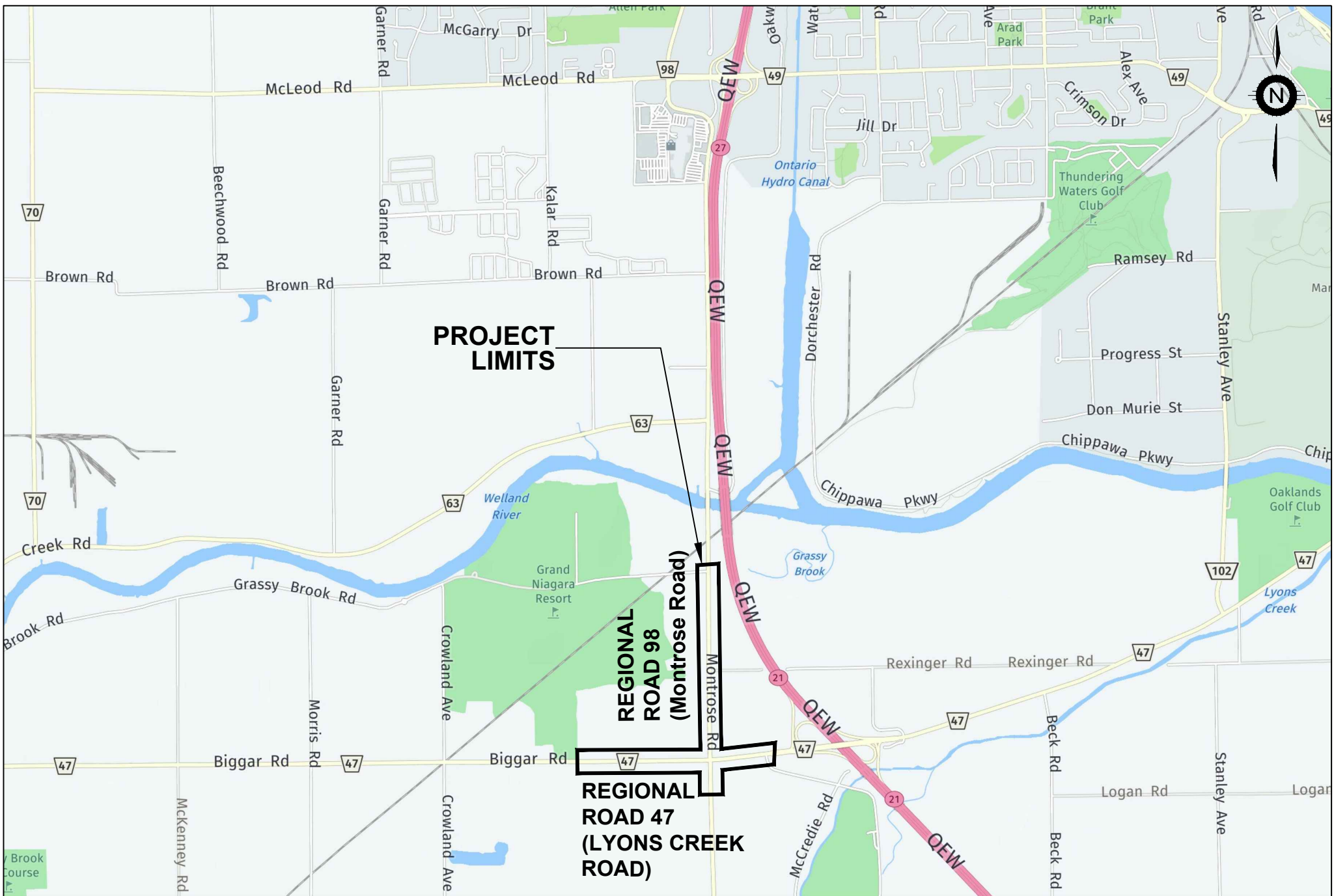
Submitted by:

Ron Tripp, P.Eng.
Chief Administrative Officer

This report was prepared in consultation with Graeme Guthrie, Associate Director Transportation Engineering; Mike Wilson, Manager Capital Projects; Brian McMahon, Program Financial Specialist; Michelle Rasiulis, Procurement Manager; and reviewed by Donna Gibbs, Director Legal Services and Frank Tassone, Director Transportation Services.

Appendices

| | |
|------------|--|
| Appendix 1 | Key Plan |
| Appendix 2 | Total Estimated Project Cost |
| Appendix 3 | Contract 2021-T-269 Cost Overruns City Acknowledgement |
| Appendix 4 | Other Pertinent Reports |



PW 09-2024 Appendix 2 - Total Estimated Project Cost - Cost Sharing Adjustment

2021-T-269 Road Widening and Reconstruction of Regional Road 98 (Montrose Road), Regional Road 47 (Lyons Creek Road) and Biggar Road in the City of Niagara Falls

| <u>Total Estimated Project Cost (20001191)*</u> | Council Approved Budget | Budget Increase/ Reallocation | Revised Council Approved Budget | Expended & Committed as of 02/01/24 | Contract Award/ Forecast | Budget Remaining |
|--|--|--|--|--|---|-------------------------------|
| Project Element | (A) | (B) | (C) = (A) + (B) | (D) | (E) | (F) = (C)-(D)- (E) |
| (a) Planning | 38,024 | 1,493 | 39,517 | 39,517 | - | - |
| (b) Construction (including Construction Contingency and 1.76% non-refundable HST)** | | | | | | |
| i. Niagara Region (Phase 1 - Part 1) | 13,590,727 | 884,750 | 14,475,477 | 13,590,781 | 884,696 | - |
| ii. City of Niagara Falls | 14,007,388 | 2,338,278 | 16,345,666 | 14,007,388 | 2,338,278 | - |
| iii. Ministry of Transportation Ontario | 3,000,000 | - | 3,000,000 | - | 3,000,000 | - |
| iv. 2024 Capital Budget (Phase 1 - Part 2) | 5,000,000 | (1,265,942) | 3,734,058 | - | 3,734,058 | |
| (c) Project Contingency | 500,000 | (500,000) | - | - | - | - |
| (d) Property Acquisition | 3,000,000 | - | 3,000,000 | 2,523,052 | 476,948 | - |
| (e) Consulting Engineering Services | | | | | | |
| i. Detailed Design | | | | | | |
| (1) Niagara Region | 989,850 | 18,532 | 1,008,382 | 1,008,382 | - | - |
| (2) City of Niagara Falls | 882,101 | (18,511) | 863,590 | 863,590 | - | - |
| ii. Contract Administration & Inspection | | | | | | |
| (1) Niagara Region | 278,368 | 5,154 | 283,522 | 283,522 | - | - |
| (2) City of Niagara Falls | 237,128 | (5,154) | 231,974 | 231,974 | - | - |
| iii. Geotechnical Service-Quality Control | | | | | | |
| (1) Niagara Region | - | - | - | - | - | - |
| (2) City of Niagara Falls | - | 113,373 | 113,373 | - | 113,373 | - |

| Total Estimated Project Cost (20001191)* | Council Approved Budget | Budget Increase/ Reallocation | Revised Council Approved Budget | Expended & Committed as of 02/01/24 | Contract Award/ Forecast | Budget Remaining |
|--|--|--|--|--|---|-----------------------------|
| (f) Project Management (In-House) and Operations | 524,422 | - | 524,422 | 304,258 | 220,164 | - |
| (g) Traffic Signals and Signs | - | - | - | - | - | - |
| (h) Utility Relocation | | | | | | |
| i. Niagara Region | 1,400,000 | 737,839 | 2,137,839 | 2,137,839 | - | - |
| ii. City of Niagara Falls | - | 236,049 | 236,049 | - | 236,049 | - |
| (i) Subsurface investigation | 10,140 | | 10,140 | 10,028 | 112 | - |
| (j) Miscellaneous | - | 118,174 | 118,174 | 118,174 | - | - |
| Total Estimated Project Cost | 43,458,148 | 2,664,034 | 46,122,182 | 35,118,505 | 11,003,677 | - |

Project Funding Sources

| | | | | | | |
|---|---------------------|--------------------|---------------------|---------------------|---------------------|----------|
| Regional reserves & debt | (3,799,730) | - | (3,799,730) | (3,799,730) | - | - |
| Development Charges | (21,531,801) | - | (21,531,801) | (17,281,801) | (4,250,000) | - |
| Municipal Cost Sharing - Niagara Falls | (15,126,617) | (2,664,034) | (17,790,651) | - | (17,790,651) | - |
| Other Cost Sharing - Ministry of Transportation Ontario | (3,000,000) | - | (3,000,000) | - | (3,000,000) | - |
| Total Project Funding Sources | (43,458,148) | (2,664,034) | (46,122,182) | (21,081,531) | (25,040,651) | - |

*All costs include 1.7602% non-refundable HST

** Total Contract Award is equal to i) \$30,288,012.79 before tax; ii) \$30,821,142.39 including 1.7602% non-refundable HST;
iii) \$34,225,454.45 including 13% HST



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March 26, 2024

Mr. Todd Harrison,
Niagara Region
1815 Sir Isaac Brock Way
Thorold, ON, L2V4T7

**Re: Contract 2021-T-269 Reconstruction of Montrose Road, Lyons Creek Road
and Biggar Road**

This is a brief letter related to the anticipated cost over-runs on this project and our cost sharing agreement dated January 23, 2023. This letter is further to our recent discussions and previous correspondence from Erik Nickel to Mr. Tassone in February of this year.

The City of Niagara Falls acknowledges our obligation to fund the costs in excess of the initial budget estimate. The City will ensure an appropriate addition to our capital budget is made during our 2025 Capital budget later this year.

Though we will acknowledge and accept the additional costs of this project we would like to continue to reiterate that we have not had satisfactory answers provided to our questions as it relates to these costs from the Contract Administration Consultant.

I know that both the Region and the City of Niagara Falls are committed to work together to ensure all steps are taken in order to drive cost effectiveness and transparency to the taxpayer.

Trusting that this letter provides the comfort that you require regarding the City's commitment to pay our appropriate costs on this project.

If you have any questions or concerns please do not hesitate to contact me.

Yours truly,

A handwritten signature in blue ink, appearing to read "Jason Burgess". The signature is fluid and cursive, with the first name "Jason" and last name "Burgess" clearly distinguishable.

Jason Burgess
Chief Administrative Officer

PW 9-2024 Appendix 4

Other Pertinent Reports

[CSD 58-2020 - 2021 Capital Budget](#)

(<https://pub-niagararegion.escribemeetings.com/Meeting.aspx?Id=8d11493f-a65c-4e19-9615-e5ea6bc14e20&Agenda=Merged&lang=English&Item=18&Tab=attachments>)

[CSD 64-2021 Project Budget Approval for Reconstruction of Regional Road 98 \(Montrose Rd.\) between Regional Road 49 \(McLeod Rd.\) and Regional Road 47 \(Lyons Creek Rd.\) in the City of Niagara Falls](#)

(<https://pub-niagararegion.escribemeetings.com/Meeting.aspx?Id=f370855b-a800-4932-b0df-8f94e1697497&Agenda=Agenda&lang=English&Item=13&Tab=attachments>)

[PWC-C 23-2021 PW Single Source Purchases over \\$100,000 – Exceptions](#)

(<https://pub-niagararegion.escribemeetings.com/Meeting.aspx?Id=9aa51b17-536f-4a78-a67f-8d4065f60dd1&Agenda=Agenda&lang=English&Item=12&Tab=attachments>)

[PW 4-2022 Regional Road 98 \(Montrose Road\) Reconstruction – Additional Design Fees for City of Niagara Falls Scope Change](#)

(<https://pub-niagararegion.escribemeetings.com/Meeting.aspx?Id=7b96c96b-6246-4b1e-bceb-9e25cd3c24da&Agenda=Agenda&lang=English&Item=13&Tab=attachments>)

[PW 10-2022 Gross Budget Increase for the Reconstruction of Regional Road 98 \(Montrose Rd.\) between Regional Road 49 \(McLeod Rd.\) and Regional Road 47 \(Lyons Creek Rd.\) in the City of Niagara Falls](#)

(<https://pub-niagararegion.escribemeetings.com/Meeting.aspx?Id=26b77d7d-f909-40fa-8b98-65be21a256bf&Agenda=Merged&lang=English&Item=12&Tab=attachments>)

[PW 31-2022 Regional Road 98 \(Montrose Road\) Reconstruction – Amending Agreement](#)

(<https://pub-niagararegion.escribemeetings.com/Meeting.aspx?Id=a9972d29-13ff-4e8f-9318-aeae86a746cc&Agenda=Agenda&lang=English&Item=20&Tab=attachments>)

[PW 1-2023 Award of Tender 2021-T-269 Reconstruction of Regional Road 98 \(Montrose Road\)](#)

(<https://pub-niagararegion.escribemeetings.com/Meeting.aspx?Id=080e99c9-e1d1-4ccb-ab05-5e4400d859ac&Agenda=Agenda&lang=English&Item=19&Tab=attachments>)

[PW 20-2023 Gross Budget Adjustment and Contract Increase for the Reconstruction of Regional Road 98 \(Montrose Road\)](#)

(<https://pub-niagararegion.escribemeetings.com/Meeting.aspx?Id=14ca1390-5f44-4d85-9749-984f77b232a2&Agenda=Agenda&lang=English&Item=13&Tab=attachments>)

[CSD 43-2024 – 2024 Capital Budget](#)

(<https://pub-niagararegion.escribemeetings.com/Meeting.aspx?Id=a6c5e2bd-d88f-4811-ad69-4050055c83d4&Agenda=Agenda&lang=English&Item=12&Tab=attachments>)

Subject: South Niagara Wastewater Treatment Solution – Award Notice for Detailed Design and Construction Services for the South Niagara Wastewater Treatment Plant and Outfall

Report To: Public Works Committee

Report date: Tuesday, April 9, 2024

Recommendations

1. That Contract 2023-RFP-176 Detailed Design and Construction Services for the South Niagara Wastewater Treatment Plant and Outfall **BE AWARDED** to Stantec Consulting Inc. as the highest ranked proponent in the competitive request for proposal process at their bid price of \$12,617,193.85 (including 13% HST) for Phase 1 Design.

Key Facts

- The purpose of this report is to seek Council's approval to award Contract 2023-RFP-176 Detailed Design and Construction Services for the South Niagara Wastewater Treatment Plant (WWTP) and Outfall to Stantec Consulting Inc.
- Stantec Consulting Inc. achieved the highest overall score, with a Phase 1 (design) total of \$11,165,658.27 (excluding 13% HST).
- In accordance with Schedule B of the Niagara Region Procurement By-law 02-2016, as amended, Council approval is required for all awards valued in excess of \$5,000,000 excluding taxes.

Financial Considerations

To date, Council has approved a total estimated capital cost of \$400M for 10 recommended key projects derived from the South Niagara Wastewater Solutions Strategy. Construction is contingent on \$145M in external funding that will be required to support the project budget.

Staff are seeking contract award approval for the design and construction of one (1) of the ten projects, which involves phase 1 detailed design of the plant and outfall.

The Plant: Within the approved budget of \$400M, the New South Niagara Wastewater Treatment Plant Project (20000724) has an approved capital budget of \$248M; \$31M has been initiated for environmental assessment, property acquisition and detailed

design of the plant, with \$217M to be initiated in the future for construction, should external funding be available to address the balance of construction costs. As of March 1, 2024, \$17M has been spent and committed on this project.

The Outfall: Also within the approved budget of \$400M, the New South Niagara Outfall Project (20001367) has an approved capital budget of \$6M. Of the approved capital budget for this project, \$0.78M has been initiated for detailed design with \$5M to be initiated in the future for construction contingent on external funding. As of March 1, 2024, \$0 has been spent and committed on this project.

The contract award currently before Council is for Phase 1 (detailed design) of both the plant and the outfall, to be funded from the approved and initiated funding noted above. The total contract award is \$11,362,174 (including non-recoverable HST) which will be allocated to both parts - \$10,581,774 to the WWTP project (20000724) and \$780,400 to the Outfall project (20001367).

The remaining funding required for the South Niagara Wastewater Solution will involve subsequent reports to Council to initiate funds closer to the construction phases, with initiation contingent on confirmation of external funding to support project costs. Council and staff continue to advocate with various levels of government for external funding to support the project. In 2023, members of Council and senior staff met with provincial and federal cabinet ministers during Niagara Week, AMO and FCM Advocacy Days to discuss the need for external support. A letter signed by the Chair, Niagara's FCM Board of Directors member and eight (8) FCM Ontario Caucus members was also sent to the Federal Minister of Housing, Infrastructure and Communities emphasizing the need for a new national infrastructure program. Funding for the SNWSP remains a top priority for planned 2024 advocacy work.

A full budget breakdown for the Plant and Outfall projects can be found in Appendix 1 to Report PW 10-2024 – Total Estimated Project Cost of Initiated Funds. See Appendix 2 to Report PW 10-2024 for a listing of all the associated South Niagara Wastewater Solution gross Capital Project budgets including initiated and uninitiated funding.

Analysis¹

Chronology of Events

- The new 30 million litre per day WWTP and associated wastewater system upgrades in South Niagara Falls were recommended originally as part of the Region's 2016 Master Servicing Plan Update (MSPU).
- In 2017, the MSPU recommendation was adopted by the Councils of both the Niagara Region and the City of Niagara Falls.
- In 2018, GM BluePlan Engineering Ltd. was selected through competitive bid process 2018-RFP-34 to complete the Class Environmental Assessment (Class EA) Schedule C project to select the preferred site for the WWTP, the preferred receiving waterbody for the WWTP outfall and the preferred system improvements to support the new WWTP. The assignment also included the conceptual design of the recommended preferred solution.
- In 2021, Council approved the revised total estimated capital costs of \$399.64M for all 10 recommended key projects which were derived from the South Niagara Wastewater Solutions project (of which the WWTP and Outfall represent 1 project). The budget was referred to and approved in the 2022 budget process (PW 39-2021).
- Council approved report PW 39-2021 for approximately \$38M to be initiated for the Class EA, land acquisition and design phases of the new WWTP, WWTP Outfall and Trunk Sewer. The remaining budget will require subsequent reports to Council to initiate funds closer to the construction phases.
- In 2022, the EA was completed and filed to the Ministry of Environment, Conservation and Parks (MECP) Registry.
- In the spring of 2023, Jemma Consultants Ltd. (Jemma) was retained through competitive bid process 2022-RFP-216 for Project Management Services for this project and the South Niagara Trunk Sewer (issued under 2023-RFP-230).
- In October 2023, the Region released bid opportunity 2023-RFP-176 for the WWTP, and in January 2024 released 2023-RFP-230 for the South Niagara Trunk Sewer project. The projects will be completed concurrently under separate assignments, but in a coordinated manner to help ensure success of the overall strategy implementation.

¹ Pertinent reports can be found in Appendix 3.

- The Region purchased the WWTP site located at 6811 Reixinger Road and took possession in January 2024.
- Construction is anticipated to commence in 2026 with an in-service date of 2029, contingent on funding assistance from external sources.

Discussion

In 2016, Niagara Region completed Niagara 2041, which included a Municipal Comprehensive Review (MCR) of growth planning and infrastructure needs to establish a plan for Niagara's future. Of the total population and employment growth expected in the City of Niagara Falls by 2041, over 64 percent is expected in the South Niagara Falls area.

As part of the Niagara 2041 MCR process, the Niagara Region 2016 Water and Wastewater Master Servicing Plan Update (2016 MSPU) was completed. A key recommendation of the 2016 MSP, which was further supported by the 2021 MSPU, was that a new WWTP including critical collection and conveyance systems be created in the South Niagara Falls area that would connect to neighbouring sewer systems freeing up additional capacity in existing WWTP infrastructures throughout the region.

Through a detailed evaluation process that reviewed growth areas, system integration/connectivity/hydraulics, infrastructure needs and alignments/sites, capital and lifecycle costing, the 2016 MSPU included a key recommendation for a new 30 MLD (million litres per day) WWTP in south Niagara Falls, and sewer systems to connect to this new facility.

Capacity from the new WWTP can be made available to support growth in Thorold, St. Catharines, Niagara Falls, Queenston and Niagara-on-the Lake. In addition to diverting flows from the existing Niagara Falls and Thorold wastewater systems, the plant will accommodate flows from both existing and new developments as well as alleviate current and future demands on existing infrastructure. Niagara Region Council and City of Niagara Falls Council adopted these recommendations in 2017.

In 2018, the Region initiated the South Niagara Wastewater Treatment Solution Environmental Assessment and conceptual design for the new South Niagara Wastewater Treatment Plant and Associated Collection and Conveyance Impacts Study. GM BluePlan Engineering Ltd. (GMBP) was retained through a competitive process 2018-RFP-34 to undertake the Class EA and conceptual design for a detailed servicing strategy to achieve the following objectives: to protect the environment, to accommodate

growth, to provide flexibility for the future, and to establish the new WWTP as a community asset.

The Class EA process initially identified a list of alternative WWTP site locations and alternative effluent receiving waterbodies, with multiple sewer network possibilities with each combination. Through a comparative evaluation approach, the following key study recommendations were developed:

- New WWTP site (6811 Reixinger Road, Niagara Fall, ON)
- New WWTP outfall to Chippawa Creek
- New Trunk Sewer along Montrose Road
- New servicing alignments for Thorold South, (Brown Road Trunk Sewer)
- New Black Horse Sewage Pump Station (SPS) for Thorold Servicing (701 Allanburg Road, Thorold, ON)
- New sewer serving allows for opportunities to decommission the following SPS
 - South Side High Lift SPS
 - Garner Road SPS
 - Grassy Brook SPS

Following completion of the Class EA the Region initiated the acquisition of private property to accommodate the construction of the new WWTP. The Region took possession of the property on January 16, 2024, after which Niagara Region has commenced work on the New South Niagara Wastewater Treatment Plant and Outfall, and the New South Niagara Trunk Sewer.

Given the complexity of scope and risk associated with the projects, Niagara Region retained Jemma Consultants Ltd. (Jemma) through a competitive bid process 2022-RFP-216 for Project Management Services for both projects. Jemma will be acting as an extension of the Region for project management and technical advisory expertise to help manage both projects.

The detailed design and construction services for each project have been issued as separate Requests for Proposals (2023-RFP-176 and 2023-RFP-230), however, diligent coordination during design, construction and commissioning will be required to ensure successful implementation of the strategy. The anticipated schedules for both projects are as follows:

- Project 1 – New South Niagara WWTP and Outfall
 - Detailed Design – April 2024 to July 2026;

- Tender and construction – July 2026 to December 2028, with commissioning and in-service by July 2029;
- Project 2 – New South Niagara Trunk Sewer
 - Which includes trunk sewers along Montrose Road, Reixinger Road and Brown Road;
 - Detailed Design – May 2024 to January 2026;
 - Tender and construction – January 2026 to April 2028;
 - It is intended that Project 2 will advance into construction prior to Project 1 in order to construct the shaft and complete the tunnel along Reixinger Road so the raw sewage pumping station work within Project 1 can commence.

A Request for Proposal (RFP) for Project 1 was released on October 5, 2023 through a public competitive bid process (2023-RFP-176) and closed November 20, 2023. Four (4) technical proposal submissions were deemed compliant by Procurement and were evaluated by the team. Two (2) submissions met the required minimum technical score threshold and proceeded to the proponent interview stage. Both interviews met the scoring threshold to proceed to the opening of financial proposals.

Stantec Consulting Inc. achieved the highest overall score, with a Phase 1 (design) total of \$11,165,658 (excluding HST), Phase 2 (contract administration and inspection; provisional) total of \$6,615,792, and overall total of \$17,781,451. Staff recommend that Phase 1 be awarded to Stantec Consulting Inc. at an award value of \$11,165,658 (excluding HST). In accordance with Schedule B of the Niagara Region Procurement By-law 02-2016, as amended, Council approval is required for all awards valued in excess of \$5,000,000 excluding taxes. Phase 2 will be the subject of a future report prior to construction.

Alternatives Reviewed

Proceed with the Award of 2023-RFP-176 - This alternative would enable staff to proceed with award to Stantec Consulting Inc. to complete detailed design of the new WWTP in South Niagara Falls. The project supports growth and economic development in South Niagara by increasing system capacity, and also provides benefit to Niagara Falls, Thorold, St. Catharines and Queenston, and Niagara-on-the-Lake by freeing up capacity in the existing systems. Simultaneously, it protects the environment by reducing combined sewer overflows and minimizing overland flooding.

Do Nothing –This alternative does not adequately address the need to support growth economic development in South Niagara as the existing system is reaching capacity and has significant limitations for expansion given that it is within confined built-up areas. Staff recommend Alternative 1 to proceed with award to Stantec Consulting Inc.

Relationship to Council Strategic Priorities

This recommendation is related to the Green and Resilient Region since the new infrastructure will build resiliency into our Region Infrastructure to support growth in Niagara Falls, St. Catharines, Thorold, Queenston and Niagara-on-the-Lake by providing or freeing up capacity within the system to accommodate new growth and development. In addition, the new infrastructure will protect the local environment from the impacts of climate change by reducing combined sewer overflows by approximately 60 to 70 per cent.

Prepared by:

Michelle Miller
Manager Capital Projects Engineering
Water-Wastewater Services

Recommended by:

Terry Ricketts, P.Eng.
Commissioner of Public Works
Public Works Department

Submitted by:

Ron Tripp, P.Eng.
Chief Administrative Officer

This report was prepared in consultation with Tony Cimino, C.E.T., Associate Director, W-WW Engineering; Dan Ane, Program Financial Specialist; Roman Ivanov, Legal Counsel; Michelle Rasiulis, Manager, Purchasing Services, and reviewed by Phill Lambert Director W-WW

Appendices

- Appendix 1 Total Estimated Project Cost of Initiated Funds
- Appendix 2 South Niagara Wastewater Solution Gross Capital Project Budgets
- Appendix 3 Other Pertinent Reports

PW 10-2024 Appendix 1

Total Estimated Project Cost of Initiated Funds

2023-RFP-176 New South Niagara Wastewater Treatment Plant and Outfall - Award Notice for Consulting Services for Detailed Design

| Total Estimated Project Cost of Initiated Funds - WWTP (20000724)* | Approved Budget | Less Uninitiated Funding | Initiated Budget Funding | Expended & Committed as of 03/01/24 | Contract Award/ Forecast | Budget Remaining |
|--|------------------------|---------------------------------|---------------------------------|--|---------------------------------|-------------------------|
| Project Element | (A) | (B) | (C) = (A) + (B) | (D) | (E) | (F) = (C)-(D)-(E) |
| (a) Construction (including Construction Contingency and 1.76% non-refundable HST) | 216,582,141 | (216,582,141) | - | - | - | - |
| (b) Project Contingency | - | - | - | - | 1,782,611 | (1,782,611) |
| (c) Property Acquisition | 14,400,000 | - | 14,400,000 | 12,632,000 | 250,000 | 1,518,000 |
| (d) Consulting Engineering Services | - | - | - | - | - | - |
| i. Detailed Design ** | 14,176,240 | - | 14,176,240 | 779,323 | 10,581,774 | 2,815,143 |
| ii. External Project Management | - | - | - | 197,159 | - | (197,159) |
| iii. Geotechnical and Environmental Service | - | - | - | 445,938 | 1,500,000 | (1,945,938) |
| iv. Environmental Assessment | 2,500,000 | - | 2,500,000 | 2,298,460 | - | 201,540 |
| (e) Project Management (In-House) and Operations | - | - | - | 293,711 | 300,000 | (593,711) |
| (f) Miscellaneous | - | - | - | 15,264 | - | (15,264) |
| Total Estimated Project Cost | 247,658,381 | (216,582,141) | 31,076,240 | 16,661,856 | 14,414,385 | (0) |

| Total Estimated Project Cost of Initiated Funds - Outfall (20001367)* | Approved Budget | Less Uninitiated Funding | Initiated Budget Funding | Expended & Committed as of 03/01/24 | Contract Award/ Forecast | Budget Remaining |
|--|------------------------|---------------------------------|---------------------------------|--|---------------------------------|-------------------------|
| Project Element | (A) | (B) | (C) = (A) + (B) | (D) | (E) | (F) = (C)-(D)-(E) |
| (a) Construction (including Construction Contingency and 1.76% non-refundable HST) | 4,961,932 | (4,961,932) | - | - | - | - |
| (b) Consulting Engineering Services | - | - | - | - | - | - |
| i. Detailed Design** | 780,400 | - | 780,400 | - | 780,400 | - |
| Total Estimated Project Cost | 5,742,332 | (4,961,932) | 780,400 | - | 780,400 | - |

| Combined Total Estimated Project Cost of Initiated Funds (20000724) and (20001367)* | Approved Budget | Less Uninitiated Funding | Initiated Budget Funding | Expended & Committed as of 03/01/24 | Contract Award/ Forecast | Budget Remaining |
|--|------------------------|---------------------------------|---------------------------------|--|---------------------------------|-------------------------|
| Project Element | (A) | (B) | (C) = (A) + (B) | (D) | (E) | (F) = (C)-(D)-(E) |
| (a) Construction (including Construction Contingency and 1.76% non-refundable HST) | 221,544,073 | (221,544,073) | - | - | - | - |
| (b) Project Contingency | - | - | - | - | 1,782,611 | (1,782,611) |
| (c) Property Acquisition | 14,400,000 | - | 14,400,000 | 12,632,000 | 250,000 | 1,518,000 |
| (d) Consulting Engineering Services | | - | - | - | - | - |
| i. Detailed Design ** | 14,956,640 | - | 14,956,640 | 779,322.81 | 11,362,174 | 2,815,143 |
| ii. External Project Management | - | - | - | 197,159 | - | (197,159) |
| iii. Geotechnical and Environmental Service | - | - | - | 445,938 | 1,500,000 | (1,945,938) |
| iv. Environmental Assessment | 2,500,000 | - | 2,500,000 | 2,298,460 | - | 201,540 |
| (e) Project Management (In-House) and Operations | - | - | - | 293,711 | 300,000 | (593,711) |
| (f) Miscellaneous | - | - | - | 15,264 | - | (15,264) |
| Total Estimated Project Cost | 253,400,713 | (221,544,073) | 31,856,640 | 16,661,856 | 15,194,785 | (0) |

* All costs include 1.76% non-refundable HST

** Total Phase 1 Detailed Design Award is equal to i)\$11,165,658.27 before tax; ii) \$11,365,173.86 including 1.76% non-refundable HST; iii) \$12,617,193.85including 13% HST

PW 10-2024 Appendix 2

South Niagara Wastewater Solution Gross Capital Project Budgets

| Project | Project Number | Total Project Budget (\$ M) | Uninitiated Funds (\$ M) | Initiated Funds (\$ M) |
|--|-----------------------|------------------------------------|---------------------------------|-------------------------------|
| New South Niagara Wastewater Treatment Plant | 20000724 | \$ 247.66 | \$ (216.58) | \$ 31.08 |
| New South West Trunk Sewer - South Niagara Falls | 20001368 | 107.82 | (101.56) | 6.26 |
| New South West Trunk Sewer - Niagara Falls / Thorold | 20001369 | 19.61 | (19.61) | - |
| Black Horse Sewage Pumping Station | 20001374 | 5.91 | (5.31) | 0.60 |
| New SNF WWTP Outfall | 20001367 | 5.74 | (4.96) | 0.78 |
| Black Horse Forcemain | 20001375 | 3.32 | (3.32) | - |
| Peel Street SPS Upgrades and Forcemain | 20001370 | 5.92 | (5.92) | - |
| South Side High Lift Pumping Station | 20001371 | 0.63 | (0.63) | - |
| Garner, Oakwood, Grassy Brook SPS | 20001372 | 1.14 | (1.14) | - |
| McLeod Road Overflow Diversion | 20001373 | 1.89 | (1.89) | - |
| Totals | | \$ 399.64 | \$ (360.92) | \$ 38.72 |

PW 10-2024 Appendix 3

Other Pertinent Reports

CL-C 24-2017 Waste & Wastewater Services Master Servicing Plan (How We Flow)
Project Update – South Niagara Falls Treatment Plant Review

[PW 8-2019 - South Niagara Falls Wastewater Treatment Plant - Project Update and Award Notice](#)

(<https://pub-niagararegion.escribemeetings.com/Meeting.aspx?Id=1fd59fee-b3d7-4415-9a16-1113f14a7ab3&Agenda=Agenda&lang=English&Item=14&Tab=attachments>)

[PW 39-2020 - South Niagara Falls Wastewater Treatment Plant Upgrade](#)

(<https://pub-niagararegion.escribemeetings.com/Meeting.aspx?Id=f8747f43-9163-45b8-b0aa-6bd3e7d59a34&Agenda=Agenda&lang=English&Item=1&Tab=attachments>)

[BRC-C 1-2020 - Councillor Information Request from October 15, 2020 Budget Review Committee of the Whole](#)

(<https://pub-niagararegion.escribemeetings.com/Meeting.aspx?Id=8d11493f-a65c-4e19-9615-e5ea6bc14e20&Agenda=Merged&lang=English&Item=16&Tab=attachments>)

[PW 39-2021 - South Niagara Falls Wastewater Treatment Plant- Budget and Property](#)

(<https://pub-niagararegion.escribemeetings.com/Meeting.aspx?Id=57da1d2d-c54e-4133-930c-2b8220245489&Agenda=Merged&lang=English&Item=14&Tab=attachments>)

Subject: Vision Zero: Automated Speed Enforcement Preliminary Results and Next Steps

Report to: Public Works Committee

Report date: Tuesday, April 9, 2024

Recommendations

1. That Regional Council **AUTHORIZE** the expansion of the Automated Speed Enforcement (ASE) program by 4 cameras annually in 2025 and 2026, subject to confirmation of available funding from fine collections, to improve road safety in the 12 Community Safety Zones (CSZs) previously approved by PW 34-2023 and in approximately 12 additional CSZs on local road networks.
2. That the Commissioner of Public Works **BE AUTHORIZED** to enter an extension of the agreement with Redflex Traffic Systems (Canada) Limited, in a form satisfactory to the Director of Legal and Court Services, for an extended term of approximately 60 months from date of execution, in the amount of an upset limit of \$1,863,835 (including 13% HST).

Key Facts

- The purpose of this report is to provide preliminary results related to changes in driver behaviour following the launch of the ASE program, and to propose further development of the program.
- ASE enforcement began in September 2023. Preliminary results indicate that driver speed in the enforcement locations was reduced by an average of 7 km/hr (13% reduction). The number of speeding violations captured per hour decreased from 181 in September to 60 in December (67% reduction).
- These reductions demonstrate a change in driver behaviour that helps improve road safety in CSZs when ASE is present.
- Staff recommend expanding the ASE program by 4 cameras annually in each of 2025 and 2026 to further enhance road safety.
- Future ASE rotation will include 12 additional Regional CSZs beginning in early 2025 as well as approximately 12 CSZs on local road networks in mid-2025 to early 2026.
- A working group of Regional and Local Area Municipal (LAM) staff will be established to explore advancing the ASE initiative as a future shared-service with

the objective of enhancing road safety across Niagara, ensuring consistent standards are in place for ASE use, and making effective use of existing resources.

Financial Considerations

The initial ASE program included four cameras on Regional roads rotated between 13 CSZ locations. The ASE program was designed to operate as cost neutral over the course of a full budget year, with program costs offset by fines. Should collected fines exceed operational program costs, the Niagara Region Courts Intermunicipal Agreement (NRCIMA) requires that excess funds be divided equally between the Region and the Local Area Municipalities and directly re-invested into road safety initiatives by all parties.

Preliminary financial results from 2023 and early 2024 show that the program has operated as cost neutral to date. By the end of 2024, staff estimate collected fines will outpace operational costs. Staff are recommending expansion of the program in 2025 to add an additional four cameras at an incremental cost of approximately \$250,000 using the Region's 50% share. Collected fines will continue to offset operational costs. Should Council approve this course of action, the budget for the program expansion will be considered as part of the 2025 budget process.

Furthermore, Niagara Region currently has a Joint Processing Center (JPC) processing allocation of 45,000 annual ASE tickets. Subject to approval of this report, staff will request an increased allotment to 60,000 annual tickets beginning in 2025. Should this be approved by the JPC, staff recommend the program be expanded once again in 2026 to an additional four (4) cameras, also at an incremental cost of approximately \$250,000 using the Region's 50% share.

Redflex Traffic Systems (Canada) Limited is the Region's camera provider. The Region holds a contract with Redflex to supply, install and operate ASE technology. The upset limit of \$1,863,835 (including 13% HST) determined for the contract extension with Redflex is for 60 months starting July 15, 2024 and includes the additional cameras for program expansion 2025 and 2026 which will be added only if fine collections can support them in future years, as follows:

| | Current Program – 4 Cameras – 60 months | 2025 Expansion – 4 Cameras – 54 months | 2026 Expansion – 4 Cameras – 42 months | Total Contract |
|---|--|---|---|----------------|
| Contract cost (including non- recoverable HST) | 574,738 | 594,687 | 509,016 | 1,678,441 |
| Annual Cost | 114,948 | 132,152 | 145,433 | 392,533 |
| Annual Budget | 114,948 | To be funded from fines | To be funded from fines | |

Analysis

The implementation of ASE is an important component of Niagara Region's Vision Zero initiative, striving to reduce and eventually eliminate traffic fatalities and serious injuries on the Regional road network. Niagara Region averages 117 fatal or injury collisions per year related to aggressive driving.

Niagara Region first adopted Vision Zero in 2019. In September 2022 Regional Council authorized the use of four (4) ASE cameras which are being rotated through the 13 Community Safety Zones in place at time of approval (PW 34-2022). The ASE program began enforcement in September 2023. A listing of pertinent reports are attached in Appendix 3.

How Automated Speed Enforcement Works

ASE cameras capture digital images and record the speed of drivers in Community Safety Zones. This information is provided to a municipally run Joint Processing Centre (JPC) where Provincial Offence Officers confirm a speeding violation has occurred and issue tickets to those in violation of the posted speed limit. Niagara Provincial Offences Court is responsible for managing those charges including prosecution of disputed charges and collection of fines.

The camera vendor is responsible for the installation and maintenance of the ASE camera units, including managing instances of vandalism. Costs paid to the vendor are based on a flat daily rate for each camera as well as a one-time installation cost when a pole-mounted camera is used. The vendor does not receive additional money based on increased ticket volumes.

ASE Program Preliminary Results

Information on driver speeds was collected before, during, and after the operation of ASE. Complete information regarding ticket outcomes, such as dispute rates and associated impacts on fine recovery, is not yet available. Preliminary results indicate a change in driver behavior and improved road safety when ASE is present. Key findings include:

- Driver speed was reduced by an average of 7 km/hr (13% reduction) after the use of ASE. More information can be found in Appendix 1.
- Speeding violations per hour decreased from 181 in September 2023 to 60 in December 2023 (-67% reduction).
- Improvements in driver speed were maintained after ASE cameras were rotated to new locations.
- 15,668 tickets were issued to speeding drivers between September and December 2023 with an average fine of \$124.57. Approximately 63% of fines have been collected to by the courts to date.

Recommended Direction

Program Expansion – This report recommends the expansion of the ASE program by 4 cameras in 2025 and another four cameras 2026. These new cameras will be rotated between the 12 Regional CSZs previously approved in report PW 34-2023 that currently do not have ASE cameras (see Appendix 2) beginning in early 2025. Rotation through 12 CSZs on local road networks is anticipated for mid-2025 to early 2026, with specific locations to be determined by local municipal staff in coordination with the Automated Enforcement Working Group referred to below.

Program expansion is proposed to be funded through, and will be subject to, the Region's share of net 2024 and 2025 funding from fines.

Vision Zero Road Safety Strategic Plan (RSSP) – the RSSP represents the Region’s strategic roadmap for achieving Vision Zero objectives. The RSSP is being finalized and will be reported to Council in late Q2 or early Q3 2024. ASE will form one individual component of the overall RSSP and will be identified as a program under the ‘Distracted and Aggressive Driving’ emphasis area. The RSSP will outline how any collected fines that exceed ASE operational program costs be re-invested in road safety in the coming years.

Automated Enforcement Working Group – Region and Local Area Municipal staff will jointly establish a working group to explore advancing automated enforcement as a shared-service. The initial priorities for the working group will include defining roles, developing site selection criteria, evaluating ASE and RLC early program results, and investigating the feasibility of transitioning to an Administrative Penalty System (APS) and/or development of a Niagara-based ticket processing centre.

Vendor Agreement Extension – Report PW 2-2020 previously authorized the Commissioner of Public Works to enter both the original 5-year term (2019-2024) as well as the 5-year extension (2024-2029) of the vendor agreement. In the intervening years, the international trade treaties governing co-operative procurements have been updated. Renewed authority for the extension as a sole-source procurement is required to ensure that Niagara Region’s continued participation fully aligns with the updated purchasing provisions set out in Niagara Region’s Purchasing Bylaw.

On-Road Signage

Five of the 13 CSZs in Niagara previously used ‘flashing beacons’ to lower speed limits to 40 km/hr prior to the use of ASE. The removal of ‘flashing beacons’ is required as ASE is implemented as cameras do not capture that the beacons are active and that the lower speed limit was legally in place at the time of an infraction. Removing ‘flashing beacons’ is consistent with practice in other municipalities.

‘Flashing beacons’ were replaced with signs that display the months and times of the lower speed limit before implementation (7 a.m. – 5 p.m., Monday-Friday, September-June).

Starting in January 2024, required on-road signage was enhanced using a ‘new’ starburst sign to highlight to drivers changes in school zone signage and the presence of the ASE camera. This starburst will be used in future camera rotations. Staff will

explore options to further enhance on-road signage within the requirements of MTO and JPC regulations and agreements.

Alternatives Reviewed

Alternatives to the recommendations of this report follow:

1. Do not authorize the expansion of the ASE program or defer consideration of expansion into the future. This is not recommended as early results demonstrate safety benefits associated with the implementation of ASE in Community Safety Zones.
2. Do not support the expansion of the ASE program onto local roads as a future shared service between the Region and LAMs. This approach is not recommended as it would forego opportunities for efficiency where LAMs can leverage existing contracts and could lead to inconsistent automated enforcement models being implemented across the Region.

Relationship to Council Strategic Priorities

The Vision Zero Road Safety initiative is an identified action under the 'Equitable Region' strategic focus area. The Equitable Region focus is to "provide opportunities for a safe and inclusive Niagara by listening and responding to our community needs and planning for future growth".

Advancing opportunities for shared services is an identified action under the 'Effective Region' strategic focus area. The Effective Region focus is to "transform service delivery in a way that is innovative, collaborative and fiscally-responsible".

Prepared by:

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Associate Director, Transportation
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Recommended by:

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Submitted by:

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Chief Administrative Officer

This report was prepared in consultation with Petar Vujic, Manager Road Safety; Manny Rataul, Project Manager Road Safety; Miranda Vink, Manager Court Services; Renee Muzzell, Manager Program Financial Support; Donovan D'Amboise, Associate Director, Reporting & Analysis and reviewed by Michelle Rasiulis, Procurement Manager; Brian McMahon, Program Financial Specialist; Shannon Cole, Strategic Initiatives Manager; Janet Rose, Communications Consultant; Helen Furtado, Director, Financial Management & Planning/Deputy Treasurer, Frank Tassone, Director Transportation Services; Donna Gibbs, Director Legal and Court Services; Todd Harrison, Commissioner, Corporate Services and Treasurer.

Appendices

| | |
|------------|---|
| Appendix 1 | Automated Speed Enforcement: Preliminary Results |
| Appendix 2 | Previously Approved Regional Community Safety Zones |
| Appendix 3 | Other Pertinent Reports |

PW 11-2024 Appendix 1 – Automated Speed Enforcement Preliminary Results

| Regional Road | Name | Speed Limit Before (km/h) | Speed Limit During (km/h) | Speed Limit After (km/h) | Average Speed Before ASE | Average Speed During ASE | Average Speed Change (Before-During) | Average Speed After ASE | Average Speed Change (During-After) |
|---------------|--------------------|---------------------------|---------------------------|--------------------------|--------------------------|--------------------------|--------------------------------------|-------------------------|-------------------------------------|
| RR20 | Lundy's Lane | Flat 50 | Flat 50 | Flat 50 | 53 | 51 | -2 | 49 | -2 |
| RR87 | Main Street | Flashing 40 | Flat 50 | Signed 40 | 51 | 47 | -4 | 40 | -7 |
| RR14 | Station Street | Flat 50 | Flat 50 | Flat 50 | 56 | 52 | -4 | 51 | -1 |
| RR54 | Rice Road | Flat 40 | Flat 40 | Flat 40 | 54 | 41 | -13 | 44 | +3 |
| RR124 | Central Avenue | Flat 40 | Flat 40 | | 49 | 46 | -3 | | |
| RR81 | Main Street East | Flashing 40 | Signed 40 | | 56 | 42 | -14 | | |
| RR24 | Victoria Avenue | Flashing 40 | Signed 40 | | 55 | 48 | -7 | | |
| RR55 | Niagara Stone Road | Flashing 40 | Signed 40 | | 57 | 46 | -11 | | |
| | | | | | | Average | -7 | | |

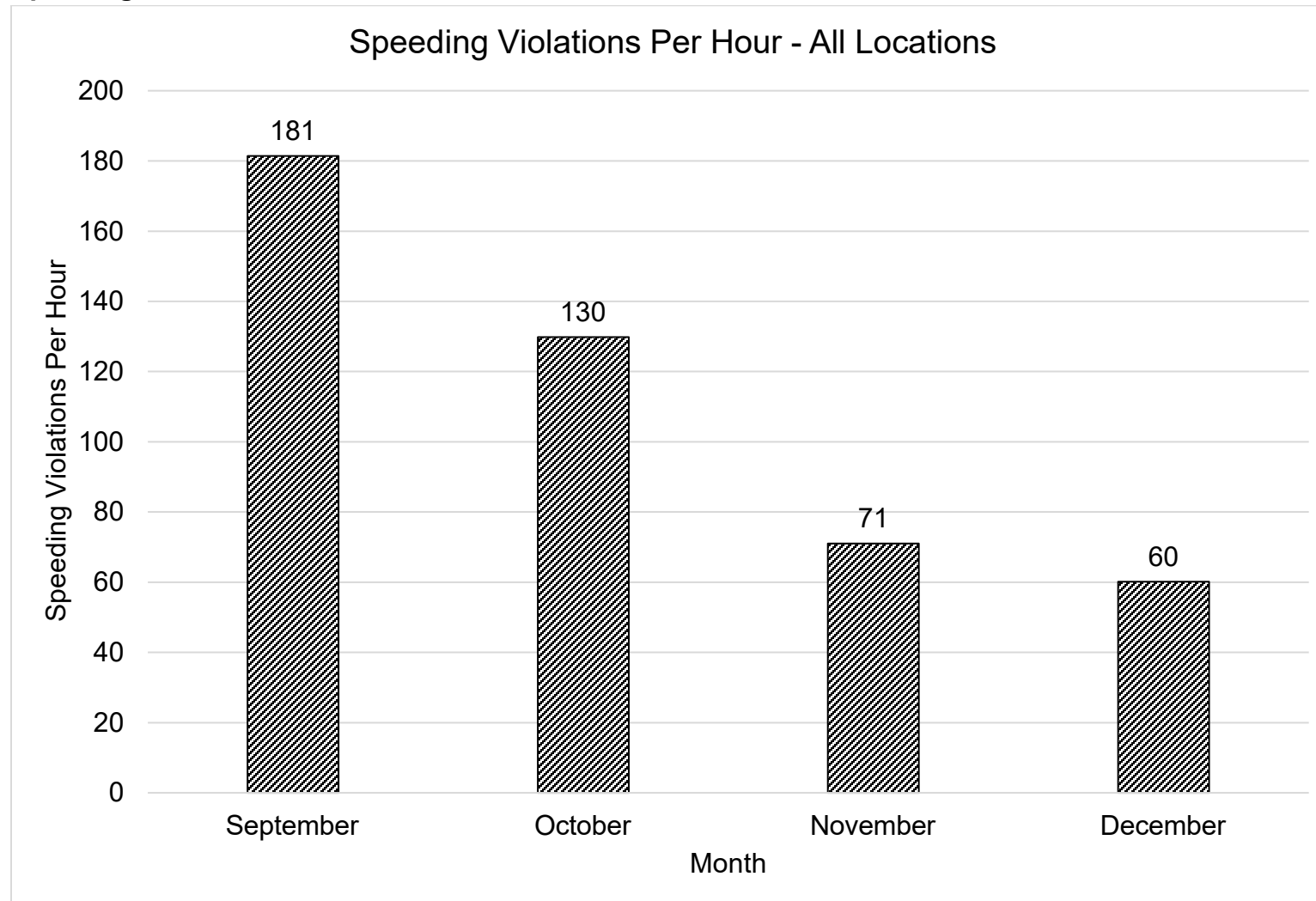
Speed Limit Terms:

Flat Consistent speed limit at all times of day

Flashing Use of 'flashing beacons' to lower the speed limit from 50 km/hr to 40 km/hr

Signed Use of signs displaying times of day (7 a.m – 5 p.m) to lower the speed limit from 50 km/hr to 40 km/hr

Speeding Violations



PW 11-2024 Appendix 2 - Previously Approved Regional Community Safety Zones

The following Community Safety Zones were previously approved by report PW34-2023 and are proposed as locations for ASE program expansion.

- Fort Erie - Garrison Road - RR3 - Rose Hill Road to Spears Road
- Grimsby – Main Street East – RR 81 – Lawrence Avenue to Durham Road
- Lincoln - Mountain Street - RR18 - Edelheim Road to Beam Street
- Niagara Falls - Lundy's Lane - RR20 - Brookfield Avenue to Main Street
- Niagara Falls - McLeod Road - RR49 - Oakwood Drive to Drummond Road
- Pelham - Highway 20 East - RR20 - Rice Road to Pinecrest Court
- Port Colborne - Killaly Street West - RR5 - West Side Road to King Street
- St. Catharines - Glendale Avenue - RR89 - Pelham Road to Caroline Street
- St. Catharines - Lakeshore Road - RR87 - Bradmon Drive to Read Road
- St. Catharines - Niagara Street - RR48 - Carlton Street to Scott Street
- Thorold - Collier Road South - RR56 - Highway 58 Ramp to St. David's Road
- Welland - Prince Charles Drive North - RR54 - Lacy Avenue to First Avenue

PW 11-2024 Appendix 3

Other Pertinent Reports

[PW 34-2023 - Community Safety Zones](#)

<https://pub-niagararegion.escribemeetings.com/Meeting.aspx?Id=3ef66bf7-5d0c-4241-91d1-7b600bbd87fa&Agenda=Agenda&lang=English&Item=14&Tab=attachments>

[PW 34-2022 - Implementation of Automated Speed Enforcement](#)

<https://pub-niagararegion.escribemeetings.com/Meeting.aspx?Id=a9972d29-13ff-4e8f-9318-aeae86a746cc&Agenda=Agenda&lang=English&Item=25&Tab=attachments>

[PW 49-2021 -Designation of a Community Safety Zone on Regional Road 20 Lundy's Lane in the City of Niagara Falls](#)

<https://pub-niagararegion.escribemeetings.com/Meeting.aspx?Id=d58a4bbf-5b58-4a61-9439-46a1d0e3c407&Agenda=Merged&lang=English&Item=14&Tab=attachments>

[PW 4-2020 - Vision Zero Road Safety Program: Designation of Community Safety Zones around Schools](#)

<https://pub-niagararegion.escribemeetings.com/Meeting.aspx?Id=04564006-29bd-4fd8-a3fa-4da4f79638dd&Agenda=Merged&lang=English&Item=13&Tab=attachments>

[PW 2-2020 - Implementation of Automated Speed Enforcement](#)

<https://pub-niagararegion.escribemeetings.com/Meeting.aspx?Id=04564006-29bd-4fd8-a3fa-4da4f79638dd&Agenda=Merged&lang=English&Item=12&Tab=attachments>

[PW 64-2019 - Vision Zero Road Safety Program](#)

<https://pub-niagararegion.escribemeetings.com/Meeting.aspx?Id=277bcf05-71ce-4d77-867e-5e839b3f87be&Agenda=Agenda&lang=English&Item=13&Tab=attachments>

[PW 38-2019 - Community Safety Zones](#)

<https://pub-niagararegion.escribemeetings.com/Meeting.aspx?Id=5a991a11-6ca0-4f35-b766-37bd8f2814fd&Agenda=Agenda&lang=English&Item=15&Tab=attachments>

Subject: Extension to 2023-T-38 Supply & Delivery of Ferric Chloride

Report To: Public Works Committee

Report date: Tuesday, April 9, 2024

Recommendations

1. That Contract 2023-T-38 – Supply and Delivery of Ferric Chloride with Fanchem Ltd. (dba PVS Benson) **BE EXTENDED** under the same terms and conditions, as outlined in this report, for the one (1) year optional extension at the total estimated cost of \$4,019,930 including 13% HST; and
2. That the CAO **BE AUTHORIZED** to approve the issuance of a Purchase Order to effect the extension of the contract.

Key Facts

- The purpose of this report is to seek Council's approval to extend the current contract with Fanchem Ltd. for the optional one (1) year term from June 1, 2024 to May 31, 2025, in accordance with the terms and conditions of Contract 2023-T-38.
- The contract extension requires Council approval in accordance with Schedule "B" (Purchasing and Execution Authority) of the Region's Procurement By-law 02-2016 as amended, whereby Council is required to approve any contract award that exceeds \$5,000,000 in total value.
- In 2023, Contract 2023-T-38 was awarded to Fanchem Ltd. for the supply and delivery of Ferric Chloride to Wastewater Facilities for a one (1) year term from June 1, 2023 to May 31, 2024. The Contract was awarded as part of a competitive Request for Tender (RFT) procurement process, where Fanchem Ltd. was the lowest of two (2) compliant bids received, at an annual cost of \$3,146,010 (excluding 13% HST).
- The Contract includes an option to extend for an additional one (1) year term for \$3,557,460 (excluding 13% HST) for a total term of two (2) years. This extension represents a year-over-year increase of 13.1% but still presents more favorable pricing than the next lowest compliant bid by approximately 4.4%.

Financial Considerations

The first-year tender price (covering June 1, 2023 to May 31, 2024) of Contract 2023-T-38 was \$3,201,380 (including non-recoverable HST) for the year, with an optional one

(1) year extension estimated cost of \$3,620,071 (including non-recoverable HST) for a total value of \$6,821,451 (including non-recoverable HST); a year-over-year increase of 13.1%. The next lowest compliant bid was \$6,982,486 (including non-recoverable HST).

Exercising the optional one (1) year extension for Contract 2023-T-38 represents a favorable position to the Region as it includes an estimated savings of approximately \$161,035 (including non-recoverable HST). It should be noted that contract pricing is based on a 'per kg' unit of measure and savings are dependent on the total quantity that is utilized in Niagara's Wastewater Treatment facilities, currently estimated at 633,000kg per year. Higher consumption will yield additional savings while less consumption will result in lower savings.

The increase associated with the renewal is accommodated in the 2024 Water Wastewater operating budget and will be accommodated in the 2025 Waster Wastewater operating budget.

Analysis

Phosphorous is a component of wastewater that must be treated (removed) to safely return the effluent to the environment as excess phosphorus can lead to harmful algal growth in lakes and rivers. The sources of phosphorous in wastewater comes mainly from human waste and some detergents. The removal of phosphorus requires chemicals to be added such as ferric chloride. The Ministry regulates the amount of phosphorus that can be released into the environment from the wastewater treatment plant. The Region has eight (8) wastewater sewage plants that use ferric chloride to remove phosphorus. In 2023, an estimate of 633,000 kg of ferric chloride per year was anticipated to be utilized at Niagara Wastewater Treatment facilities and was included in the RFT.

As the population grows, the amount of sewage to be treated also increases, requiring more ferric chloride to be used. Staff employ automation and continuous monitoring in water and wastewater chemical dosing systems in an effort to minimize chemical use and associated costs while remaining in regulatory compliance.

Pricing Trends

Since the pandemic, Niagara Region, Public Works Water & Wastewater Division has observed escalating costs for the supply and delivery of essential chemicals far exceeding the annual Consumer Price Index (CPI). Trends for the past three (3) ferric

chloride supply and delivery contracts, demonstrating pre-and post-pandemic pricing are shown in the Table 1 below:

Table 1: 2019 to 2024 - Supply and Delivery of Ferric Chloride Contract Awards (excluding 13% HST)

| Contract | Service Year | Term | Unit Cost (per kg) | Extended Total | Per Unit Annual Price Increase (%) |
|--------------|--------------|---------------------------|--------------------|----------------|------------------------------------|
| 2019-T-131* | 2019-2020 | Year One (1) | \$2.26 | \$1,356,000.00 | - |
| 2019-T-131* | 2020-2021 | Year Two (2) (Optional) | \$2.38 | \$1,428,000.00 | 5.3 |
| 2019-T-131* | 2021-2022 | Year Three (3) (Optional) | \$2.62 | \$1,572,000.00 | 10.1 |
| 2022-T-02** | 2022-2023 | Year One (1) | \$3.26 | \$1,946,220.00 | 24.4 |
| 2023-T-38*** | 2023-2024 | Year One (1) | \$4.97 | \$3,146,010.00 | 52.5 |
| 2023-T-38*** | 2024-2025 | Year Two (2) (Optional) | \$5.62 | \$3,557,460.00 | 13.1 |

*Based on estimated volume of 600,000 kgs.

**Based on estimate volume of 597,000 kgs. Optional years two (2) and (3) of contract 2022-T-02 were not extended as supplier could not honour optional year pricing due to rising cost of transportation and raw materials.

***Based on estimate volume of 633,000 kgs.

Supply and Delivery of Ferric Chloride Contract

The Contract requires Fanchem Ltd. to supply all labour, material and equipment to deliver Liquid Ferric Chloride for use at The Regional Municipality of Niagara wastewater treatment plants for wastewater treatment processes.

Optional 1-Year Contract Extension

As per Contract 2023-T-38, Niagara Region has in its favour the option to extend the contract with Fanchem Ltd. one (1) additional one-year term, on the same terms and conditions. If the contract is extended beyond the original one (1) year term, the total contract value would surpass \$5,000,000 in total value and requires Council approval as per Schedule “B” (Purchasing and Execution Authority) of the Region’s Procurement By-law 02-2016, as amended on February 28, 2019.

Staff have contacted Fanchem Ltd. to notify them of the Region’s intent to execute the available extension, subject to Council approval. Fanchem Ltd. are willing to extend the contract at the optional year two (2) ‘per kg’ unit price quoted in their original 2023-T-38 contract bid.

It is being recommended that the Contract be extended for the optional one (1) year term. The rationale for the contract extension is as follows:

- The extended total price for the optional one (1) year extension offers better value for money than the next lowest compliant bid received as part of the 2023-T-38 competitive RFT process; a savings of approximately \$158,250 (excluding 13% HST) assuming chemical use for 2024 follow 2023 patterns (633,000 kg of ferric chloride used in 2023).
- Transportation and chemical raw materials costs have continued to escalate since the onset of the pandemic, a dynamic that has been closely reflected in recent pricing trends for this contract and other similar W-WW essential supply & service contracts.
- Given recent contract RFT results and both current and projected market conditions, it is anticipated that a new tender will not yield more favorable pricing and would likely result in year-over-year increases more in line with 2022 and 2023; 24.4% and 52.5% respectively.

Alternatives Reviewed

Staff has examined the possibility of not extending the contract with Fanchem Ltd. If Niagara Region were to issue a new tender for the Supply and Deliver of Ferric Chloride in 2024, given 2023 RFT results and both current and projected industry conditions it is expected that the associated costs would exceed the cost of extending the existing contract. Furthermore, having cost certainty for the operating budgets will help mitigate any budget pressure associated with extending this contract.

Relationship to Council Strategic Priorities

This recommendation aligns with Council's strategic priority of Effective Region, specifically as it relates to delivering fiscally responsible and sustainable services. By extending the contract with Fanchem Ltd., Niagara Region will continue to offer value-for-money wastewater treatment services in an environmentally safe manner to Niagara residents.

Other Pertinent Reports

No other reports are pertinent to this report.

Prepared by:

Jessica Young
Security & Contract Administrator
Water-Wastewater Services

Prepared by:

Ronald Gibbon
Security & Contract Administrator
Water-Wastewater Services

Recommended by:

Terry, Ricketts, P. Eng.
Commissioner of Public Works
Public Works Department

Submitted by:

Ron Tripp, P.Eng.
Chief Administrative Officer

This report was prepared in consultation with Craig Courteau, Associate Director, W-WW Integrated Systems and Dan Ane, Program Financial Specialist and reviewed by Michelle Rasiulis, Procurement Manager and Janet Rose, Communications Consultant and Donna Gibbs, Director Legal and Court Services and Phill Lambert, Director, Water-Wastewater Services (Acting).

Subject: 2024 Niagara Children's Water Festival Update**Report To:** Public Works Committee**Report date:** Tuesday, April 9, 2024

Recommendations

1. That Report PW 7-2024 **BE RECEIVED** for information.

Key Facts

- The purpose of this report is to provide information about the Niagara Children's Water Festival and to demonstrate its effectiveness and value as requested by Council during the 2024 budget process.
- The Festival is a collaborative event held over four days at Brock University with different elementary schools from across Niagara attending each day; approximately 3,200 students and 1,000 parents, teachers and volunteers are registered to participate in 2024. Demand by teachers to attend the Festival is always higher than event capacity.
- The Festival, to be held April 30 – May 3, 2024, invites students in grade four to participate in a variety of hands-on water-themed activities facilitated by volunteer subject matter experts. The Festival activity centres are designed to meet the Festival objectives and are aligned with the Ontario curriculum.
- The Festival was first established in 2002 in partnership between Niagara Peninsula Conservation Authority, Niagara Region, City of St. Catharines and Ontario Power Generation. Brock University joined as a partner in 2020.

Financial Considerations

Niagara Region has provided funding for the Festival each year it has been hosted in-person since its inception in 2002. The Festival is funded from the water-wastewater rate budget and is drawn from the Information and Promotions account which was approved by Council at \$104,105 for 2024 to support all division-wide related programs, services and materials. The expected gross cost of the Festival in 2024 is \$89,300. Staff actively seek out sponsorships and grants to offset the Region's share of the cost. In 2023 the Region's share of the Festival cost was \$57,868. Brock University also provides an in-kind sponsorship (for the 2024 Festival - \$37,608 + HST) for Festival site and coordination services not reflected in the budget. The Festival also receives funding from other sources as follows:

| Funding Source (2024) | Amount |
|--|---|
| Niagara Region | Est. \$50,000-\$55,000 in 2024 \$57,868 (2023) |
| City of St. Catharines | \$10,000 |
| Ontario Power Generation | \$5,000 |
| District School Board of Niagara and Niagara Catholic District School Board | \$16,152.23 (in kind) (student transportation) |
| TD Friends of the Environment Fund | \$5,000 |
| Sponsorship Program, in 2024 includes financial support from: Associated Engineering, City of Niagara Falls, City of Welland, GM BluePlan, Hamilton-Oshawa Port Authority, Invasive Species Centre, Niagara Parks Commission, Oxy Vinyl, RJ Burnside, WSP Global, and many other in-kind sponsors. | \$11,249 |

This funding supports Festival operational expenses such as tent rentals, security equipment and services, health and safety, equipment, custodial services, service providers, development and improvement of activity centres, promotions and marketing, and partial transportation costs. The full budget expenditures are reported annually to Council via a Summary report.

In addition to the Festival expenditures, the Information and Promotions budget supports all other water-wastewater education and outreach activities including the Water Wagon program equipment and materials (not including staffing), outreach booths, participation in events like Earth Week, tours and open houses of facilities and supporting education campaigns such as for promotions about source water protection, proper disposal of fats, oils and grease.

Analysis

The Festival works to achieve its purpose and objectives as outlined below through the organization of an event that engages students, teachers, parents, community partners, organizations and staff in a shared experience celebrating water as a valuable resource and intrinsically ties to the work of our water-wastewater services divisions and our service partners. The Festival has a stated mission to challenge participants to consider the importance of wise water-use, water safety, water science, and water stewardship, as well as raise awareness about key water and wastewater services provided to communities using a fun, safe, and engaging format.

The stated purpose and objectives of the Festival per its Steering Committee Terms of Reference are:

- To engage Niagara region students in interactive activity centres that align with the committee's mission and are developed to complement the Ontario curriculum
- To change the behavior of students, teachers, and volunteers by teaching them to be more conscientious of their water use and understanding of water resources and services
- For the benefits of the Festival to be demonstrated through new behaviours and choices in the classroom, in their homes, and in the wider community

The Festival also contributes to the following divisional and organizational objectives:

- Helps meet our obligation for education under our Source Water Protection Plan
- Helps meet our obligation for educating the public under our Drinking Water Quality Management System
- Enhances the Region's public reputation through positive engagement with the community
- Engages students of elementary, high school, college and university ages in learning about careers in water, in general, and in operations and maintenance at Niagara Region specifically, contributing to future recruitment and retention of top talent
- Contributes to employee engagement and well-being and helps build a sense of pride and teamwork in the work of water and wastewater staff at the Region
- Builds positive relationships with key partners that are required for effective operations including local area municipalities, the NPCA and the Ministry of Energy, Conservation and Parks
- Nurtures a sense of shared responsibility for our water resources and water infrastructure amongst our local water service partners.

The Festival takes place over four days with different schools from across Niagara attending each day. The Festival runs a total of 30 activity centres with each participating class spending a full day rotating through a set schedule of 10 of the hands-on activities. The activity centres are based on five (5) pillars of learning: Water Science, Water Technology, Water Conservation, Water Protection, and Water Attitude. Examples of these activities include how to repair a watermain break, the benefits of tap vs. bottled water, water and wastewater treatment processes, the impact of improper disposal of fats, oils and greases, a fire truck activity hosted by local fire services and Indigenous storytelling. Activity centres are hosted by experts from our partners and involved organizations, including Region water-wastewater staff, community organizations and businesses, Ministry of Energy Conservation and Parks, and local area municipalities. In addition, the Festival recruits over 200 volunteers to help deliver the event. The activity centres are a combination of indoor and outdoor activities with the indoor activities hosted within Brock facilities and the outdoor activities in tents set up along Brock's soccer field. Activity centres, facilities, transportation and class schedules are designed to be inclusive and accommodating to meet the needs of all students attending the Festival.

The Festival provides the opportunity for several Niagara Region divisions to engage thousands of people in our community about our work in key areas of public education in a short period of time. These divisions include Water-Wastewater, Waste Management, Public Health, DEI/Indigenous Relations and Climate Change teams.

Approximately 23 Children's Water Festivals are hosted across Ontario, including festivals hosted by the municipalities of Hamilton, Halton, Peel and York Regions.

In the 2023 follow-up survey conducted for teachers and volunteers, teachers rated satisfaction in various categories at an average of 92% (4.6 out of 5), and volunteers at an average of 88% (4.4 out of 5) demonstrating participants find value in the event and find the experience to be positive. Teachers noted they observed students retained learning through behaviour changes following the event. Festival volunteers and sponsors continue to express that this event makes a difference to their own promotional and engagement activities, evidenced by the ongoing participation for over 20 years.

Alternatives Reviewed

An alternative to delivering the Festival is for Niagara Region to discontinue being a Festival partner and withdraw funding support. While the cancellation of the Water

Festival would save funds, Niagara Region would lose the opportunity to achieve its education and outreach objectives and may receive a negative public reaction to withdrawing from a long-standing and well received event coordinated with Regional service partners and community organizations.

Relationship to Council Strategic Priorities

Effective Region

- The Festival supports Council's priority to be an Effective Region by partnering with numerous Regional departments (Water-Wastewater, Waste Management, Public Health, DEI/Indigenous Relations) as well as local area municipalities, agencies and organizations to deliver activity centres as well as maximizing partnerships to garner volunteers, services, in-kind donations and funding to operate the Festival.

Green and Resilient Region

- As part of a Green & Resilient Region this event fosters attitudes of stewardship and sustainability of water resources within our community with the goal to influence future behaviours that will support and protect sustainability for our future water and wastewater resources and infrastructure.

Equitable Region

- The Festival supports Council's Equitable Region through the design and planning of the Festival as an inclusive event that accommodates the needs of all participants. This includes removing financial barriers to participation through funding the event which allows it to be free for participants.

Other Pertinent Reports

- [PW 43-2023 Children's Water Festival](https://pub-niagararegion.escribemeetings.com/Meeting.aspx?Id=50280174-8c6e-4d8c-8f6e-53a5cec5340f&Agenda=Agenda&lang=English&Item=17&Tab=attachments)
(<https://pub-niagararegion.escribemeetings.com/Meeting.aspx?Id=50280174-8c6e-4d8c-8f6e-53a5cec5340f&Agenda=Agenda&lang=English&Item=17&Tab=attachments>)

Prepared by:

Amanda Deschenes
Education & Engagement Coordinator
Water-Wastewater Services

Recommended by:

Terry Ricketts, P.Eng.
Commissioner of Public Works
Public Works Department

Submitted by:

Ron Tripp, P.Eng.

Chief Administrative Officer

This report was prepared in consultation with Dan Ane, Program Financial Specialist and Rachel Beni, W-WW Outreach Program Representative, and Janet Rose, Communications Consultant, and reviewed by John Brunet, Associate Director, Water Operations & Maintenance, and Phill Lambert, Director, W-WW Services (Acting).

Minute Item No. 6.1

COM 10-2024

Canada-Wide Early Learning and Child Care Program Update

That Report COM 10-2024, dated April 9, 2024, respecting Canada-Wide Early Learning and Child Care Program Update, **BE RECEIVED** and the following recommendation **BE APPROVED**:

1. That the addition of two (2) new permanent full-time positions in Children's Services, a CWELCC compliance position, and a Licensed Home Child Care Advisor, for a total gross cost of \$199,102 fully funded through provincial funding **BE APPROVED**, in order to meet provincial requirements for the Canada-Wide Early Learning and Child Care program.

Minute Item No. 6.2

COM 11-2024

Extension of Lease Agreement at 350 Ontario Street in St. Catharines

That Report COM 11-2024, dated April 9, 2024, respecting Extension of Lease Agreement at 350 Ontario Street in St. Catharines, **BE RECEIVED** and the following recommendations **BE APPROVED**:

1. That Community Services **BE APPROVED** to exercise its option to extend the existing short term Lease Agreement at 350 Ontario Street, St. Catharines from April 1, 2024 to April 30, 2025;
2. That the Commissioner of Community Services **BE AUTHORIZED** to execute the required notice to extend the term of the Lease Agreement and such other ancillary documents as negotiated by Real Estate services in a form satisfactory to the Director, Legal and Court Services, in order to complete the extension; and
3. That Real Estate Services **BE DIRECTED** to complete the negotiations of the lease agreement extension and obtain Council approval through Corporate Services Committee.

Minute Item No. 7

Consent Items for Information

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

COM-C 3-2024

Seniors Services LTC Homes Volunteer Update

COM-C 4-2024

Correspondence from Niagara Regional Housing – Single Source Emergency Plumbing Work

COM-C 5-2024

Urgent Service Manager Notification - Niagara

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

**PHSSC 4-2024
Tuesday, April 9, 2024
Council Chamber - In Person and Electronic Meeting
Niagara Region Headquarters, Campbell West
1815 Sir Isaac Brock Way, Thorold, ON**

Committee: Bateman*, Bradley (Regional Chair)*, Chiocchio (Committee Co-Chair), Insinna, Jordan*, Kaiser*, Morocco (Committee Co-Chair), Rigby, Seaborn, Siscoe*, Sorrento*, Whalen, Witteveen

Absent/Regrets: Craitor, Diodati, Easton, Foster, Ip

Staff: C. Banach, Director, Housing Services, A. Basic, Legislative Coordinator, R. Ferron, Chief/Director, Emergency Medical Services*, R. Hill, Legislative Assistant, A. Jugley, Commissioner, Community Services, Dr. A. Kasmani, Medical Officer of Health, H. Koning, Director, Senior Services, R. Law, Deputy Chief, Emergency Medical Services*, A.-M. Norio, Regional Clerk, M. Sergi, Commissioner, Growth Strategy & Economic Development*, R. Tripp, Chief Administrative Officer*, L. Watson, Director, Social Assistance and Employment Opportunities, S. Klair, Director, Children's Services

* indicates members/staff who participated electronically, all other members/staff participated in person

1. CALL TO ORDER

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

2. LAND ACKNOWLEDGEMENT STATEMENT

Councillor Insinna read the Land Acknowledgement Statement.

3. DISCLOSURES OF PECUNIARY INTEREST

There were no disclosures of pecuniary interest.

4. PRESENTATIONS

There were no presentations.

5. DELEGATIONS

There were no delegations.

6. ITEMS FOR CONSIDERATION

6.1 COM 10-2024

Canada-Wide Early Learning and Child Care Program Update

Satinder Klair, Director, Children's Services, provided information respecting the Canada-Wide Early Learning and Child Care Program Update. Topics of the presentation included:

- Update on the Canada-Wide Early Learning and Child Care (CWELCC) Program
- Update on the CWELCC Child Care Expansion Plan

Moved by Councillor Whalen

Seconded by Councillor Insinna

That Report COM 10-2024, dated April 9, 2024, respecting Canada-Wide Early Learning and Child Care Program Update, **BE RECEIVED** and the following recommendation **BE APPROVED**:

1. That the addition of two (2) new permanent full-time positions in Children's Services, a CWELCC compliance position, and a Licensed Home Child Care Advisor, for a total gross cost of \$199,102 fully funded through provincial funding **BE APPROVED**, in order to meet provincial requirements for the Canada-Wide Early Learning and Child Care program.

Carried

6.2 COM 11-2024

Extension of Lease Agreement at 350 Ontario Street in St. Catharines

Moved by Councillor Sorrento

Seconded by Councillor Rigby

That Report COM 11-2024, dated April 9, 2024, respecting Extension of Lease Agreement at 350 Ontario Street in St. Catharines, **BE RECEIVED** and the following recommendations **BE APPROVED**:

1. That Community Services **BE APPROVED** to exercise its option to extend the existing short term Lease Agreement at 350 Ontario Street, St. Catharines from April 1, 2024 to April 30, 2025;
2. That the Commissioner of Community Services **BE AUTHORIZED** to execute the required notice to extend the term of the Lease Agreement and such other ancillary documents as negotiated by Real Estate services in a form satisfactory to the Director, Legal and Court Services, in order to complete the extension; and

3. That Real Estate Services **BE DIRECTED** to complete the negotiations of the lease agreement extension and obtain Council approval through Corporate Services Committee.

Carried

7. CONSENT ITEMS FOR INFORMATION

Moved by Councillor Seaborn
Seconded by Councillor Rigby

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

COM-C 3-2024

Seniors Services LTC Homes Volunteer Update

COM-C 4-2024

Correspondence from Niagara Regional Housing – Single Source Emergency Plumbing Work

COM-C 5-2024

Urgent Service Manager Notification - Niagara

Carried

8. OTHER BUSINESS

8.1 Motion Respecting Niagara Poverty Reduction Strategy

Councillor Bateman requested clarification respecting the motion brought forward at the March 21, 2024, Council meeting that was referred to the Public Health and Social Services Committee. Adrienne Jugley, Commissioner, Community Services advised that the motion would be included on the agenda for the June Committee meeting, as there will be a report respecting social assistance caseload and rates, which will further respond to Council's request for additional information.

9. NEXT MEETING

The next meeting will be held on Tuesday, May 7, 2024, at 1:00 p.m. in the Council Chamber, Regional Headquarters.

10. **ADJOURNMENT**

There being no further business, the meeting adjourned at 1:55 p.m.

Councillor Morocco
Committee Co-Chair

Councillor Chiocchio
Committee Co-Chair

Azra Basic
Legislative Coordinator

Ann-Marie Norio
Regional Clerk

Canada-Wide Early Learning and Child Care Program Update

Public Health and Social Services Committee – April 9, 2024

Satinder Klair, Director Children's Services

Purpose

1. Update on the Canada-Wide Early Learning and Child Care (CWELCC) Program
2. Update on the CWELCC Child Care Expansion Plan

What is CWELCC?



Reduce fees to an average of \$10/day



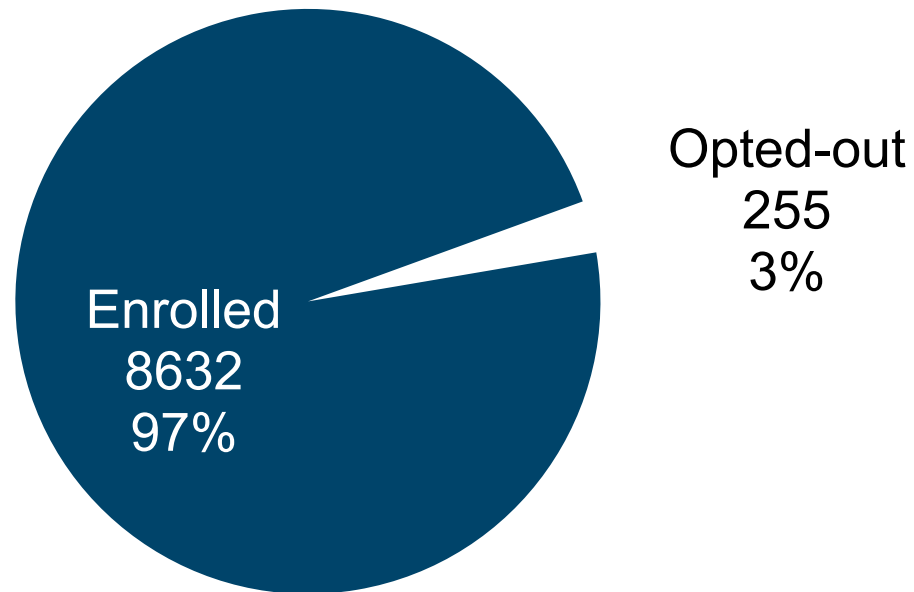
Increase workforce compensation of RECEs



(RECEs are Registered Early Childhood Educators)

CWELCC Impacts – Child Care Spaces

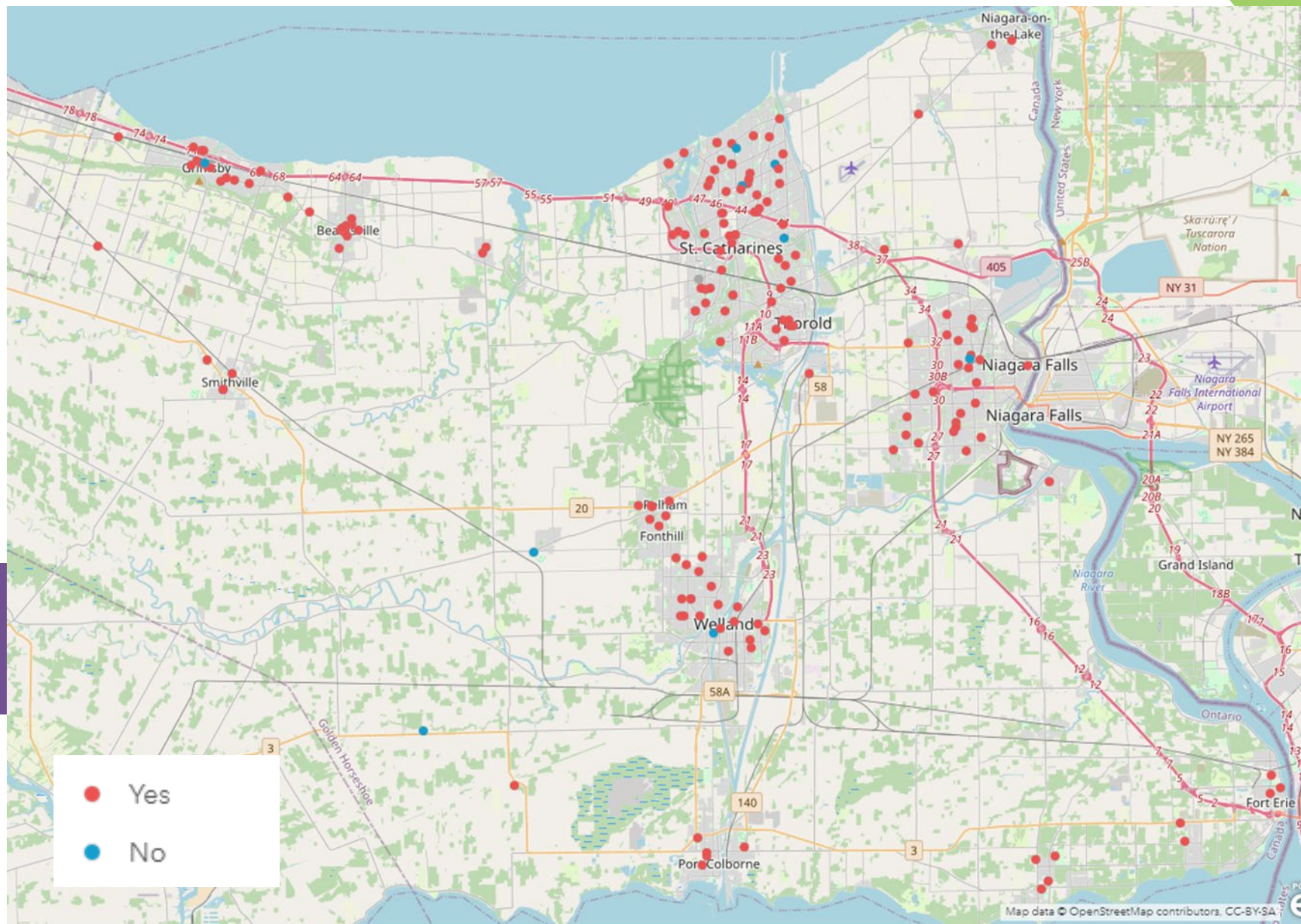
Licensed Spaces



CWELCC Impacts



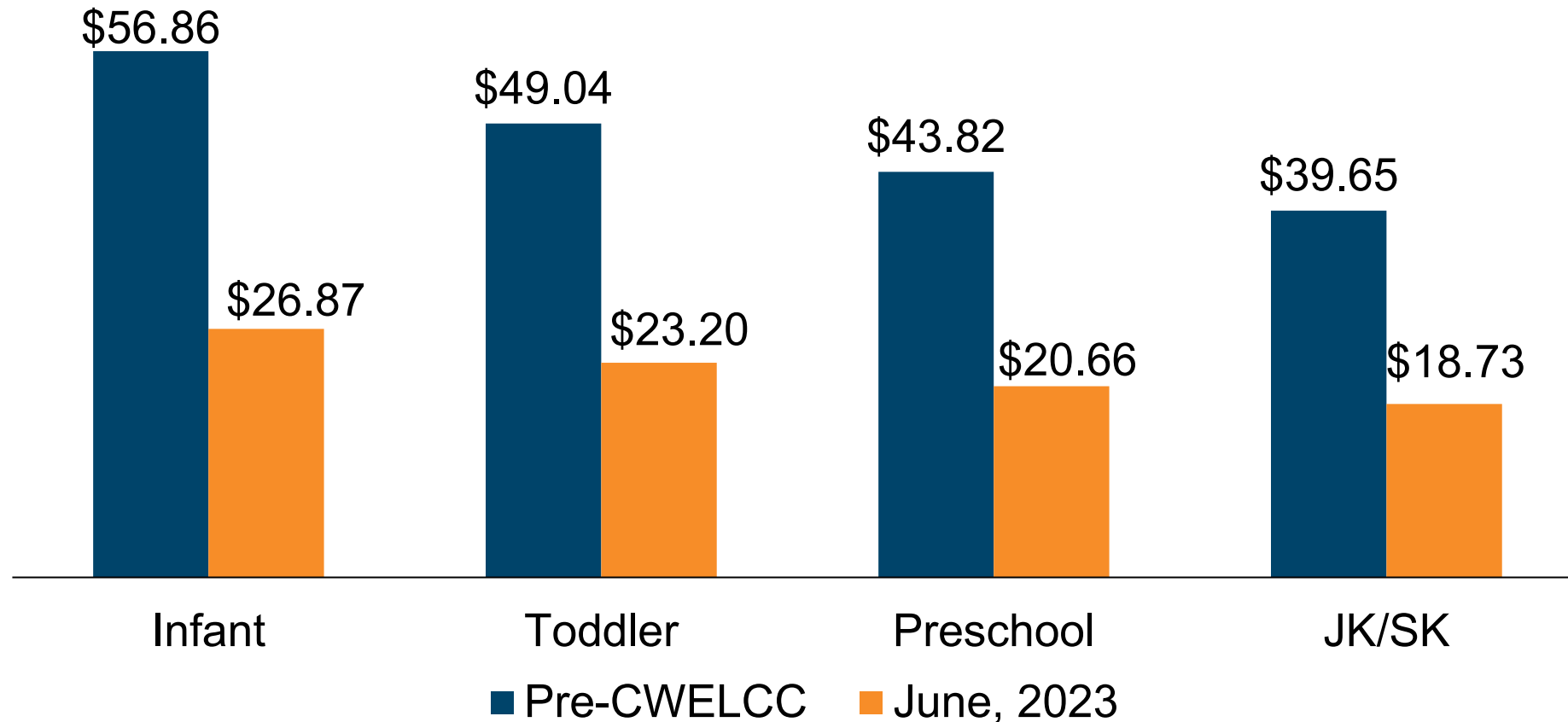
Centre Enrollment



Home Enrollment



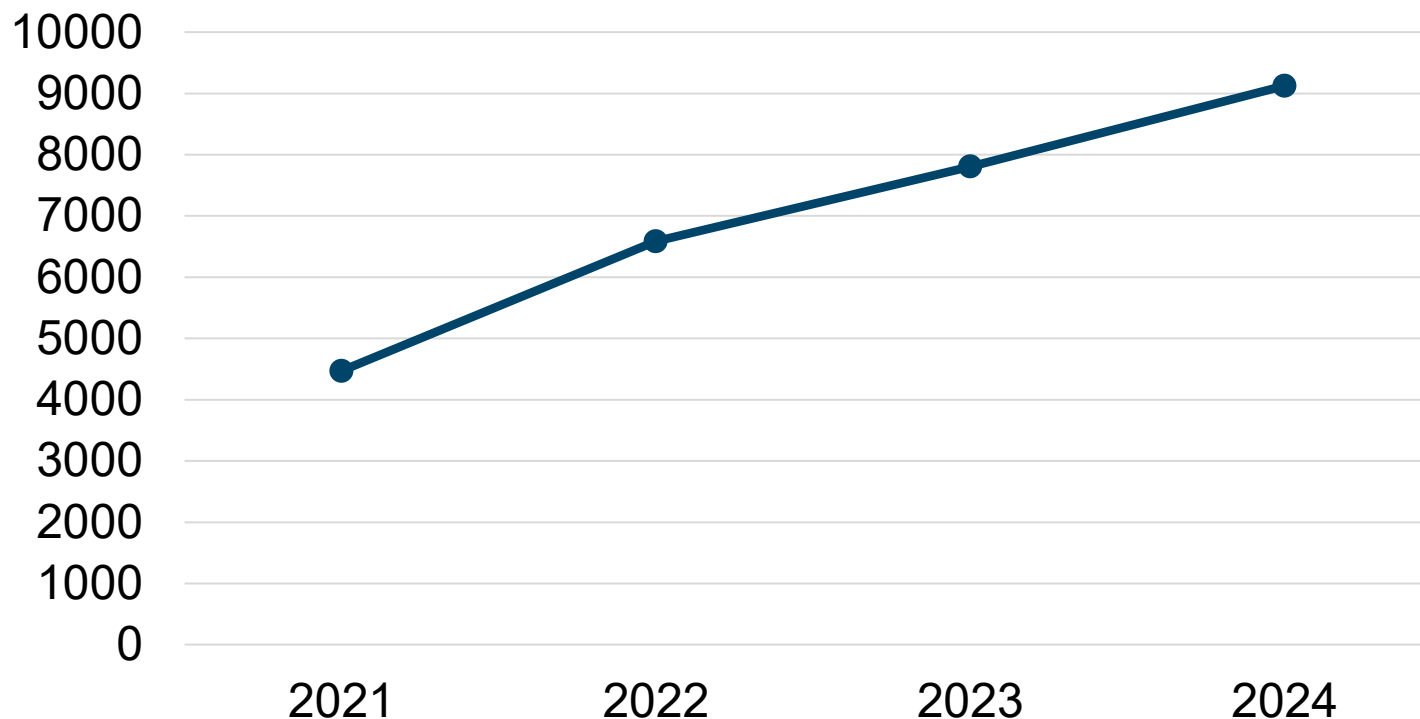
CWELCC Impacts – Average Child Care Fees



CWELCC Impacts – Increasing Demand



**CWELCC-Eligible Children on Child Care Waitlist
(OneHSN)**



**104%
increase**

CWELCC Impacts – Staffing

\$2 million Invested into the salaries of Early Childhood Educators in 2023

841 Educators benefiting from CWELCC workforce compensation



CWELCC Targeted Expansion

- CWELCC target expansion plan introduced in late 2022
- Child care expansion is targeted to provincial priorities such as: low-income families, vulnerable and diverse communities, children with special needs, Francophone families, Indigenous families and families requiring flexible care
- Expansion spaces are provided funding to support child care operators with start-up costs
- Children's Services is responsible for vetting, and approving the application for new CWELCC child care spaces

CWELCC Expansion Priority Neighbourhoods



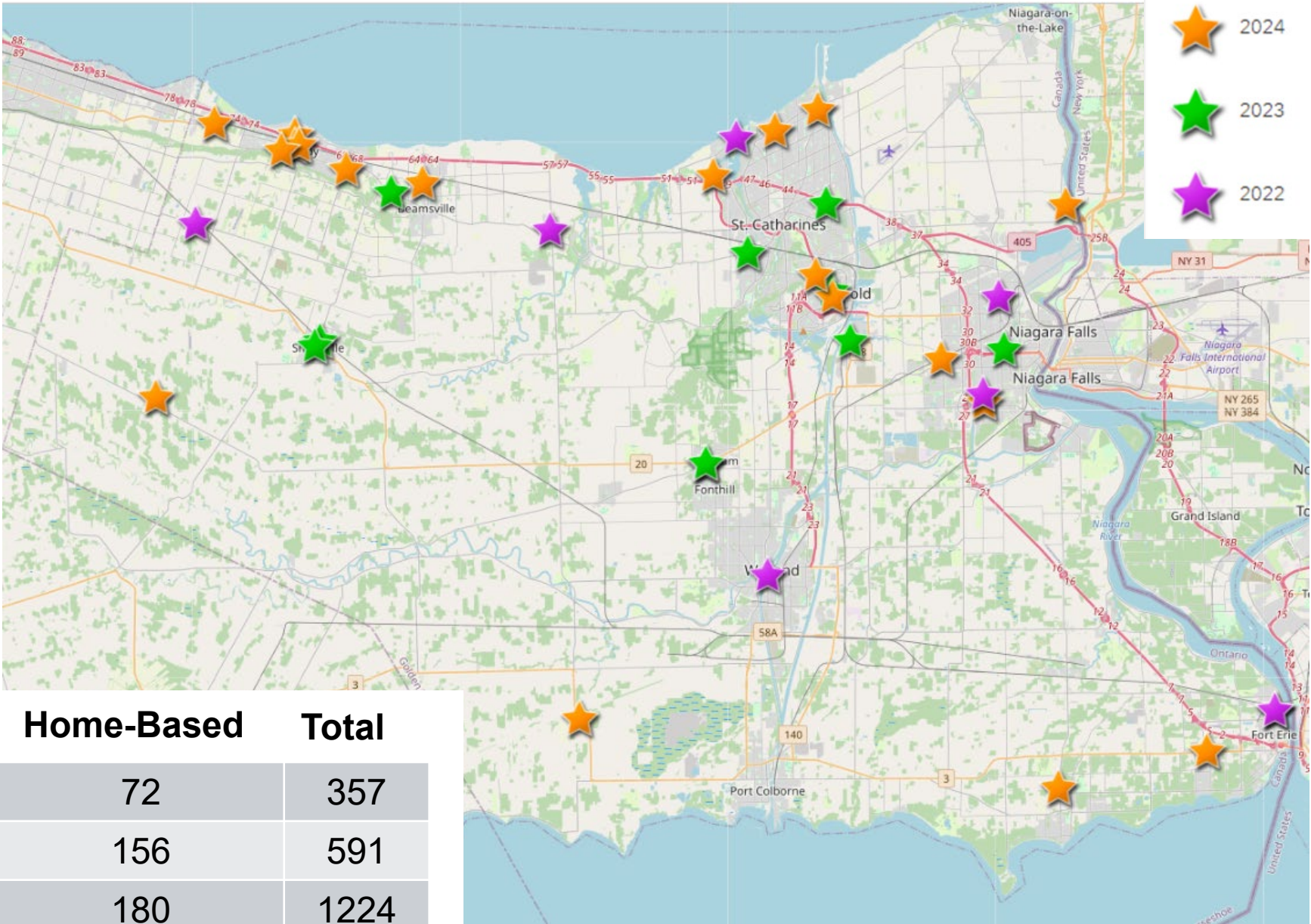
| Municipality | Community |
|----------------|--|
| Fort Erie | Stevensville, Crescent Park and Area |
| Grimsby | Casablanca and Area |
| Lincoln | North Beamsville, South Beamsville |
| Niagara Falls | Chippawa/Rural, Beaverdams |
| Pelham | South Fonthill |
| St. Catharines | New Western Hill, Queenston |
| Thorold | Thorold South/Allenburg/Port Robinson East |
| West Lincoln | South Grimsby |

CWELCC Targeted Expansion Program

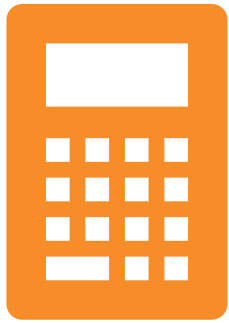


Centre Expansion Projects

| Year | Centre-Based | Home-Based | Total |
|------|--------------|------------|-------|
| 2022 | 285 | 72 | 357 |
| 2023 | 435 | 156 | 591 |
| 2024 | 1044 | 180 | 1224 |



CWELCC Challenges



**New Funding
Formula**



**Educator
Shortage**



**Limited Child
Care Spaces**

Possible Mitigation Strategies



New Funding Formula

- Feedback to the Province to ensure the funding formula meets Niagara's needs



Educator Shortage

- Provincial Workforce Strategy
- Niagara Region Recruitment and Retention Table
- Forming new partnerships



Limited Spaces

- Ongoing communication to provincial government
- Community partnerships to maximize existing spaces

Council Strategic Priorities

Effective Region

Remaining an employer of choice by transforming service delivery in a way that is innovative, collaborative and fiscally-responsible.

Green and Resilient Region

Focusing on reducing our collective carbon footprint and preparing to adapt to climate change impacts by ensuring current and future infrastructure is resilient.

Equitable Region

Providing opportunities for a safe and inclusive Niagara by listening and responding to our current community needs and planning for future growth.

Prosperous Region

Advocating with senior governments for future growth and enhancing Niagara's transportation network to help support a diverse economy by creating a Region where new and existing businesses can thrive and grow locally, nationally and internationally.

Questions

Subject: Canada-Wide Early Learning and Child Care Program Update

Report to: Public Health and Social Services Committee

Report date: Tuesday, April 9, 2024

Recommendations

1. That an update on the Canada-Wide Early Learning and Child Care program **BE RECEIVED** for information; and
2. That the addition of two (2) new permanent full-time positions in Children's Services, a CWELCC compliance position, and a Licensed Home Child Care Advisor, for a total gross cost of \$199,102 fully funded through provincial funding **BE APPROVED**, in order to meet provincial requirements for the Canada-Wide Early Learning and Child Care program.

Key Facts

- The purpose of this report is to provide an updated on the Canada-Wide Early Learning and Child Care (CWELCC) program and request approval of two (2) new permanent full-time equivalent (FTEs) as required under the Niagara Region's Corporate Delegation of Authority Policy (C-HR-005), which requires Council approval for new FTEs.
- In March of 2022, the Ministry of Education (MEDU) released information on the CWELCC program, aimed at reducing child care fees and increasing workforce compensation.
- To date, child care fees have been reduced by 52.75% across the province for child care operators that have opted in to the CWELCC program.
- The CWELCC program also seeks to enhance the compensation of the child care workforce by establishing a wage floor and providing an annual \$1 increase to eligible staff to a cap of \$22 for Registered Early Childhood Educators and \$24 for Supervisors.
- Niagara Region's has been allocated 4,067 new child care spaces to be developed by 2026. Niagara Region achieved its 2023 child care spaces expansion target of 591 spaces and has approved 81 percent of the 1,502 child care spaces allocated for 2024.

- Two (2) staffing positions are being requested to meet the provincial requirement to audit child care operators funded under the CWELCC program and support the growth of the licensed home child care service providers with the Niagara Region's Licensed Home Child Care Agency, where new homes have increased by 31 homes with the expansion plan.
- The annual estimated cost of the two (2) requested permanent positions is \$0.2M inclusive of all benefits. These costs will be 100% funded by the allocation of provincial administrative funding included in Children's Services 2024 Budget, with no impact to regional levy.

Financial Considerations

In 2024, Niagara Region received a funding allocation from the MEDU of \$108.0M, of which \$59.9M is for the CWELCC, \$48.1M is for other child care services, and \$9.5M is the regional contribution (including indirect allocations).

As noted in *COM 3-2024, Child Care and Early Years 2024 Operating Budget Adjustment* the Children's funding formula now limits administration at 5%, where the previously allowable administration amount was 10% in prior year. The Region has not fully leveraged all of the allocation of administration funding in the past, and currently is estimating to use approximately 4.5% as monies are prioritized to community child care agencies to support access and affordability to child care. While the positions being requested through this report can be accommodated within the allocation of administration funding, Children's Services remains concerned that overall reduced administrative funding with increased CWELCC expectations, will result in a further pressure to an already stretched system.

The annual estimated cost of the two (2) requested permanent positions is \$0.2M inclusive of all benefits. These costs will be 100% funded by the allocation of provincial administrative funding included in Children's Services 2024 Budget, with no impact to regional levy.

Analysis

CWELCC Implementation Update

Approximately 97 percent of the eligible licenced child care spaces or 96 percent (174 of 181) of the eligible child care licenses have enrolled into the CWELCC program in Niagara Region. For the child care operators that are participating in the CWELCC

program, the average fee of the eligible age group (0 to 6 years) has decreased from \$43.48 in March 2022 to \$29.33 in March 2024.

The second key component of the CWELCC program is workforce compensation, which establishes a wage floor for eligible staff until 2026. For 2024, the wage floor for Registered Early Childhood Educators (RECEs) is set at \$20 and at \$22 for a RECE Supervisor. According to the current CWELCC direction, the wage floor will increase to \$22 and \$24 per hour, respectively, by 2026. The workforce compensation also includes an annual \$1 increase, up to a wage cap of \$25 per hour. As noted in *COM 3-2024, Child Care and Early Years 2024 Operating Budget Adjustment*, in November 2023, the MEDU also announced an Ontario Child Care Workforce Strategy, which seeks to increase the wage of RECEs in the CWELCC program to \$23.86 per hour in 2024. Niagara Region is currently waiting provincial guidance and the associated funding to implement the provincial Workforce Strategy.

One of the key provincial requirements of the CWELCC program is for municipal service managers to undertake audits on a random sample of licensees in receipt of CWELCC funding, on an annual basis. The objective of these audits is to confirm the funding provided to the child care operator has been used to achieve the goals of CWELCC, including reduced fees and workforce compensation. In order to fulfil this provincial requirement, a new permanent full-time position is required in Children's Services. The position will be funded using provincial funding provided for the implementation of the CWELCC program and can be accommodated within the Children's Service's approved 2024 budget.

CWELCC Expansion Update

As reported in *COM-19-2023, Canada-Wide Early Learning and Child Care Expansion Plan*, in late 2022, the MEDU released information on the plan to support expansion of CWELCC eligible childcare spaces and confirmed Niagara Region's allocation of 4,067 new child care spaces, to be developed between 2022 and 2026.

Niagara Region was allocated funding to support the expansion of 357 child care spaces for 2022 and 591 child care spaces for 2023. Niagara Region has achieved the 2022 and 2023 space targets and has approved 81 percent of the 1,502 child care spaces allocated to Niagara Region for 2024. The cumulative impact of total spaces approved to date includes the addition of 1,764 new CWELCC spaces in child care centres and 408 new CWELCC spaces in licensed home child care, of which 246 new spaces are with Niagara Region Licensed Home Child Care Agency.

To accommodate the growth in number of Home Child Care Providers in licensed home child care, a new permanent full-time position, Home Child Care Advisor, is required in Children's Services. This is a mandatory role as per provincial requirements. Home Child Care Advisors have a caseload of Home Child Care Providers and are accountable for a range of mandatory functions such as monitoring compliance with Regional policies and provincial legislation, ensuring the health, safety and well-being of all children in care, acting as liaison between the family and Home Child Care Provider, coaching and mentoring the Home Child Care Provider, and supporting the enrollment of new families. The position will also be funded using provincial funding provided and can be accommodated within the approved Children's Services 2024 budget.

Alternatives Reviewed

Without the two (2) additional staff (one to support auditing requirements and one to support increased home childcare providers), Niagara Region will be at risk of not meeting provincial auditing requirements for CWELCC program, and no further expansion of licensed home child care providers with the Niagara Region Licensed Home Child Care Agency will be feasible.

Relationship to Council Strategic Priorities

Council Strategic Priority: Effective Region

Objective 1.3 – Deliver fiscally-responsible and sustainable core services

Council Strategic Priority: Prosperous Region

Objective 4.4 – Be an effective and unified voice to advocate with senior governments on behalf of Niagara

Other Pertinent Reports

- [COM 3-2024, Child Care and Early Years 2023 Operating Budget Adjustment](#)
- [COM 19- 2023 Canada-Wide Early Learning Child Care Expansion Plan](#)

Prepared by:

Satinder Klair
Director, Children's 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, Kayla Jourdan, Manager Systems Planning & Evaluation, and John Pickles, Program Financial Specialist.

Subject: Extension of Lease Agreement at 350 Ontario Street in St. Catharines

Report To: Public Health and Social Services Committee

Report date: Tuesday, April 9, 2024

Recommendations

1. That Community Services **BE APPROVED** to exercise its option to extend the existing short term Lease Agreement at 350 Ontario Street, St. Catharines from April 1, 2024 to April 1, 2025;
2. That the Commissioner of Community Services **BE AUTHORIZED** to execute the required notice to extend the term of the Lease Agreement and such other ancillary documents as negotiated by Real Estate services in a form satisfactory to the Director, Legal and Court Services, in order to complete the extension; and
3. That Real Estate services **BE DIRECTED** to complete the negotiations of the lease agreement extension and obtain Council approval through Corporate Services Committee.

Key Facts

- Seniors Services entered into a short-term Lease Agreement (“Agreement”), starting May 1, 2021, to ensure business continuity of the Seniors Community Programs Adult Day Program throughout the period of construction at the Linhaven campus.
- The landlord of the property at 350 Ontario Street, St. Catharines, is amenable to a contract extension.
- The purpose of this report is to seek Council’s approval for Community Services to exercise the option to extend the existing Lease Agreement for a one (1) year period from April 1, 2024 to April 30, 2025 (“Extension Term”) to operate the Community Programs Adult Day Program in St. Catharines.
- The Adult Day Program will transition to the Community Hub at the Linhaven campus upon completion of the redevelopment project at 403 Ontario Street.

Financial Considerations

The Seniors Community Programs Adult Day Program is funded by Ontario Health West and program user fees, with no levy contribution. This funding will cover the cost of the lease agreement extension term, therefore there are no levy implications.

Analysis

Seniors Services is currently in the process of completion of two redevelopment projects. The construction work has had some impact on access to existing services including the Adult Day Program space at Linhaven. To ensure business continuity and the safety of clients coming into the program, the Adult Day Program was transitioned into an off-site location at the onset of construction. With the completion of the construction project, the Adult Day Program will transition to the new Community Hub, co-located within the new Linhaven facility.

Seniors Services worked in collaboration with Corporate Services, Real Estate, to identify appropriate temporary space for the duration of the construction period. To support business continuity for the full duration of the project (including related parking lot work) the term of the Lease Agreement needs to be extended.

The landlord at the site location is amenable to a lease agreement extension. The lease agreement includes an opportunity to terminate the Agreement in the event that Adult Day Program can transition into the Community Hub sooner than expected.

The cost of the Term Extension can be accommodated through current funding by Ontario Health West, within the approved 2024 budget.

Alternatives Reviewed

Seniors Services, in collaboration with Real Estate explored a range of potential space options. The current location was deemed most appropriate given accessibility, close proximity to Linhaven, availability of space for the time frame it was required, program continuity and cost of space.

Relationship to Council Strategic Priorities

Council Strategic Priority: Effective Region

Objective 1.3 Deliver fiscally responsible and sustainable core services.

Other Pertinent Reports

- Public Health and Social Services Presentation, Long-Term Care Redevelopment, June 6, 2023

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 Frank Fucile, Manager Real Estate,
Jordan Gamble Program Financial Analyst.

Memorandum

COM-C 3-2024

Subject: Seniors Services LTC Homes Volunteer Update
Date: April 9, 2024
To: Public Health and Social Services Committee
From: Henri Koning, Director, Seniors Services

2023 Seniors Services Volunteer Update

Seniors Services is grateful for, and values, the volunteer contributions made by members of the public, community groups and students. Volunteers support a wide range of programs across the eight long-term care (LTC) homes including mealtime assistance; friendly visiting; pet visits; recreation programs such as cards and games, bingo, special meals and entertainment; pastoral visits; church services; and other meaningful activities. Volunteers also provide services such as palliative care support, operate tuck shops, add to the beauty of our gardens, assist in our hair salons, and help to coordinate fundraising events. Volunteers make an invaluable difference to the lives of all the residents of the Niagara Region long-term care homes, and we are so appreciative of their dedication and ongoing support.

In 2023, 940 individuals volunteered their time to Seniors Services including 124 volunteers and 816 students. Combined they provided 208,674 hours of support.

The volunteer pool in Seniors Services has gradually decreased over time as public interest in volunteering in the long-term care sector appears to have decreased since the pandemic. Seniors Services is currently working on re-building the volunteer pool that is so instrumental to the resident experience in long-term care homes. Seniors Services is piloting a new volunteer coordination role, fully funded by the Ministry of Long-Term Care. This role will implement a new volunteer database and tracking program called “Better Impact” to introduce a marketing and recruitment strategy that encompasses all municipally operated long-term care homes and streamline processes to help improve the onboarding experience of new volunteers.

Volunteers truly make a difference in the lives of residents who call the Region's LTC homes "home". The theme for the 2024 National Volunteer Week (April 14-20, 2024) is "Every Moment Matters" which highlights the importance of every volunteer and each contribution they make at a moment when we need support more than ever.

Harold Arp, Linhaven resident, Residents' Council President and Volunteer sums this up perfectly, "My volunteer role at Linhaven Home brings so much joy to my life. I am able to connect with others in a truly meaningful way and build lasting relationships. It also gives me the opportunity to use my skills and expertise back to the place that I call home. As a resident, I see meaningful moments, connections and relationships that are built with our volunteers. Our volunteers are irreplaceable in our homes, but also in our hearts."

Respectfully submitted and signed by

Henri Koning, MHSc
Director, Seniors Services



Mailing Address:
P.O. Box 344
Thorold ON L2V 3Z3

Phone: 905-682-9201
Toll Free: 1-800-232-3292
(from Grimsby and beyond Niagara region only)

Street Address:
Campbell East
1815 Sir Isaac Brock Way
Thorold ON

Main Fax: 905-687-4844
Fax – Applications: 905-935-0476
Fax – Contractors: 905-682-8301
Web site: www.nrh.ca

March 18, 2024

Ann-Marie Norio, Regional Clerk
Niagara Region
1815 Sir Isaac Brock Way
Thorold, ON L2V 4T7

Dear Ms. Norio,

At a special emergency meeting held March 15, 2024, the Niagara Regional Housing Board of Directors passed the following motion as recommended in attached report NRH 2-2024:

Recommendations

Staff Recommend that the Board of Directors **APPROVE** the following:

1. That Niagara Regional Housing Board of Directors approve the single sourcing of emergency interior sewer work at 4278 Queen Street in Beamsville, due to the inherent disruption to the community;
2. That Niagara Regional Housing Board is hereby authorized to enter into all such agreements as may be necessary to remediate the emergency interior sewer work, in the name of Niagara Regional Housing, and the Chief Executive Officer is authorized to execute all such agreements;
3. That this report be **FORWARDED** to Niagara Region Public Health and Social Services Committee for information at the meeting of April 9, 2024.

Your assistance is requested in moving report NRH 2-2024 through proper channels to PHSSC on April 9, 2024.

Sincerely,

Councillor Gary Zalepa
Chair

Subject: Single Source Emergency Plumbing Work

Report to: Niagara Regional Housing (NRH) Board of Directors

Report date: Friday, March 15, 2024

Recommendations

Staff Recommend that the Board of Directors **APPROVE** the following:

1. That Niagara Regional Housing Board of Directors approve the single sourcing of emergency interior sewer work at 4278 Queen Street in Beamsville, due to the inherent disruption to the community;
2. That Niagara Regional Housing Board is hereby authorized to enter into all such agreements as may be necessary to remediate the emergency interior sewer work, in the name of Niagara Regional Housing, and the Chief Executive Officer is authorized to execute all such agreements;
3. That this report be **FORWARDED** to Niagara Region Public Health and Social Services Committee for information at the meeting of April 9, 2024.

Key Facts

Over the last year there has been an increase in the number of drain flies that have been coming through the drainpipes into the various units on the first floor. Some units have had a substantial increase in the amount entering their units than others. Pest control have gone and sprayed each unit on several occasions with short term success. However, the problem still exists and last year we undertook an investigation to determine the existing conditions, cause of the drain flies and try to achieve a workable solution. The difficulty was trying to engage Environmental Consulting Firms, as this situation was unique to them and posed concerns in the investigations and developing a viable solution.

Eventually, we did retain a Consulting Firm to undertake an investigation, including the saw cutting (approx. 3ft x 3ft opening) of the ground floor concrete slab in the residential hallway and a visual inspection. Once the opening was made, we did retain a plumbing firm to camera the sewer line to determine if there were any breaches.

The crawlspace was approximately 5 ft wide x 3 ft high and ran the entire length of the building. When the concrete was removed there were hundreds of drain flies escaping out from the crawlspace and there was an extreme stench of sewage. Looking down into the crawlspace there was visible sewage and liquid ponding on the gravel grading. The sewage was tested by a certified laboratory and the results confirmed that it was human feces. A camera was placed inside the pipe; no visible breaches were noted on the photograph, however, there was a lot of sewage stagnant in the line making it a breeding ground for drain flies. It was also noted that there was some secondary piping that was leaking into the crawlspace. The existing cast iron piping was found to be in poor condition (original) and undersized (4" should be 6") which contributed to the problem. At this time, we did flush out the piping (sewage) and treated the units again. This was only a temporary fix until a permanent solution is developed.

Currently, the drain flies have returned and are being seen in the units again. NRH has treated them for now and the consultant has stated the following emergency work:

- Cut the concrete floor slab to create 5-6 openings in the entire hallway to expose the crawlspace (confined workspace as per Ontario regulations)
- Structural support the existing structure.
- Vacuum the existing sewage/gravel (vacuum truck) within the crawlspace to a depth where contamination is no longer present.
- Place new gravel and pour a concrete slurry mix on the floor of the entire crawlspace.
- Replace all piping in the crawlspace including hangers, cleanouts, backflow preventors, etc.
- Install new concrete at every opening in the hallway and 2 access ports.
- Install new flooring, paint walls, repair drywall, etc.

Financial Considerations

With the number of tenants and staff complaining that there are drain flies again it is imperative that we get this work done. An investigation was conducted on Wednesday March 13, 2024 and indicated a sewage backup had occurred again. This is likely due to the interior "pitting" (creating a very rough interior surface) of the cast iron pipe thus having waste get caught on it. The process of design, tendering and award will take 1-2 months to complete.

NRH would like to get approval for single sourcing this emergency work. A contractor has given budget numbers of \$500,000.00 - \$600,000.00, however, due to some of the

unknown (i.e., depth of contamination, secondary piping deterioration, etc.) the cost may increase. NRH could have the work start as early as next week and will certainly monitor the work very closely to ensure all costs are reviewed, certified and in compliance with the consultant recommendations.

The funding for this project will come from the approved 2024 Capital budget.

Relationship to Board and Council Strategic Priorities

This initiative is linked to Niagara Regional Housing's strategic plan, more specifically to:

1.4 Ensure efficient service delivery.



Submitted by:
Cameron Banach
Director Housing Services / CEO of
Niagara Regional Housing



Approved by:
Gary Zalepa
Chair, NRH

This report was prepared in consultation with Fred Elbe, Capital Works Program Manager.

Memorandum

COM-C 5-2024

Subject: Urgent Service Manager Notification – Niagara
Date: April 9, 2024
To: PHSSC
From: Cameron Banach

Attached is correspondence from the Province of Ontario regarding Federal Housing Grants (Appendix 1), and a potential reduction in funding of \$355 million to the province, and then by agreement, to programs administered by municipal service managers. Additionally, correspondence from the Association of Municipalities of Ontario (AMO) (Appendix 2), is also included, as AMO reports on its efforts to communicate significant concern about any potential loss of funding.

The potential reductions noted in this correspondence are related to the 2024/2025 funding under Ontario Housing Priorities Initiative (OHPI), Canada Ontario Housing Initiative (COCHI), and Canada Ontario Housing Benefit (COHB). Municipal staff have been asked to share the potential impacts of this funding loss with the provincial government, and have been advised that meetings are ongoing between the province and the federal government.

Once the final decisions are made related to this program, and the implications of those decisions are understood for Niagara, staff will provide information to committee and council.

Respectfully submitted and signed by

Cameron Banach
Director Housing Services / CEO of
Niagara Regional Housing

Appendix 1 – Urgent Service Manager Notification - Niagara

Appendix 2 – GC HIC LTR AP National Housing Strategy Funding 2024-03-26 FINAL

**Ministry of
Municipal Affairs
and Housing**

Office of the Minister
777 Bay Street, 17th Floor
Toronto ON M7A 2J3
Tel.: 416 585-7000

**Ministère des
Affaires municipales
et du Logement**

Bureau du ministre
777, rue Bay, 17^e étage
Toronto ON M7A 2J3
Tél. : 416 585-7000



234-2024-1413

March 25, 2024

Mr. Cameron Banach
Director, Housing Services/Chief Executive Officer NRH
Regional Municipality of Niagara
1815 Sir Isaac Brock Way, P.O. Box 344
Thorold, ON L2V 3Z3

Dear Mr. Banach:

Late last week, I received a letter from federal Minister Sean Fraser regarding Ontario's National Housing Strategy (NHS) Action Plan. The Minister has indicated that the federal government is cutting \$355 million in funding that goes to support the most vulnerable in our province.

The federal government has disagreed with the 11,529 community housing units that Ontario proposed to count towards the overall provincial target of building 19,660 new rent-assisted units as part of its NHS Action Plan. In doing so, they are refusing to recognize the important contributions made by Ontario's service managers to grow the provincial community housing stock while balancing other critical housing priorities, including the significant repair backlog.

As a result, the federal government is forcing the province to revisit the way we fund service managers in order for them to demonstrate greater progress against meeting our target. This directly impacts our ability to provide service managers with the autonomy and flexibility they need to address local housing priorities.

We believe this is unacceptable as we know that the flexibility provided to our service managers to spend money on local priorities leads to better outcomes for Ontarians.

Additionally, the federal position on NHS funding does not reflect some major factors that should be taken into account – factors that Ontario has repeatedly brought to the attention of the federal government. Since the NHS targets and outcomes were agreed to in April 2018, the economic landscape has shifted dramatically with the rising costs of building materials, supply chain disruptions, gaps in the labour market, and most of all, higher interest rates.

... /2

The federal position also does not consider the importance of ensuring that the current social housing stock is there for the many households that need it most through our focus on repairing and renovating units. While it is important to grow the stock, it is equally, if not more crucial, to ensure it does not shrink due to units that cannot continue to be offered because of deferred repairs and renovations.

Ontario's stock is the oldest in the country and in the greatest need for additional investment in repairs and renovations. A January 2024 report from the Housing Services Corporation reviewed 86,000 of Ontario's social housing units and found that more than 25,800, or 30% of these units, are at risk of being in critical condition by 2035 based on the Facilities Condition Index. By focusing on the repair backlog, Ontario has successfully staved off the risk to both affordability and availability of units for tens of thousands of families and overachieved on the NHS repairs target. In fact, we have effectively exceeded the overall nine-year repairs target by 170% to date.

Given the age of Ontario's stock, we question the federal government's singular focus on achieving a new supply target while adhering to a low repairs target, both of which were set more than 5 years ago. This approach would amount to gross negligence on our part as the stock would be at risk of deteriorating to a point where, over time, more units could be lost unnecessarily compared to how many are to be created by way of the 15% expansion target. Our approach, on the other hand, continues to support the financial and physical viability of the social housing stock over time, while also respecting the independence and autonomy of our service managers.

I have written back to Minister Fraser and have asked that he consider a revised NHS Action Plan that identifies solutions to address these concerns while not cutting crucial funding that you as service managers depend on.

To date, I have not received a response, as such I am writing to you today to inform you that there may be a significant impact in funding starting on April 1st.

We hope that the federal government will reconsider the approach they have chosen and come to the table as partners so that we can get to a resolution that will not put the most vulnerable Ontarians at risk.

Sincerely,



Hon. Paul Calandra
Minister of Municipal Affairs and Housing

- c. Michael Klimuntowski, Chief of Staff, Ministry of Municipal Affairs and Housing
Martha Greenberg, Deputy Minister of Municipal Affairs and Housing
Angela Cooke, Assistant Deputy Minister, Ministry of Municipal Affairs and Housing

Sent by email to: minister-ministre@info.gc.ca

March 26, 2024

The Honourable Sean Fraser
Minister of Housing, Infrastructure and Communities
180 Kent St.
Ottawa, ON
K1P 0B6

Dear Minister Fraser,

I am writing today on behalf of Ontario's municipalities to urge against any cuts to federal funding for affordable housing. AMO members were deeply concerned to learn last week that your government is considering withholding almost \$355 million in funding under the National Housing Strategy. This would have devastating impacts on low-income families and individuals, and further exacerbate the housing crisis across the province.

Ontario's municipalities share your government's commitment to increasing the supply of deeply affordable, community, and supportive housing. It is a critical part of addressing the homelessness crisis that is undermining the health, social and economic foundations of families, communities and businesses across the country.

We also agree that these systemic issues decades in the making can only be solved if all three orders of government come together and contribute to solutions. As you are aware, Ontario municipalities are unique within Canada regarding our housing responsibilities, with the 47 municipal Service Managers and District Social Services Administration Boards (DSSABs) directly responsible for housing and homelessness.

Municipalities and DSSABs rely heavily on National Housing Strategy funding to make critical investments to both preserve the existing social housing stock and create new supply.

Despite these investments, the current community housing landscape in Ontario remains a significant challenge. As the provincial government has rightly pointed out, Ontario has the among the oldest stock in the country with a significant capital repair backlog, putting many existing units at risk.

Ultimately, we need to fundamentally re-think the way we fund community housing in Ontario and in Canada. But the answer is not unexpected funding cuts in the middle of a homelessness crisis. AMO urges you to work with the provincial government to develop an NHS Action Plan that works for all parties without penalizing Ontario's most vulnerable. Ontario's municipalities stand ready to work in partnership.

AMO has been eager to meet with you to talk about housing and infrastructure in Ontario, and we would welcome the opportunity to do so at your earliest convenience.

Sincerely,



Colin Best
President, Association of Municipalities of Ontario
Regional Councillor, Halton Region

Cc: The Honourable Paul Calandra, Ontario Minister of Municipal Affairs and Housing
Martha Greenberg, Deputy Minister, Ontario Ministry of Municipal Affairs and Housing
Kelly Gillis, Deputy Minister, Housing, Infrastructure and Communities

Minute Item No. 6.1

CSD 8-2024

**Municipal Insurance Program Renewal Update and Options for 2024-2025
Renewal**

That Report CSD 8-2024, dated April 10, 2024, respecting Municipal Insurance Program Renewal Update and Options for 2024-2025 Renewal, **BE RECEIVED** and the following recommendation **BE APPROVED**:

1. That Staff **BE AUTHORIZED** to negotiate a renewal with Niagara Region's existing Broker/Insurer, Marsh Canada Limited ("Marsh") on behalf of Niagara Region, Niagara Regional Police Service ("NRPS") and Niagara Regional Housing ("NRH") for an additional one-year policy term for the period November 1, 2024 to November 1, 2025, and that the CAO be authorized to execute any required agreements and documentation for purposes of the extension, subject to available budget.

**THE REGIONAL MUNICIPALITY OF NIAGARA
CORPORATE SERVICES COMMITTEE
MINUTES**

CSC 4-2024

Wednesday, April 10, 2024

**Council Chamber - In Person and Electronic Meeting
Niagara Region Headquarters, Campbell West
1815 Sir Isaac Brock Way, Thorold, ON**

Committee: Bateman*, Bradley (Regional Chair)*, Campion, Davies*, Foster (Committee Chair), Gale, Ganann*, Grant*, Heit, Redekop*, Secord, Siscoe*, Whalen (Committee Vice-Chair), Zalepa*

Other Councillors: Sorrento*

Absent/Regrets: Diodati, Ip

Staff: A. Basic, Legislative Coordinator, H. Furtado, Director, Financial Management & Planning/Deputy Treasurer, D. Gibbs, Director, Legal & Court Services, T. Harrison, Commissioner/Treasurer, Corporate Services, R. Hill, Legislative Assistant, B. Menage, Director, Procurement & Strategic Acquisitions, A.-M. Norio, Regional Clerk, D. Pasto, Risk Management Program Manager, R. Tripp, Chief Administrative Officer

* indicates members who participated electronically, all other members participated in person

1. CALL TO ORDER

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

2. LAND ACKNOWLEDGEMENT STATEMENT

Committee Chair Foster read the Land Acknowledgement Statement.

3. DISCLOSURES OF PECUNIARY INTEREST

There were no disclosures of pecuniary interest.

4. PRESENTATIONS

There were no presentations.

5. DELEGATIONS

There were no delegations.

6. ITEMS FOR CONSIDERATION

6.1 CSD 8-2024

Municipal Insurance Program Renewal Update and Options for 2024-2025 Renewal

Moved by Councillor Grant
Seconded by Councillor Heit

That Report CSD 8-2024, dated April 10, 2024, respecting Municipal Insurance Program Renewal Update and Options for 2024-2025 Renewal, **BE RECEIVED** and the following recommendation **BE APPROVED**:

1. That Staff **BE AUTHORIZED** to negotiate a renewal with Niagara Region's existing Broker/Insurer, Marsh Canada Limited ("Marsh") on behalf of Niagara Region, Niagara Regional Police Service ("NRPS") and Niagara Regional Housing ("NRH") for an additional one-year policy term for the period November 1, 2024 to November 1, 2025, and that the CAO be authorized to execute any required agreements and documentation for purposes of the extension, subject to available budget.

Carried

7. CONSENT ITEMS FOR INFORMATION

There were no consent items for information.

8. OTHER BUSINESS

8.2 Internal Audit Structure

Councillor Gale raised concerns respecting the internal audit structure at Niagara Region in comparison to other municipalities and suggested a review be undertaken. Committee Chair Foster advised that a motion would be required to direct staff to undertake such a review.

8.1 Lobbyist Registry

Councillor Gale raised concerns regarding the Lobbyist Registry By-law respecting the Procurement By-law exclusion (section 4.1(e)(i)). Ann-Marie Norio, Regional Clerk, advised that this is being reviewed and confirmed that the exclusion is related to lobbying during an active procurement.

8.3 Correspondence to Council

Councillor Bateman enquired about the procedure related to correspondence provided to Council. Ann-Marie Norio, Regional Clerk, advised that correspondence is provided to Council in a variety of ways such as through Council and Committee Agendas and Councillor Weekly Correspondence Distribution (CWCD).

8.4 Declaration of State of Emergency - Solar Eclipse

Councillor Gale requested information on the State of Emergency that was declared for the Solar Eclipse on April 8, 2024, including why it was deemed necessary and who was part of the decision-making process.

9. **CLOSED SESSION**

Committee did not resolve into closed session.

10. **BUSINESS ARISING FROM CLOSED SESSION**

10.1 Confidential Appendix I to Report CSD 8-2024

A Matter of Security of the Property of the Municipality pursuant to Section 239(2)(a) of the Municipal Act, 2001 - Update regarding Cyber Coverage

Moved by Councillor Campion
Seconded by Councillor Siscoe

That Confidential Appendix 1 to Report CSD 8-2024, dated April 10, 2024, respecting A Matter of Security of the Property of the Municipality pursuant to Section 239(2)(a) of the Municipal Act- Update regarding Cyber Coverage, **BE RECEIVED.**

Carried

11. **NEXT MEETING**

The next meeting will be held on Wednesday, May 8, 2024, at 9:30 a.m. in the Council Chamber, Regional Headquarters.

12. ADJOURNMENT

There being no further business, the meeting adjourned at 10:04 a.m.

Councillor Foster
Committee Chair

Azra Basic
Legislative Coordinator

Ann-Marie Norio
Regional Clerk

Subject: Municipal Insurance Program Update and Recommendations for 2024-2025 Renewal

Report to: Corporate Services Committee

Report date: Wednesday, April 10, 2024

Recommendations

1. That Staff **BE AUTHORIZED** to negotiate a renewal with Niagara Region's existing Broker/Insurer, Marsh Canada Limited ("Marsh") on behalf of Niagara Region, Niagara Regional Police Service ("NRPS") and Niagara Regional Housing ("NRH") for an additional one year policy term for the period November 1, 2024 to November 1, 2025, and that the CAO be authorized to execute any required agreements and documentation for purposes of the extension, subject to available budget.

Key Facts

- The purpose of this report is to seek Council approval, pursuant to Section 19(a)(vi) of the Procurement By-law, to negotiate an additional one-year renewal term with Marsh to secure insurance coverage for the 2024-2025 renewal period on behalf Niagara Region, NRPS and NRH.
- A further one-year extension for the 2024-2025 renewal period will allow time for: the completion of Property Inspection and Loss Control Reports for key Niagara Region locations which will afford critical information to support future renewals; the market to further stabilize and improve capacity; and, for Staff to continue to research alternative coverage and procurement options for Council to consider for the following 2025-2026 insurance renewal period.
- In accordance with the Council approval of CSD 13-2022, Staff exercised the last one-year option to renew with Marsh for the 2023-2024 renewal period, and was able to bind coverage for Niagara Region, NRPS, and NRH commencing November 1, 2023, for similar and improved coverages compared to the previous policy term for a modest overall premium increase.
- The insurance premium for November 1, 2023 to November 1, 2024, is \$2,441,443 (inclusive of non-recoverable 8% PST where applicable) compared to the last term's premium of \$2,341,003.
- In addition, the proposed extension will give NRH the opportunity to benefit from participation in the combined insurance program with Niagara Region and NRPS for another year.

- A Confidential Appendix to this Report is provided regarding cyber coverage.

Financial Considerations

The total cost of the premium for November 1, 2023 to November 1, 2024, is \$2,441,443 (inclusive of non-recoverable 8% PST where applicable) which is within the approved 2023/2024 budgets.

Given the term of the premium, it is funded by the budgets of two fiscal years; namely the months of November and December 2023 were funded from 2023 budget and the months of January to October 2024 are funded from the 2024 budget.

The 2024 budget also includes funding for an estimated increase for the months of November and December 2024 that are part of the subsequent renewal process for the 2024-2025 term of insurance. Staff believe there is sufficient funding within the approved 2024 budget for the above noted two months. In addition, Staff believe the 2024 budget can accommodate the increases in premium that are anticipated to result from additional assets being added to the Region's property portfolio (namely the 2 new long-term care home facilities being constructed) and increased property values that may arise from the multiple Building Condition Assessment Reports and pending Property Valuations and Loss Control Reports currently underway.

The approved budget for the 2024 fiscal year is \$2,968,264 compared to \$2,418,106 for 2023, due to the factors outlined above.

Analysis

November 1, 2023 to November 1, 2024 Insurance Renewal Update

On May 19, 2022, by approval of Report CSD 13-2022, Council authorized Staff to negotiate with Niagara Region's existing Broker/Insurer, Marsh in order to secure an insurance agreement extension on behalf of Niagara Region, NRPS and NRH for up to two additional one-year policy terms, and further authorized the CAO to execute any required agreements and documentation for the purposes of the extension, subject to available budget.

For the 2023-2024 renewal, Staff worked extensively with Marsh and its insurance providers to secure favourable terms at a modest premium increase which included improved coverages and reduced deductibles for certain coverages. On October 30, 2023, Staff obtained CAO approval and was able to bind the 2023-2024 insurance

program for Niagara Region, NRPS and NRH commencing November 1, 2023, for an annual premium of \$2,441,443.48 (inclusive of non-refundable 8% PST where applicable). A Confidential Appendix to this Report is provided regarding cyber coverage.

Current Market Conditions

As reported in CSD 13-2022, the independent external consultant retained by the Region with expertise in insurance, Axxima Insurance Services (“Axxima”) noted the Region experienced difficulties with the competitive procurement of insurance which is indicative of the overall current market experience. This continues to be the case and relates directly to a “hard market” for insurance stemming from reduced available capacity, and more stringent underwriting requirements by insurers. Axxima also recommended that the Region revisit the approach it has historically taken of procuring insurance on a frequent basis and in the same manner as other services; given that the short-term savings it yielded were rapidly eroded by retained losses, pricing volatility, and diminishing coverages relative to other municipal insureds who have remained with a single carrier over a longer period.

Recent communications with insurance market experts and other comparator municipalities across the Province, including regional municipalities, confirmed they continue to experience significant challenges resulting from the volatility of the market conditions and the reduction in available insurance providers. As such they are also exercising caution in their current approach to securing insurance (e.g. longer term renewals up to 5 to 10 years to promote greater certainty and stability) and are reviewing available options and alternatives.

Reasons for Extension

In consideration of the above and Niagara Region’s experience with the most recent renewals: pursuant to Section 19(a)(vi) of the *Procurement By-law*, Staff recommends the negotiation of an additional one-year renewal term with Marsh to secure insurance coverage for the 2024-2025 renewal period on behalf Niagara Region, NRPS and NRH. Staff believe that an additional one-year renewal term would be more effective than proceeding with a competitive process at this juncture for the following reasons:

- Leveraging the certainty and stability Niagara Region is now realizing with Marsh is consistent with the advice previously provided by Axxima and the approach being taken by comparator municipalities. Although there is some indication the market is improving; capacity issues and rate increases are still being experienced across the municipal sector and other areas. The municipal market is still a difficult sector to insure due to the inherent risk complexity. In addition, due to shortage of markets and capacity issues, competitive procurement of insurance services does not necessarily result in multiple cost-efficient bid submissions. This was the case in 2020 for Niagara Region (as previously reported to Council - Confidential CSD 54-2020) and continues to be the case for other municipalities who either recently competitively procured or (if exempted from their Procurement By-Law) informally solicited insurance service quotes.
- Consistent with the direction to Staff as part of CSD 13-2022, Staff have been seeking improved data with respect to Regional assets and property; and to that end competitively procured a consultant to complete Property Inspection and Loss Control Reports for key Niagara Region locations. Given the scope and scale of the Region's asset portfolio, allowing this additional time will increase the number of assets the consultant is able to complete reports for, to enhance the Region's property data information to benefit future insurance procurement processes.
- NRH will continue to benefit from enhanced coverages and lower premiums by remaining part of the combined municipal insurance program with Niagara Region and NRPS provided the Region renews with Marsh for an additional year. This is by reason of the following:
 - HSC is a non-profit corporation that is mandated by the *Housing Services Act* to provide and manage a group insurance program for prescribed social housing providers. The HSC Group Insurance program is administered through Marsh.
 - NRH has historically sought quotes during the renewal process both as part of Niagara Region's municipal program and the HSC Group Insurance program and has found the inclusion within Niagara Region's Region municipal program to offer more favourable coverages at lower premiums (for example HSC has previously offered \$35M Property Limits vs \$300M which Staff are able to secure by renewing the Region's current municipal program with Marsh).
 - The Region's current municipal provider Marsh (formerly JLT) is also the provider under HSC Group Insurance program as noted above. Marsh (after acquiring JLT) grandfathered in the practice of including NRH when quoting for the Region's municipal insurance program. However, Marsh

recently advised that the next time Niagara Region competitively procures its municipal insurance program, it can no longer honour this practice at which point NRH may be required to seek insurance under the HSC Group Insurance program. In canvassing the market and other municipalities informally, it is Staff's understanding that outside of the HSC Group Insurance program there may only be one other provider who offers social housing coverage, but it is on a limited basis.

- The proposed strategy provides Staff additional time to continue to research other alternative coverage and procurement options for Council to consider for the 2025-2026 insurance renewal period; including but not limited to the following:
 - Options being canvassed by the risk management working group under the Local Authority Services (LAS) Working Group created by AMO which is conducting a feasibility study on alternative insurance offerings for municipalities, including joint procurement, reciprocal, captive and an insurance pool. Staff participates in this risk management working group which meets quarterly. Staff understand that an update regarding the feasibility study and next steps is being targeted for later in Q1 2024.
 - Consideration of the potential benefits of shifting the annual insurance renewal date from November 1 to January 1 to harness greater market capacity.
 - Assessment of the option of consolidation of the Niagara Transit Commission (NTC) insurance program with the municipal insurance program (as to whether it is an approach that staff would recommend the consideration of NTC and the Region). A consolidation could entice certain markets to quote on transit if they are also quoting on the municipal insurance program given that insurers are less likely to take on a new stand-alone transit account due to its risk profile if they are not already insuring the municipal program. Given the recency of the NTC assuming operational responsibility for transit (effective January 1, 2023) and the lack of substantive claims history (pre-consolidation) to draw upon, Staff recommend additional time to review this.
 - Alternative non-binding or multi-phased competitive processes such as Request for Prequalification to allow Broker/Insurers greater flexibility to secure a municipal insurance program for Niagara Region without having to tie up or block multiple markets; or, the use of a negotiated RFP process that incorporates best and final offer (BAFO) approach.

- Revisiting duration of contract for risk and insurance services, for example a term of 5 years or more noting that the general consensus of comparator municipalities canvassed by Staff is that most procure for a minimum of 5 years or longer.

Subject to Council approval of this Report, Staff will seek the renewal with Marsh for the 2024-2025 term, subject to available budget, and will continue to undertake research and necessary steps as outlined above and report back to Council on options for future renewals targeting Q1 2025.

Alternatives Reviewed

Staff reviewed the option of commencing a competitive procurement process in 2024. However, due the reasons outlined above, including the previous consultant report, prevailing market conditions and the favourable negotiated renewal terms experienced by the Region in 2022-2023 and 2023-2024, Staff does not recommend proceeding with a competitive process for the 2024-2025 renewal term at this time.

Relationship to Council Strategic Priorities

Niagara Region's insurance program placement for 2023-2024 and Staff's recommendation to negotiate an additional one year renewal with the current provider is consistent with Council's 2023-2026 strategic priority focus on Effective Region by delivering fiscally responsible and sustainable services.

Other Pertinent Reports

- CSD 13-2022 dated May 11, 2022 – Insurance Program Review and Options for 2022-2023 Insurance Renewal
- CSD 19-2023 dated April 5, 2023 – Municipal Insurance Program Renewal Update

Prepared by:

Donna Pasto
Risk Management Program Manager
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 Donna Gibbs, Director of Legal and Court Services and Adam Niece, Program Financial Specialist.

Appendices

Appendix 1 – Confidential Update regarding Cyber Coverage

Confidential PDS 10-2024

Minute Item No. 10.1

A Matter of Litigation Affecting the Municipality under s. 239(2)(e) of the Municipal Act, 2001 – Ontario Land Tribunal Appeal of Regional Official Plan Amendment (ROPA) 3

That Confidential PDS 10-2024, dated April 10, 2024, respecting A Matter of Litigation Affecting the Municipality under s. 239(2)(e) of the Municipal Act, 2001 – Ontario Land Tribunal Appeal of Regional Official Plan Amendment (ROPA) 3, **BE RECEIVED** and the recommendations contained therein, **BE APPROVED**.

PDS 12-2024

Minute Item No. 7.1

Diversity, Equity, and Inclusion Action Plan 2023 Progress Report

That Report PDS 12-2024, dated April 10, 2024, respecting Diversity, Equity, and Inclusion Action Plan 2023 Progress Report, **BE RECEIVED** and **BE CIRCULATED** to the Local Area Municipalities.

PDS 13-2024

Minute Item No. 7.2

2023 Niagara Employment Inventory Results

That Report PDS 13-2024, dated April 10, 2024, respecting 2023 Niagara Employment Inventory Results, **BE RECEIVED** and **BE CIRCULATED** to Local Area Municipalities, Local Economic Development Offices, Workforce Collective, the Niagara Chambers of Commerce, Brock University and Niagara College.

ED 5-2024

Minute Item No. 7.3

Economic Development Foreign Direct Investment (FDI) Update

That Report ED 5-2024, dated April 10, 2024, respecting Economic Development Foreign Direct Investment (FDI) Update, **BE RECEIVED**.

PDS 9-2024

Minute Item No. 7.4

Shared Services Update

That Report PDS 9-2024, dated April 10, 2024, respecting Shared Services Update, **BE RECEIVED**.

PDS-C 12-2024

Minute Item No. 7.5

Workforce Coalition

That Correspondence Item PDS-C 12-2024, dated April 10, 2024, respecting Workforce Coalition, **BE RECEIVED**.

**THE REGIONAL MUNICIPALITY OF NIAGARA
PLANNING & ECONOMIC DEVELOPMENT COMMITTEE
MINUTES**

PEDC 4-2024

Wednesday, April 10, 2024

**Council Chamber - In Person and Electronic Meeting
Niagara Region Headquarters, Campbell West
1815 Sir Isaac Brock Way, Thorold, ON**

Committee: Bateman*, Bradley (Regional Chair)*, Campion, Davies (Committee Vice Chair), Foster*, Ganann, Huson (Committee Chair), Junkin*, Kaiser*, Morocco, Redekop*, Rigby, Seaborn, Siscoe*, Steele, Ugulini, Witteveen

Other Councillors: Craitor* Sorrento*

Absent/Regrets: Ip, Jordan

Staff: E. Acs, Manager, Community Planning, P. Busnello, Manager, Development Planning*, S. Cole, Manager, Strategic Initiatives, S. Dunsmore, Director, Infrastructure Planning and Development Engineering, E. Chou, Manager, Trade & Investment, R. Hill, Legislative Assistant, B. Landry, Manager, Economic Research and Analysis, D. Morreale, Director, Development Approvals*, M. Marino, Associate Director, Economic Development, B. Menage, Director, Procurement and Strategic Acquisition*, R. Muzzell, Manager, Program Financial Support*, A.-M. Norio, Regional Clerk, C. Ogunniyi, Manager, Diversity, Equity, Inclusion and Indigenous Relations, M. Robinson, Director, Strategic Transformation Office, M. Sergi, Commissioner, Growth Strategy & Economic Development, G. Spezza, Director, Economic Development, J. Spratt, Legislative Coordinator, A. Stea, Director, Community & Long Range Planning, C. Tia, Planner, R. Tripp, Chief Administrative Officer

* indicates members who participated electronically, all other members participated in person

1. CALL TO ORDER

Committee Chair Huson called the meeting to order at 1:00 p.m.

2. LAND ACKNOWLEDGEMENT STATEMENT

Committee Chair Huson read the Land Acknowledgement Statement.

3. DISCLOSURES OF PECUNIARY INTEREST

There were no disclosures of pecuniary interest.

4. PRESENTATIONS

4.1 Niagara Workforce Coalition

Vivian Kinnaird, CEO/Strategy Lead, Workforce Collective, and Rachel Crane, Learning & Engagement Lead, Workforce Collective/Executive Director, Literacy Link Niagara, provided information respecting Niagara Workforce Coalition. Topics of the presentation included:

- Integrating workforce planning and development in Niagara
- Priorities
- Electric vehicle manufacturing workforce
- Common language
- Intended outcomes
- Timeline

There being no objection, Confidential Report PDS 10-2024 was dealt with at this time.

9. CLOSED SESSION

Committee Chair Huson confirmed that no Committee member wished to go into closed session to discuss the item.

10. BUSINESS ARISING FROM CLOSED SESSION ITEMS

10.1 Confidential PDS 10-2024

A Matter of Litigation Affecting the Municipality under s. 239(2)(e) of the Municipal Act, 2001 – Ontario Land Tribunal Appeal of Regional Official Plan Amendment (ROPA) 3

Moved by Councillor Bateman
Seconded by Councillor Morocco

That Confidential PDS 10-2024, dated April 10, 2024, respecting A Matter of Litigation Affecting the Municipality under s. 239(2)(e) of the Municipal Act, 2001 – Ontario Land Tribunal Appeal of Regional Official Plan Amendment (ROPA) 3, **BE RECEIVED** and the recommendations contained therein, **BE APPROVED**.

Carried

5. **DELEGATIONS**

There were no delegations.

6. **ITEMS FOR CONSIDERATION**

There were no items for consideration.

7. **CONSENT ITEMS FOR INFORMATION**

7.1 **PDS 12-2024**

Diversity, Equity, and Inclusion Action Plan 2023 Progress Report

Cassandra Ogunniyi, Manager, Diversity, Equity, Inclusion, and Indigenous Relations, provided information respecting Diversity, Equity, and Inclusion Action Plan 2023 Progress Report. Topics of the presentation included:

- Overview
- Vision and mission
- Focus Areas
 - Inclusive Workplace Culture, Leadership, and Accountability
 - Increased Understanding and Humility Through Learning
 - Diverse Workforce Reflective of Niagara's Community
 - Programs and Services Meet the Needs of Everyone
 - Addressing Discrimination
 - Inclusive Communication

Moved by Councillor Ganann
Seconded by Councillor Steele

That Report PDS 12-2024, dated April 10, 2024, respecting Diversity, Equity, and Inclusion Action Plan 2023 Progress Report, **BE RECEIVED** and **BE CIRCULATED** to the Local Area Municipalities.

Carried

7.2 PDS 13-2024

2023 Niagara Employment Inventory Results

Cynthia Tia, Planner, and Blake Landry, Manager, Economic Research & Analysis, provided information respecting 2023 Niagara Employment Inventory Results. Topics of the presentation included:

- Overview
- How data is utilized
- 5-year participation rate trend
- Top 5 North American Industries Classification System (NAICS) sectors
- Engaging business communities
- Next steps

Moved by Councillor Foster

Seconded by Councillor Ugulini

That Report PDS 13-2024, dated April 10, 2024, respecting 2023 Niagara Employment Inventory Results, **BE RECEIVED** and **BE CIRCULATED** to Local Area Municipalities, Local Economic Development Offices, Workforce Collective, the Niagara Chambers of Commerce, Brock University and Niagara College.

Carried

7.3 ED 5-2024

Economic Development Foreign Direct Investment (FDI) Update

Eric Chou, Manager, Trade & Investment, Economic Development, provided information respecting Economic Development Foreign Direct Investment (FDI) Update. Topics of the presentation included:

- 2023 Q3 / 2024 Q1 overview
- Building Niagara as a global brand and invest in the growth of emerging sectors
- Attracting businesses, creating jobs, and supporting a skilled workforce in Niagara
- Outbound investment attraction activities to build Niagara as a global brand
- Being an effective and unified voice to advocate FDI with senior governments on behalf of Niagara
- Implementing continuous improvement and modernized processes to ensure effective reporting on key performance indicators on FDI activity

Moved by Councillor Davies
Seconded by Councillor Witteveen

That Report ED 5-2024, dated April 10, 2024, respecting Economic Development Foreign Direct Investment (FDI) Update, **BE RECEIVED.**

Carried

Councillor Information Request(s):

Consider including steps to ensure that companies being targeted when promoting Niagara align with environmental, social and governance priorities. Councillor Foster

7.4 PDS 9-2024

Shared Services Update

Moved by Councillor Seaborn
Seconded by Councillor Rigby

That Report PDS 9-2024, dated April 10, 2024, respecting Shared Services Update, **BE RECEIVED.**

Carried

Councillor Information Request(s):

Provide information on the savings generated as a result of these partnerships including non-financial benefits. Councillor Redekop.

7.5 PDS-C 12-2024

Workforce Coalition

Moved by Councillor Rigby
Seconded by Councillor Steele

That Correspondence Item PDS-C 12-2024, dated April 10, 2024, respecting Workforce Coalition, **BE RECEIVED.**

Carried

8. OTHER BUSINESS

8.1 City of St. Catharines Planning Approvals

Councillor Bateman requested information on recent planning approvals at the City of St. Catharines, if changes needed to be brought to Regional Council for approval, and the effect low-density residential areas would have on infrastructure. Michelle Sergi, Commissioner, Growth Strategy & Economic Development, advised that Local Official Plan Amendments and Local Zoning By-law changes do not require approval by Regional Council. She noted these changes were made with direction from the Province and in accordance with the Planning Act and low-density areas are being monitored for any infrastructure effects.

11. NEXT MEETING

The next meeting will be held on Wednesday, May 8, 2024, at 1:00 p.m. in the Council Chamber, Regional Headquarters.

12. ADJOURNMENT

There being no further business, the meeting adjourned at 2:12 p.m.

Councillor Huson
Committee Chair

Jenna Spratt
Legislative Coordinator

Ann-Marie Norio
Regional Clerk

NIAGARA WORKFORCE COALITION

APRIL 10, 2024

Economic development – Niagara Region, Niagara Falls, St. Catharines, Welland

Education organizations – Brock University, Niagara College, Niagara Catholic District School Board, Literacy Link Niagara, Civiconnect, Academy of Learning

Niagara Industrial Association

Chambers of Commerce – South Niagara Chambers, Grimsby

Employment Services – YMCA of Niagara Immigrant & Employment Services, FedCap Canada, Job Gym/ John Howard Society

Community organizations – Future Black Female, Niagara Region community services

Workforce Collective

**Integrating workforce planning and development in Niagara
+ working towards a thriving local economy *together*.**

OUR “WHY”

- **Unprecedented labour shortages are negatively affecting business productivity**
 - 57.2% of individuals in Niagara (aged 15 years and older) are working¹
 - retirees are exiting the workforce faster than people are entering
- **Growing mismatch between the skills workers have and those that employers are seeking**
 - many Niagarans and newcomers are not working to their full potential²
 - new ways of working (workplace skills) emerged during Covid-19
- Community efforts towards **poverty reduction** and **diversity & inclusion** (decent work)

PRIORITIES

1. Develop **talent attraction and retention strategies** for in-demand jobs and emerging sectors.
2. Share **data and knowledge** between partners (to coordinate efforts, increase capacity and reduce duplication); and mobilize information to interested parties (e.g. employers).
3. Strengthen partnerships and **proactively engage** in initiatives to develop our workforce.



EV Manufacturing Workforce

One-pager for “Project Phoenix”

COMMON LANGUAGE

- **Niagara has assets**
 - training & post-secondary education organizations
 - localized, wraparound support for employees
 - this Coalition for employers
- **Niagara has *potential***
 - untapped workforce
 - Employers are figuring it out (possibility models)

INTENDED OUTCOMES

- Develop workforce strategy that complements economic development strategies and guides workforce planning and development activities
- Products/campaigns to promote awareness and spark action
- Co-initiate (funded) projects to enable employers to provide decent work & innovate training and skills development

TIMELINE




CONTACT

vivian@workforcecollective.ca
rachel@workforcecollective.ca

905.641.0801 x123

www.workforcecollective.ca



1 218,800 people are self-employed or employed in Niagara. Source: Statistics Canada, Labour Force Survey, Table 14-10-0378-01, Labour force characteristics, three-month moving average, unadjusted for seasonality c 1 (July 2023)

2 Workforce Collective (March 2023). Equitable employment outcomes for newcomers: A win-win for all.

Diversity, Equity, and Inclusion Action Plan (2023-2027)

Progress Report - 2023

Overview

2022

September – Diversity, Equity, and Inclusion Action Plan approved by Regional Council

There are six focus areas with 12 goals and 44 actions

2023

Seven of the actions are completed

15 are progressing

22 are upcoming

Plan is 25% complete

Vision and Mission

- Welcoming and inclusive
- Diversity and equity are reflected and valued
- Advance equity
- Build welcoming and inclusive communities and workplaces
- Eliminating barriers and forms of discrimination



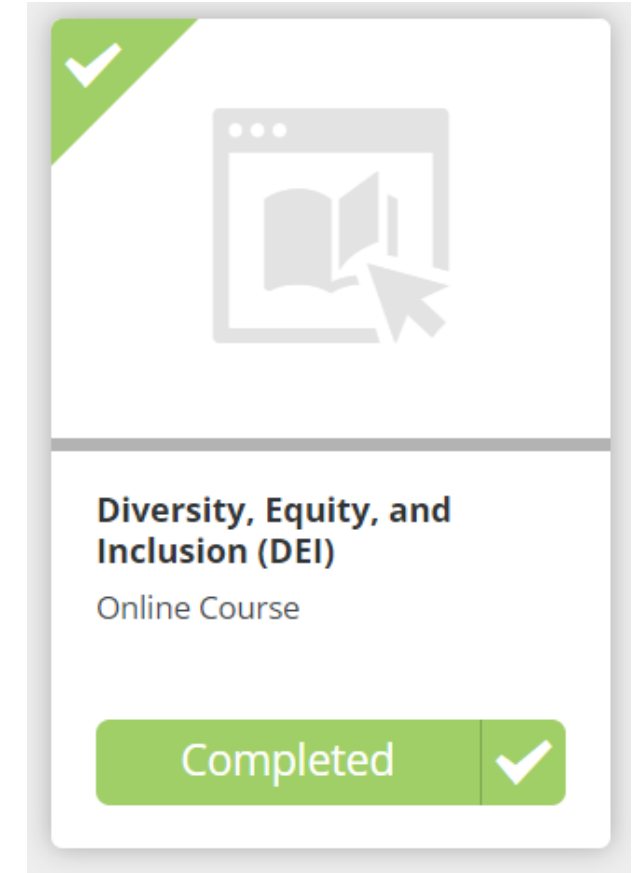
Focus Area A: Inclusive Workplace Culture, Leadership, and Accountability



- Chantelle Berry and Chelsea Robinson top award
- Eighteen additional award winners
- Diversity, Equity, and Inclusion Handbook
- Integrate DEI into daily work
- Established Community of Practice with over 100 members

Focus Area B: Increased Understanding and Humility Through Learning

- Developed learning curriculum for staff, Councillors, and volunteers
- 1,272 non-People Leaders and 61 People Leaders in Long Term Care completed Diversity, Equity, and Inclusion Fundamentals e-modules
- 44 new leaders completed the Inclusive Leaders course through the Leader's Edge program



Focus Area C: Diverse Workforce Reflective of Niagara's Community

- Supported Human Resources
- New [People Plan](#)
- Diversity, Equity, and Inclusion related interview questions document
- Employee Equity Statement
- Employee engagement survey will include staff demographics and updated feedback on the progress of diversity, equity, and inclusion



Focus Area D: Programs and Services

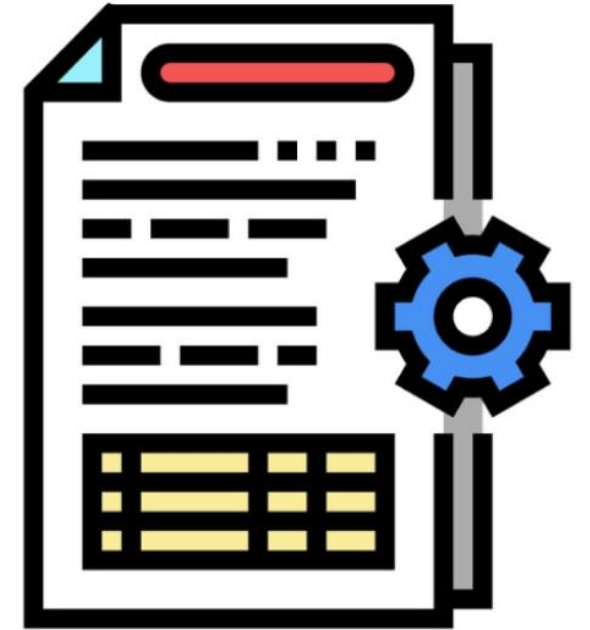
Meet the Needs of Everyone

- Will use the Diversity, Equity, and Inclusion Handbook to review Niagara Region programs
- Collaborating with the Accessibility team in 2024
- Community engagement
- Reviewing the procedure for providing accommodations for programs and services

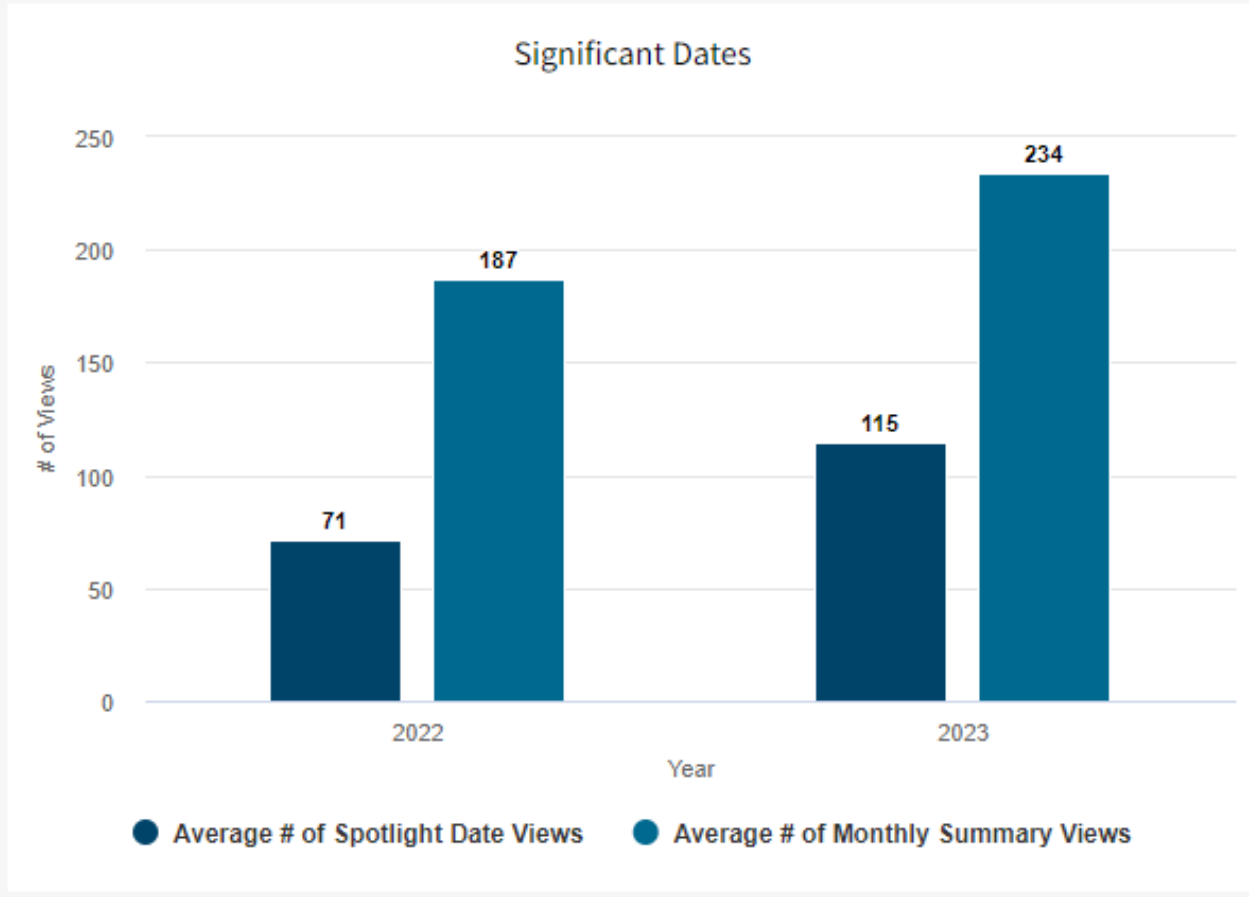


Focus Area E: Addressing Discrimination

- Incorporate Diversity, Equity, and Inclusion impacts in reports to Council and the Corporate Leadership Team
- Collaboration with the Niagara Diversity, Equity, and Inclusion Community of Practice
- Support Town Hall dialogues
- Lead to the creation of at least one Community Action Table



Focus Area F: Inclusive Communication



More Information

- Public dashboard
- Diversity, Equity, and Inclusion Vine page
- Diversity@niagararegion.ca



Subject: Diversity, Equity, and Inclusion Action Plan 2023 Progress Report

Report To: Planning and Economic Development Committee

Report date: Wednesday, April 10, 2024

Recommendations

1. That Report PDS 12-2024 **BE RECEIVED** for information; and
2. That this report **BE CIRCULATED** to the Local Area Municipalities for information.

Key Facts

- The purpose of this report is to provide an annual update on the progress of the Diversity, Equity, and Inclusion Action Plan 2023-2027, based on the commitment in report CAO 12-2022 when the Plan was approved by Regional Council.
- This plan is essential to reaching the Equitable Region Council Strategic Priority to provide opportunities for a safe and inclusive Niagara to ensure the Region is inclusive, welcoming, and free of discrimination.
- As of December 2023, the Plan has a 25 per cent completion rate. Of the 44 action items, seven are completed, 15 are progressing, and 22 are upcoming.

Financial Considerations

Costs for the deliverables that occurred in 2023 were accommodated in the Council approved budget. The planned activities described in this report are within the Council approved 2024 budget.

Analysis

Background

The Niagara Region Diversity, Equity, and Inclusion team developed the Diversity, Equity, and Inclusion Action Plan 2023-2027 in collaboration with the Diversity, Equity, and Inclusion Advisory Committee, Regional staff, and community members. The plan was approved by Regional Council in September 2022 with the commitment to provide annual progress reports. The plan aims for a Niagara region that is welcoming and inclusive, where diversity and equity is reflected and valued. The mission of the plan is that the people of Niagara advance equity; building welcoming, inclusive communities and workplaces, while eliminating barriers and forms of discrimination. There are six

focus areas identified through staff and community consultation. We are currently working on a public facing dashboard that will include up to date information about the progress of the plan.

Focus Area A: Inclusive Workplace Culture, Leadership, and Accountability

Enabling an organization where leaders are accountable and provide an environment where staff and community members feel heard and respected.

- First year of new category of Corporate Employee Recognition Program and Team (CERT) Awards recognized 20 employees who demonstrated contributions to advancing diversity, equity and inclusion of all people.
- Facilitated first Niagara Diversity, Equity, and Inclusion Community of Practice meeting with 62 community members participating and 96 indicating interest in the group. Meetings will be held quarterly in 2024.
- Completed the Niagara Seat at the Table project which worked with women and gender diverse potential municipal candidates and elected officials to address systemic barriers to running for and holding office.
- Currently developing a Diversity, Equity, and Inclusion Handbook that will help Regional staff integrate diversity, equity, and inclusion principles into their daily work. Chapters under development include Being a People Leader, Inclusive Communication, and Inclusive Workplace Culture.

Focus Area B: Increased Understanding and Humility Through Learning

Providing knowledge, skills, and learning opportunities for staff, Councillors, volunteers, and community members to increase their ability to understand and use Diversity Equity, and Inclusion principles and demonstrate cultural humility.

- In 2023, 1,272 non-People Leaders and 61 People Leaders in Long Term Care completed Diversity, Equity, and Inclusion Fundamentals e-modules and 44 new leaders completed the Inclusive Leaders course through the Leader's Edge program.
- Learning curriculum for staff, Councillors, and volunteers has been developed, with the rollout of the first set of trainings to go to all staff and Councillors in 2024.

Focus Area C: Diverse Workforce Reflective of Niagara's Community

Using evidence informed best practices to recruit, hire, retain, and promote a more diverse workforce.

-
- Supported Human Resources with the development of the new People Plan, the development of a Diversity, Equity, and Inclusion related interview questions document and an Employee Equity Statement.
 - Diversity, Equity, and Inclusion related questions were added to the new staff survey, with 65 per cent of new staff recognizing their recruitment panel had diverse representation in 2022, and 67 per cent in 2023.
 - An employee engagement survey will be administered in 2024 to gather up to date information about staff demographics and satisfaction, including updated feedback on the progress of diversity, equity, and inclusion.

Focus Area D: Programs and Services Meet the Needs of Everyone

Providing evidence-informed best practices and resources to incorporate DEI principles into Niagara Region programs and services.

- Action items in this Focus Area have not yet started, as they mainly rely on the completion of the Diversity, Equity, and Inclusion Handbook.
- Collaborating with the Accessibility team in 2024 on community engagement to inform items in the Diversity, Equity, and Inclusion Action Plan, such as improving the procedure for providing accommodations for programs and services.

Focus Area E: Addressing Discrimination

Reviewing and revising policies and processes, in partnership with diverse communities, to address and reduce discrimination experienced in Niagara.

- Consultation has begun on how to incorporate Diversity, Equity, and Inclusion impacts as part of reports to Council and Corporate Leadership Team, with the completion of this action expected in 2024.
- Collaboration is planned with the Niagara Diversity, Equity, and Inclusion Community of Practice to support Town Hall dialogues with diverse communities on discrimination issues that will lead to the creation of at least one Community Action Table to address issues raised.

Focus Area F: Inclusive Communication

Providing clear, inclusive, representative communication for staff and community members to showcase significant dates, provide key information, and recognize leaders that advance Diversity, Equity, and Inclusion.

- Promoted awareness of significant dates through the development of monthly summaries; posts for 51 spotlight dates that highlight important cultural, religious, and diverse events. In 2022, 33 posts about spotlight dates had a total of 2,341 views, while in 2023, 46 posts about spotlight dates had a total of 5,298 views. In 2022, the monthly summaries had an average of 187 views, while in 2023, the monthly summaries had an average of 234 views.
- Organized four flag ceremonies honouring Missing and Murdered Indigenous Women, Girls, and Two Spirit, Pride Month, Orange Shirt Day, and 16 Days of Activism Against Gender Based Violence.
- The 2024 Calendar of Significant Dates and 2024 Calendar of Spotlight Dates can be downloaded from the Niagara Region Diversity, Equity, and Inclusion webpage.

The Diversity, Equity, and Inclusion team will continue to work with community partners to support community events and host awareness events to recognize diversity in Niagara.

Alternatives Reviewed

No alternatives were reviewed.

Relationship to Council Strategic Priorities

The Diversity, Equity, and Inclusion Action Plan 2023-2027 supports Regional Council's Strategic Priorities through providing guidance for the strategic lens of Diversity, equity, inclusion, and Indigenous reconciliation. The Action Plan is one of the actions contributing to the priority of an Equitable Region through providing opportunities for a safe and inclusive Niagara by listening and responding to our community needs and planning for future growth, and ensuring the Region is inclusive, welcoming, and free of discrimination.

Other Pertinent Reports

- [CAO 14-2019](#) - Actions & Resources to Join the Coalition of Inclusive Municipalities
- [CAO 12-2022](#) – Diversity, Equity, and Inclusion Action Plan 2023-2027

Prepared by:

Cassandra Ogunniyi
Manager, Diversity, Equity, Inclusion,
and Indigenous Relations
Growth Strategy and Economic
Development

Recommended by:

Michelle Sergi, MCIP, RPP
Commissioner
Growth Strategy and Economic
Development

Submitted by:

Ron Tripp, P.Eng.
Chief Administrative Officer

This report was prepared in consultation with Yusuf Al-Harazi, DEI Advisor, Amrit Bhogal, Diversity, Equity, and Inclusion Intern, and reviewed by Janine Tessmer, Communications Consultant, and Susan White, Program Financial Specialist.

2023 Niagara Region Employment Inventory Results

Planning and Economic Development Committee

April 10, 2024

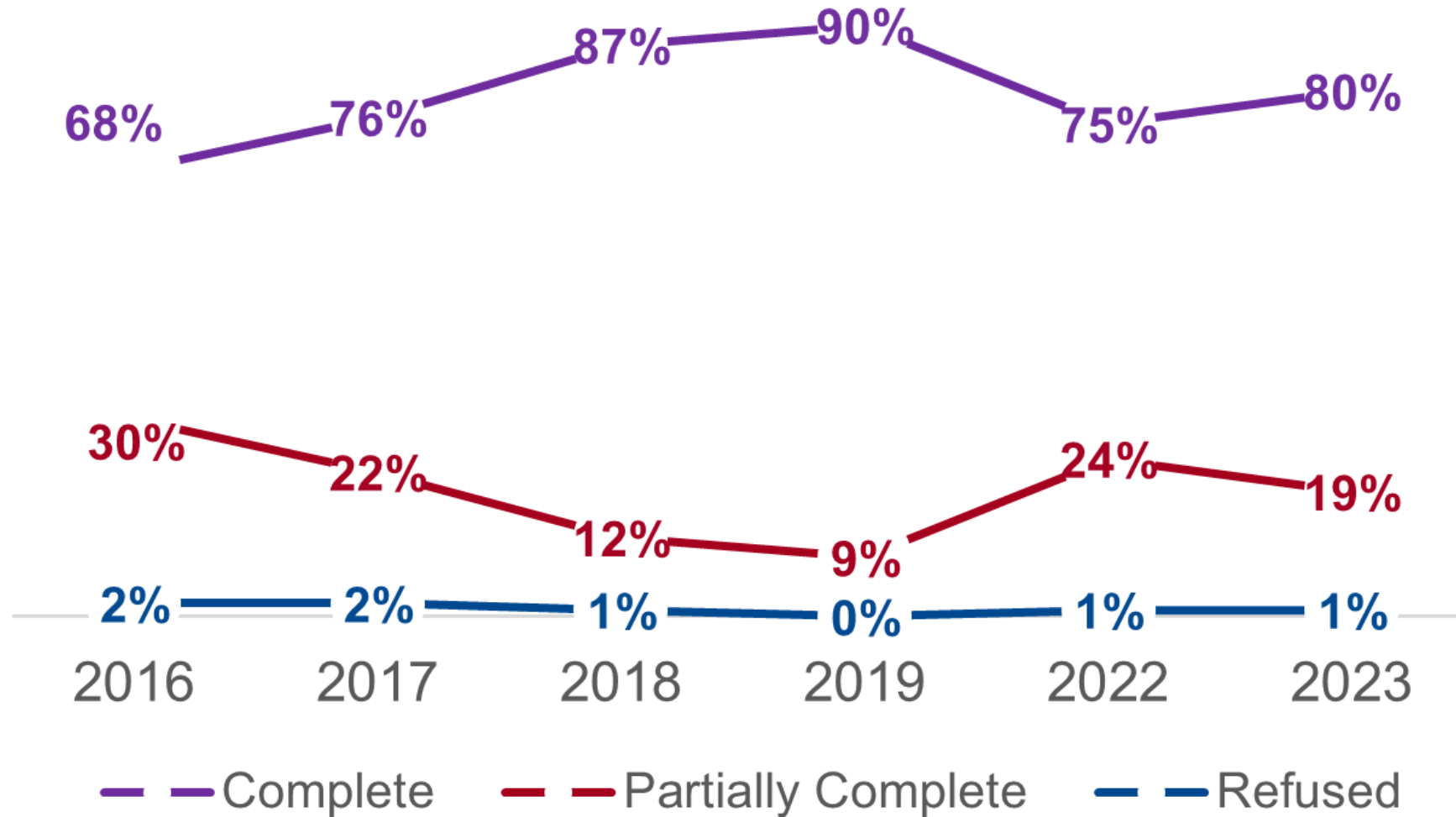
Employment Inventory Overview

- Annual collection exercise (May – August)
- Team of five post-secondary students conduct door-to-door interviews with business owners/leadership teams
- Targets all publicly accessible (signed) businesses in Niagara, in urban and rural areas
- The NEI has been conducted annually except for a 2 year reporting gap from 2020 – 2021 as a result of the pandemic

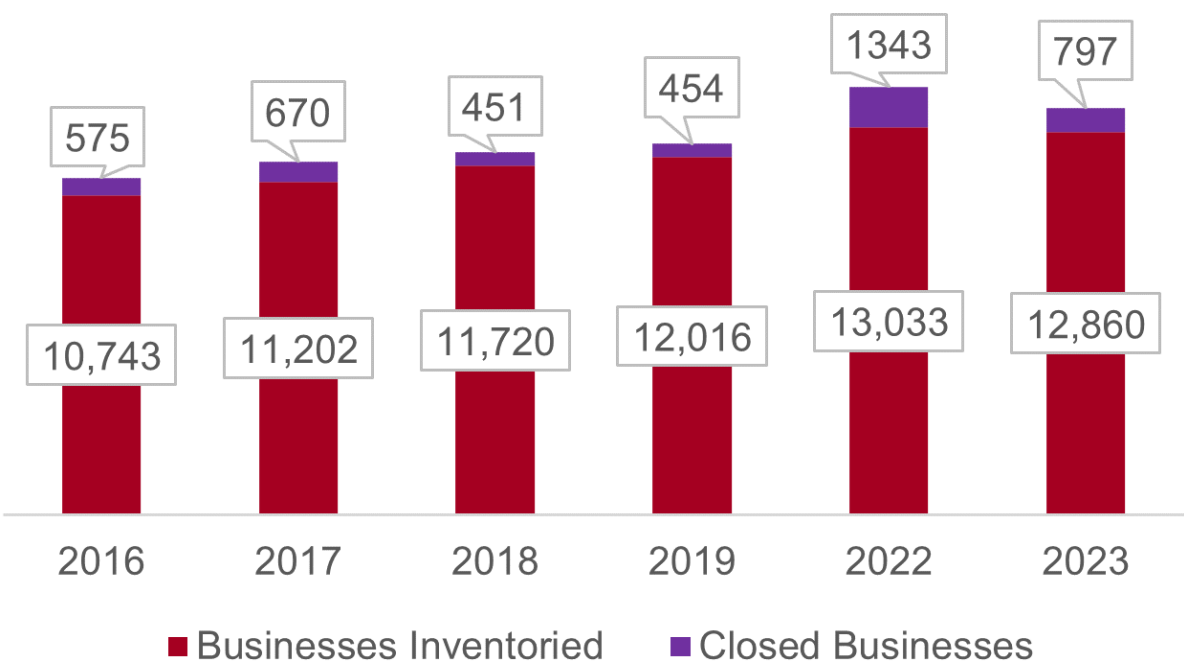
How is the Data used?



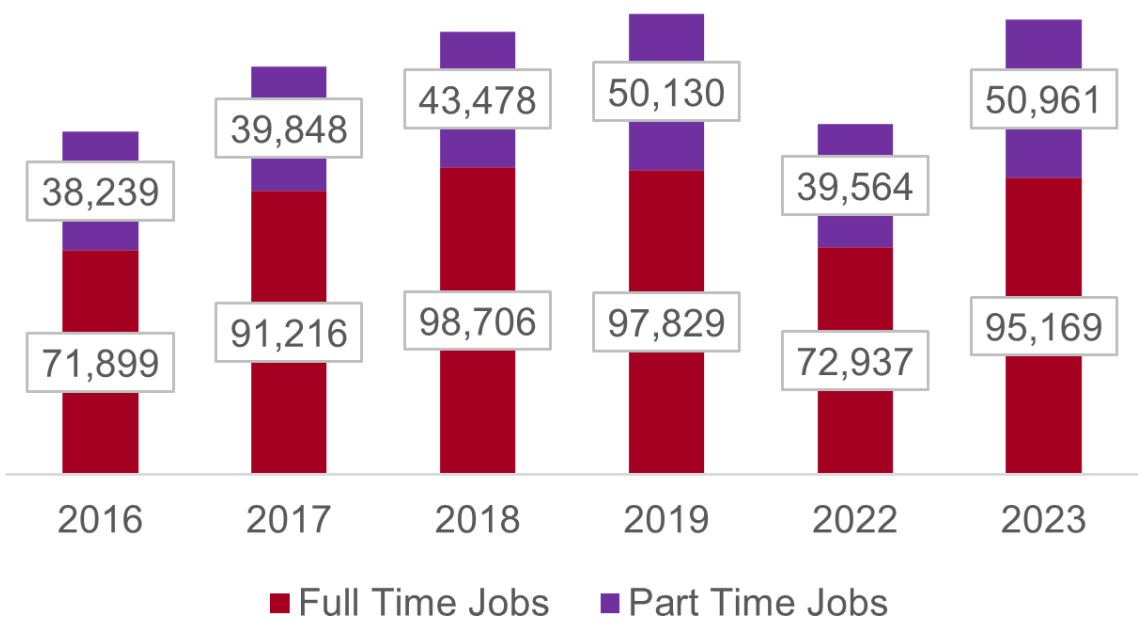
5-Year Participation Rate Trend



5-Year Counts



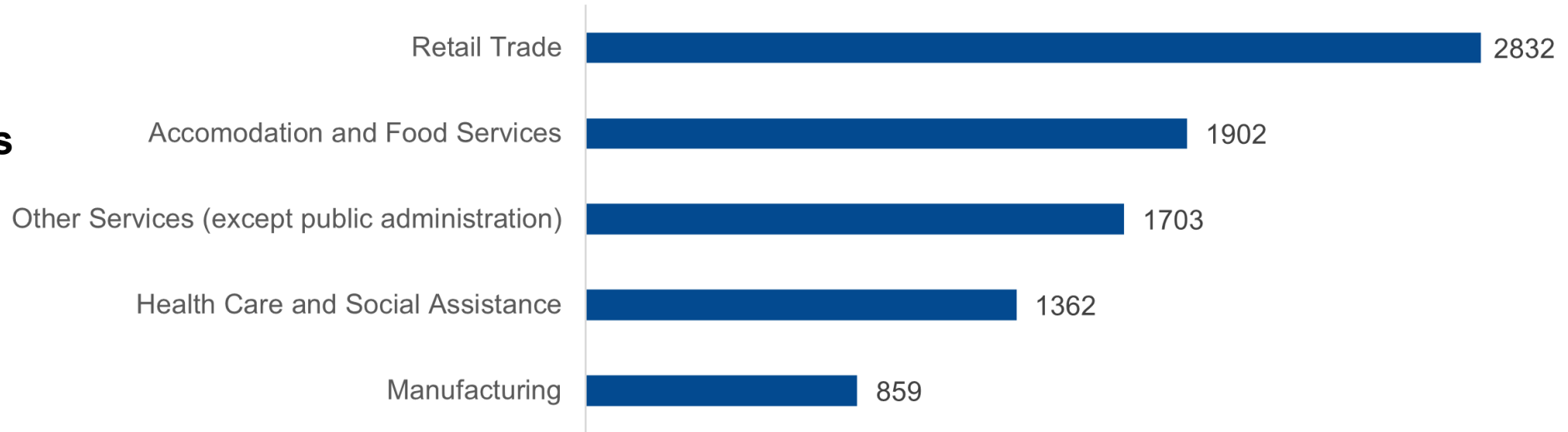
Businesses



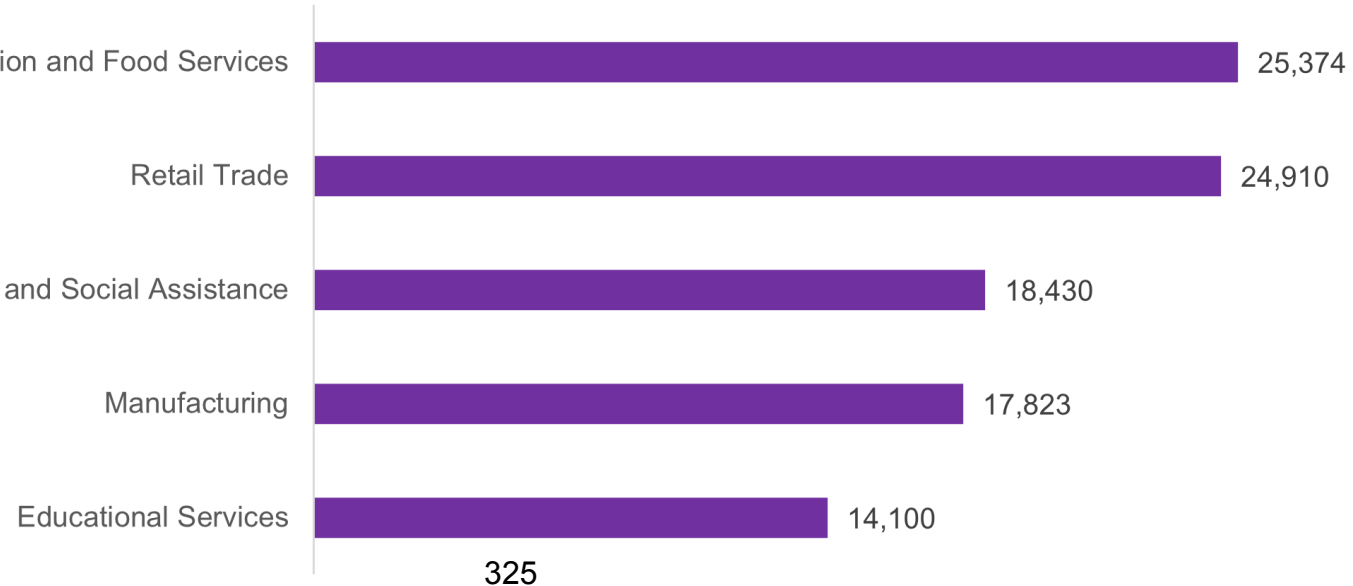
Jobs

Top 5 NAICS Sectors

Businesses



Jobs



Engaging the Business Community

“Is there anything the Niagara Region can do to support your business?”

4,017 responses received



Next Steps

- Disseminate 2023 results to local municipal partners
- Publish to Niagara Region Open Data Portal
- 2024 Team deployment (active inventory)

Subject: 2023 Niagara Employment Inventory Results

Report To: Planning and Economic Development Committee

Report date: Wednesday, April 10, 2024

Recommendations

1. That this report **BE RECEIVED** for information; and
2. That PDS 13-2024 **BE CIRCULATED** to the Local Area Municipalities, Local Economic Development Offices, Workforce Collective, the Niagara Chambers of Commerce, Brock University and Niagara College.

Key Facts

- The purpose of this report is to highlight the key results of the data collected during the 2023 Niagara Employment Inventory (NEI).
- The NEI is an annual direct data collection exercise (inventory and questionnaire) where a team of post-secondary students inventory publicly accessible businesses across Niagara.
- The Region began conducting the NEI in 2016, other than a two year pause during the pandemic, the survey has been carried out consistently each year, with 2024 survey preparations underway.
- The 2023 NEI team inventoried a total of 12,860 businesses throughout Niagara and received 10,318 completed responses, which captured the location of 146,128 full and part-time jobs and the associated data about the jobs reported by businesses who chose to participate in the questionnaire.
- Data captured through the NEI is shared with and is a key asset for internal Regional departments, local area municipalities and other organizations. A subset of the data collected is also published to Open Data to make it available to the public.

Financial Considerations

The NEI was funded through the Council-approved 2023 operating budget within Growth Strategy and Economic Development's base budget.

Analysis

Niagara Region is among several municipalities in Ontario that collect workplace and employment data. Since 2016, the Growth Strategy and Economic Development department has collected primary data on the types and sizes of businesses operating in Niagara.

The NEI is conducted annually by a small team of post-secondary students between the months of May and September. The primary data collection method is through door-to-door, in-person interviews with local business owners, with additional follow-up engagement conducted through email and telephone communication.

The data collected has become vital to monitoring the region's economic health, as well as aiding in decision and policy making. The information collected over the years has culminated into a comprehensive dataset of business information that provides the ability to analyze the regional employment landscape over time. The inventory is a geo-coded, spatially enabled dataset that facilitates analysis at a street-address level.

The business questionnaire was developed based on best practices from other municipalities in the Greater Toronto and Hamilton area, as well as through consultation with the following stakeholders and experience gained over the years from administering the project:

- Internal Regional departments;
- Local area municipalities;
- Local economic development offices; and
- Brock University.

Each year, the NEI questionnaire features a core set of questions that are tailored to gain fundamental insight into the local business community. These questions remain unchanged each year accurately compare results over time. The core questions are in alignment with employment questionnaires administered by our municipal counterparts in the Greater Toronto and Hamilton Area.

In 2022, two new categories were added to the questionnaire focused on (1) diversity, equity and inclusion and (2) work from home. These questions were added to gain an understanding of the demographic characteristics of the business community, and to provide insight into the number of businesses with employees working from home.

These questions remained in the 2023 survey and are expected to remain in 2024.

In 2023, the NEI team inventoried 12,860 businesses and received 10,318 completed questionnaires, which captured the physical location of 146,128 full and part time jobs. Compared to 2022 results, there is an increase of 33,627 jobs identified. It is important to note that the number of jobs reported is not a reflection of the local job market, but rather is the result of a higher participation rate in 2023 compared to 2022, and that the total number of businesses inventoried includes businesses observed to no longer be in operation or vacant.

Participation in the NEI is voluntary. Despite best efforts, the project team is unable to make direct contact with all business owners or, occasionally, a business declines to participate.

Results

Table 1 in Appendix 1 illustrates the proportion of complete and partially complete inventory records from 2016-2019, and 2022-2023. A complete inventory record indicates that a business provided responses to the inventory questionnaire from beginning to end (“complete questionnaire”), or the business was confirmed to be permanently closed or vacant.

Partially complete records indicate the inventory team was not able to make direct contact with a business representative. In these cases, the project team still captures several key attributes, such as verifying the physical location of the data point and associated sector and industry codes. The NEI continues to see a low rate (less than 1%) of businesses, who when contacted, decline to participate.

In 2023, a completion rate of 80% was achieved. The completion rate in 2023 is strong with a 5% increase since 2022. A steady increase in the completion rate year-over-year can be attributed to greater familiarity with the survey and project team, a streamlined data entry methodology, and joint communication outreach conducted by our local Chambers of Commerce and other interest groups.

Job Type Results

Table 2 in Appendix 1 illustrates the number of businesses inventoried and jobs captured within complete questionnaires in the 2023 NEI by sector based on the 2-digit North American Industry Classification System (NAICS). The NAICS was established by

statistical agencies of Canada, Mexico and the United States. It is a standardized industry classification system used to categorize business establishments based on the type of economic activity of the business.

Based on the number of businesses inventoried, the top three sectors observed in 2023 were: retail trade (22.0%), accommodation and food services (14.8%) and other services (except public administration) ¹(13.2%). When combined, these sectors make up 50% of all the businesses captured in the inventory.

Based on the number of jobs captured in complete questionnaires, the top three sectors observed in 2023 were: accommodation and food services (17.4%), retail trade (17.0%), and health care and social assistance (12.6%). Together, these sectors make up 47% of the total jobs captured in complete questionnaires.

Business Closures and Openings

Since 2022, approximately 797 businesses inventoried have been identified as no longer being in operation or vacant. The top three sectors that experienced business closures were retail trade; accommodation and food services; and other services (except public administration).

Over the same period, approximately 1,269 new businesses were identified and added to the inventory in 2023. The top three sectors that new businesses were observed in are: retail trade; accommodation and food services; and health care and social assistance.

Distribution of Inventoried Businesses and Number of Jobs by Municipality

Table 3 in Appendix 1 illustrates the municipal breakdown of the number of businesses and jobs reported over the six years inventory period. As mentioned above, the total businesses inventoried includes businesses observed to no longer be in operation or vacant, and total jobs reported are only for complete questionnaires.

Work from Home

In total, 1,021 businesses reported having staff working from home, representing approximately 7,023 employees. The majority of employees working from home were in the professional, scientific and technical services (34.9%), education (15.8%), and

¹ Other Services includes repair shops, personal care facilities and laundry services, among other industries.

manufacturing (10.4%).

Diversity, Equity and Inclusion

Niagara Region is the first municipal employment questionnaire in the Golden Horseshoe to include questions pertaining to Diversity, Equity and Inclusion (DEI). These questions were added in 2022 and asked again in 2023 to gain a baseline understanding of demographic characteristics of the leadership teams in the Niagara business community.

Table 4 in Appendix 1 provides the responses to the questions in the newly added DEI section. Businesses were asked whether the majority of the business (+50%) are owned or led by:

- Person who identifies as a woman
- Person who identifies as a member of the 2SLGBTQIA+² community
- Person who identifies as being disabled
- First Nations, Inuit or Métis person
- Person who identifies as a visible minority
- Youth (Less than 18 years old)
- Person who is a new immigrant (in Canada less than 5 years)

Respondents were given the option to complete the DEI section in person or online. In total, 1,457 business owners responded to the questions in the DEI section. Respondents could also choose to decline to answer the DEI section of the questionnaire. Staff in the DEI and Indigenous Relations team are reviewing the responses to develop strategies to continue to increase response rates in the future. This data will also be used to inform ongoing DEI initiatives at the Region.

Utilizing NEI Data

The data collected each year through the NEI provides detailed local business information that is not available through Statistics Canada data. In most cases, Statistics Canada data is updated once every five years providing high level data. Whereas the NEI is updated on a yearly basis to capture the current locational information, excluding the two-year data gap prompted by the COVID-19 pandemic. Statistics Canada data remains the authoritative data source for performing analysis at

² Two spirit, lesbian, gay, bisexual, transgendered, queer, questioning, intersex, asexual, and all other sexual orientations and genders.

regional and municipal level geographies; but lacks the ability to analyze raw business data at the street address level. Collecting annual business data at the street address level allows for detailed analysis to be carried out at custom geographies and time series.

The NEI results are used in conjunction with Statistics Canada data and other data sources to accurately monitor the regional economy. This allows for a better understanding of where the Region can take action to help facilitate economic growth and understand the changes that have taken place since the two-year reporting gap.

Reliable business data is an integral resource to better understand the region's employment context. This dataset plays a significant role in supporting decisions related to population and employment growth, infrastructure investment (including public transit), economic development inquiries, and the ongoing monitoring of economic conditions and trends.

In addition to supporting decision making, the data collected over the years has been used by the Region to facilitate analysis to support and add value to various projects. Below are examples of projects that the NEI data has been used for:

- South Niagara Hospital Project Business Directory;
- Niagara Official Plan Land Needs Assessment;
- Niagara Region Waste Collection Contract Review; and,
- Brock University Active Economy and Sport Tourism Research.

Economic Development also uses the NEI data to connect businesses to supply chain opportunities, support international promotion through the Niagara Canadian Business Directory, and to assist in analyzing the regional economy.

Building Relationships

The NEI also provides key opportunities for the Region to personally connect with local businesses to further develop partnerships, foster an environment for innovation and development within the Niagara business community, and the ability to listen and address any comments or concerns. Staff turnover and changing business operations can become an obstacle when trying to engage businesses, largely because the contact information in the NEI database became outdated. Following the two year reporting gap, the project team continued to focus on building relationships with the business

community in 2022 and 2023. To do so, the project team sought to educate business representatives on the value of the data relative to how it is used by the Region and local municipalities.

Addressing concerns of business owners continues to be an important step in building and maintaining strong working relationships with the community. On occasion, concerns were expressed by business owners, which were addressed immediately by the project team. Where the project team could not address the concern, the business owner was referred to resources available at the Region, such as the Waste Management Info-Line or local business support services.

Table 5 in Appendix 1 highlights the responses received when business owners were asked, “Is there anything Niagara Region could do to help support your business?” For reporting purposes, the responses have been categorized into themes only. The top three themes for 2023 are business exposure (14.9%), infrastructure/traffic issues/construction (12.4%), and incentives/grants/contracts (11.7%). The raw comments are shared with applicable internal departments, and with local municipal partners.

Open Data

Each year, a subset of the NEI results is released to the public through the Niagara Region Open Data Portal. Open Data places information in the hands of the public, promoting innovation and fostering greater transparency and accountability. The following attributes from the Employment Inventory dataset are made available to the public including, business name, location information, 6-digit North American Industry Classification System (NAICS) code, and employee size categories.

Alternatives Reviewed

Council could opt not to receive and share this report. However, as the results of the NEI contribute to projects and initiatives which are actions of Council’s Strategic Priorities, this option is not recommended.

Relationship to Council Strategic Priorities

The NEI is a key tool that the Niagara Region uses to strengthen its economic competitiveness by better understanding its current employment landscape and workforce composition.

The NEI project supports Council’s strategic priorities of Prosperous Region, Equitable Region, and Effective Region. Data collected through engaging the business community is used to inform decision-making related to population and employment growth, infrastructure investment, public transit planning, economic development, and the ongoing monitoring of economic conditions.

The Niagara Region and local area municipalities rely on this dataset as a valuable asset when developing robust business cases designed to attract investment, innovation, and entrepreneurship to Niagara and strengthen the Region’s position globally.

Other Pertinent Reports

- PDS 13-2016 Niagara Region Employment Survey
- PDS 1-2017 Niagara Region Employment Inventory Preliminary Results
- PDS 5-2018 Niagara Region 2017 Employment Inventory Results
- PDS 6-2019 Niagara Region 2018 Employment Inventory Results
- PDS 5-2020 Niagara Region 2019 Employment Inventory Results
- PDS 12-2021 2021 Niagara Employment Inventory Status Update
- PDS 6–2023 2022 Niagara Employment Inventory Result

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Appendices

Appendix 1

Data Tables

APPENDIX 1

Data Tables

Table 1 – Inventory Completion Rate

| Year | Complete Inventory Record | Partially Complete Record | Declined to Participate |
|-------------|------------------------------|------------------------------|----------------------------|
| 2016 | 68% | 30% | 2% |
| 2017 | 76% | 22% | 2% |
| 2018 | 87% | 12% | 1% |
| 2019 | 90% | 9% | <1% |
| 2022 | 75% | 24% | <1% |
| 2023 | 80% | 19% | <1% |

Table 2 – Number of Businesses and Jobs by NAICS Sector

| NAICS Industry Sector (2-Digit) | Number of Jobs 2023 | Number of Jobs Proportion of Region | Number of Businesses 2023 | Number of Businesses Proportion of Region |
|---|---------------------|-------------------------------------|---------------------------|---|
| Accommodation and food services | 25,374 | 17.4% | 1,902 | 14.8% |
| Retail trade | 24,910 | 17.0% | 2,832 | 22.0% |
| Health Care and social assistance | 18,430 | 12.6% | 1,362 | 10.6% |
| Manufacturing | 17,823 | 12.2% | 859 | 6.7% |
| Educational services | 14,100 | 9.6% | 250 | 1.9% |
| Public administration | 7,693 | 5.3% | 227 | 1.8% |
| Other services (except public administration) | 5,163 | 3.5% | 1,703 | 13.2% |
| Construction | 5,010 | 3.4% | 425 | 3.3% |
| Professional, scientific and technical services | 4,110 | 2.8% | 855 | 6.6% |
| Arts, entertainment and recreation | 3,914 | 2.7% | 459 | 3.6% |
| Administrative and support, waste management and remediation services | 3,542 | 2.4% | 314 | 2.4% |
| Agriculture, forestry, fishing and hunting | 3,487 | 2.4% | 170 | 1.3% |
| Wholesale trade | 3,236 | 2.2% | 275 | 2.1% |
| Finance and Insurance | 3,002 | 2.0% | 475 | 3.7% |
| Transportation and warehousing | 2,882 | 2.0% | 227 | 1.8% |
| Real estate and rental and leasing | 2,042 | 1.4% | 333 | 2.6% |
| Information and Cultural Industries | 826 | 0.6% | 144 | 1.1% |
| Utilities | 475 | 0.3% | 33 | 0.3% |
| Mining, quarrying, and oil and gas extraction | 68 | 0.0% | 7 | 0.0% |
| Management of companies and enterprises | 41 | 0.0% | 8 | 0.0% |
| Total | 146,128 | 100% | 12,860 | 100% |

Table 3 – Distribution of Inventoried Businesses and Jobs by Municipality

| Municipality | 2016 | | 2017 | | 2018 | | 2019 | | 2022 | | 2023 | |
|-----------------------|------------------|----------------|------------------|----------------|------------------|----------------|------------------|----------------|------------------|----------------|------------------|----------------|
| | Total Businesses | Total Jobs | Total Businesses | Total Jobs | Total Businesses | Total Jobs | Total Businesses | Total Jobs | Total Businesses | Total Jobs | Total Businesses | Total Jobs |
| Fort Erie | 709 | 6,351 | 719 | 6,867 | 763 | 8,414 | 775 | 8,301 | 844 | 5,547 | 786 | 5,689 |
| Grimsby | 443 | 4,009 | 455 | 4,750 | 465 | 5,204 | 479 | 6,682 | 512 | 4,210 | 526 | 6,509 |
| Lincoln | 440 | 4,198 | 543 | 6,650 | 564 | 6,964 | 571 | 8,108 | 604 | 6,772 | 627 | 8,249 |
| Niagara Falls | 2,514 | 22,929 | 2,553 | 32,982 | 2,642 | 32,687 | 2,715 | 33,473 | 2,982 | 24,415 | 2,973 | 33,828 |
| NOTL | 456 | 7,082 | 513 | 9,707 | 560 | 11,238 | 596 | 10,926 | 636 | 7,999 | 669 | 10,072 |
| Pelham | 271 | 1,743 | 301 | 2,275 | 318 | 2,677 | 334 | 3,202 | 372 | 2,865 | 393 | 3,724 |
| Port Colborne | 461 | 2,912 | 465 | 3,917 | 468 | 4,176 | 478 | 4,682 | 518 | 3,405 | 484 | 4,076 |
| St.Catharines | 3,657 | 43,045 | 3,771 | 44,254 | 3,966 | 48,130 | 4,051 | 48,726 | 4,396 | 40,107 | 4,292 | 46,594 |
| Thorold | 460 | 4,980 | 491 | 5,307 | 523 | 5,674 | 538 | 6,693 | 582 | 5,425 | 593 | 7,337 |
| Wainfleet | 43 | 179 | 58 | 402 | 60 | 507 | 61 | 479 | 72 | 497 | 83 | 576 |
| Welland | 1,161 | 11,221 | 1,158 | 12,122 | 1,188 | 14,149 | 1,214 | 14,010 | 1,299 | 9,274 | 1,212 | 16,519 |
| West Lincoln | 128 | 1,489 | 175 | 1,911 | 203 | 2,364 | 204 | 2,677 | 216 | 1,985 | 222 | 2,955 |
| Niagara Region | 10,743 | 110,138 | 11,202 | 131,144 | 11,720 | 142,184 | 12,016 | 147,959 | 13,033 | 112,501 | 12,860 | 146,128 |

Table 4 –Diversity Equity and Inclusion Responses

| Response | Women Led | 2SLGBTQQA+ Led | Disability Led | First Nations, Inuit, Metis Led | Visible Minority Led | Youth Led | New Immigrant Led |
|----------|--------------|-------------------|-------------------|---------------------------------------|----------------------------|--------------|-------------------------|
| Yes | 731 | 62 | 61 | 33 | 160 | 16 | 54 |
| No | 703 | 1,328 | 1,339 | 1,414 | 1,222 | 1,419 | 1,355 |
| Decline | 114 | 126 | 103 | 87 | 112 | 63 | 92 |

Table 5 - “Is there anything Niagara Region could do to help support your business?”

| Response Themes | Responses Received 2023 | Proportion 2022 | Proportion 2023 |
|--|----------------------------|--------------------|--------------------|
| Business Exposure | 288 | 11.5% | 14.9% |
| Infrastructure/Traffic Issues/Construction | 240 | 17.3% | 12.4% |
| Incentives/Grants/Contracts | 225 | 6.2% | 11.7% |
| Taxes and Utilities | 219 | 12.5% | 11.3% |
| Skills and Labour Force | 164 | 6.2% | 8.5% |
| Social Support Programs/Programs | 136 | 6.5% | 7.0% |
| Health and Safety | 136 | 5.5% | 7.0% |
| Parking Issues | 95 | 5.5% | 4.9% |
| Waste Management | 90 | 15.8% | 4.7% |
| Awareness and Education | 90 | 2.3% | 4.7% |
| Development Process/Zoning/Land Use | 79 | 2.7% | 4.1% |
| Transit | 55 | 1.6% | 2.9% |
| Governance | 45 | 1.2% | 2.3% |
| Beautification | 42 | 1.7% | 2.2% |
| Impact of COVID-19 | 12 | 3.0% | 0.6% |
| Development Charges | 11 | 0.4% | 0.6% |
| Other | 3 | 0.0% | 0.2% |
| Total | 1,930 | 100% | 100% |

ECONOMIC DEVELOPMENT

INVESTMENT ATTRACTION UPDATE

Planning and Economic Development Committee

Wednesday April 10, 2024
Eric Chou

2023 Q3 / 2024 Q1 OVERVIEW

Economic Development Activities

- Build “Niagara” as a global brand and invest in the growth of its emerging sectors.
- Attract and retain businesses, create jobs and support a skilled workforce in Niagara
- Outbound investment attraction activities to build Niagara as a global brand
- Be an effective and unified voice to advocate FDI with senior governments on behalf of Niagara.



NIAGARA FDI LEAD FUNNEL

Build “Niagara” as a global brand and invest in the growth of its emerging sectors. Attract businesses, create jobs, and support a skilled workforce in Niagara.

- 62 New Leads
- 19 Opportunities (Three converted from leads)
- Conducted four Prospect Site Visits
- Participated in five events promoting Niagara and building networks with the European Consul Generals and Chambers of Commerce



NIAGARA FDI LEAD FUNNEL

- Hosted a visit of the Ambassador to Canada from Vietnam
- Hosted the Hamilton Niagara Partnership Global Startups Bootcamp
 - 19 Companies / 32 Participants
- Participated in the Tokyo Metropolitan Government sponsored Global City Network for Sustainability (G-NETS) Senior Officials meeting in Tokyo, Japan



 Global City Network for Sustainability
G-NETS

NIAGARA FDI LEAD FUNNEL

Outbound investment attraction activities to build Niagara as a global brand.

- Prospecting trip to Spain
 - Organized 25 prospect meetings
 - EMPACK, Logistics & Automation Trade Fair, 17 prospect meetings



NIAGARA FDI LEAD FUNNEL

Be an effective and unified voice to advocate FDI with senior governments on behalf of Niagara.

- Hosted Invest in Ontario Partnership team & Ontario Invest in Canada representative
- Continued collaboration with Invest Ontario in securing an investment opportunity for the Niagara Region
- Met with the Ontario Trade Investment Officers Reception
- Friends of Canada Reception - Hosted by Consul General Tom Clark in Buffalo, NY

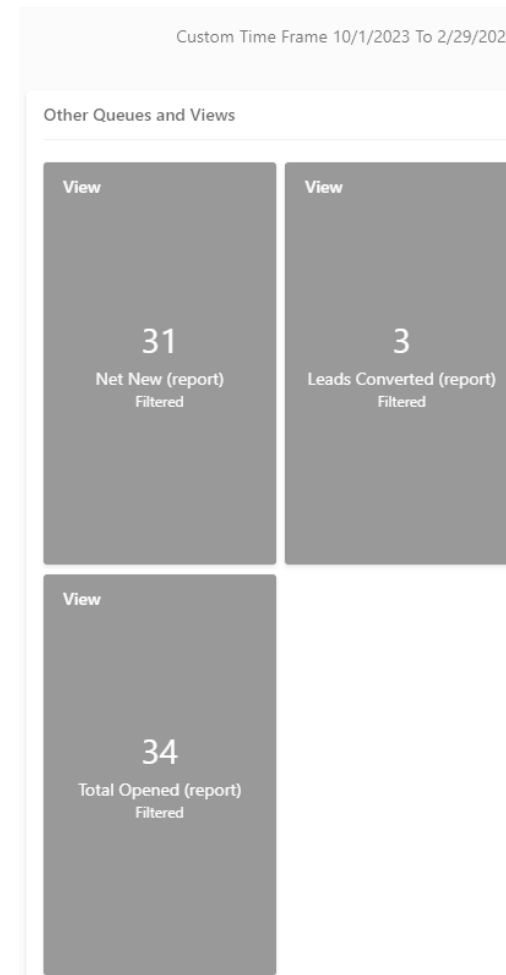


NIAGARA FDI LEAD FUNNEL

Implement continuous improvement and modernized processes to ensure effective reporting on key performance indicators on FDI activity.

Economic Development Dynamics 365 CRM

- CRM implementation live on October 16, 2023.
- Creating customized reports and dashboards to report on FDI key performance indicators.



QUESTIONS?

Eric Chou

Manager, Trade & Investment

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Subject: Economic Development Foreign Direct Investment (FDI) Update

Report To: Planning and Economic Development Committee

Report date: Wednesday, April 10, 2024

Recommendations

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

Key Facts

- This report provides an update on key Regional Economic Development activities related to Foreign Direct Investment (FDI).
- The intent of FDI is to grow and diversify the economy through targeted business attraction in sectors where Niagara has a competitive advantage and in emerging sectors where Niagara can demonstrate a strong business case for investment.
- Foreign Direct Investment (FDI) includes but is not limited to:
 - Conducting lead generation and meetings in identified FDI target markets and sectors.
 - Leading international investment missions with “Team Niagara” partners.
 - Proactively partner with Area Municipalities, Provincial and Federal government officials, FDI partners (Invest Canada, Invest Ontario, and the Consider Canada Cities Alliance) as well as members with local and international chambers of commerce.
 - Promoting Niagara as a Foreign Trade Zone (FTZ) to actively promote trade programs that contribute to advancing import and export activity within the region.

Financial Considerations

The activities described in this report have been accommodated within the Council approved 2024 Economic Development budget.

Analysis

Niagara is a Prosperous Region due to its strategic location on the U.S. / Canada border, along with the region’s multi-modal transportation infrastructure, and its designation as a Canadian Foreign Trade Zone Point (FTZ) making it an attractive place for companies to invest and conduct trade. The Region also acts as a conduit for

international businesses looking to enter the North American market via international trade agreements, enhancing our regions competitiveness and global supply chain network. These elements all increase Niagara's ability to import and export and secure targeted trade relationships.

Actions Supporting Council Strategic Priorities

FDI activities support the council strategic priority of a prosperous region. The intent of FDI activities is to attract and retain businesses, create jobs and support skilled workforce in Niagara within the region's targeted sectors where there is a competitive advantage and in emerging sectors. In addition, Economic Development has implemented a new customer relationship management tool to modernize the process of tracking leads and investment opportunities. This implementation directly relates to the council strategic priority of an effective region.

The following details completed and ongoing FDI activities to support council's strategic priorities:

Prosperous Region: Attract and retain businesses, create jobs and support a skilled workforce in Niagara, Build "Niagara" as a global brand and invest in the growth of its emerging sectors.

- FDI Pipeline:
 - New Leads (2023-Q4, 2024-Q1) Total: 62.
 - New Opportunities (2023-Q4, 2024-Q1) Total: 19, (three converted from leads).
- Hosted the Ambassador to Canada from Vietnam, H.E. PHAM Quang Vinh and his delegation for a familiarization tour of Niagara Region.
- Conducted four site visits with prospective clients.
- Promoting Niagara Region to various Business Chambers and Consul Generals:
 - Day of German Unity: Consul General Kristina Thony
 - 4th European Chambers Meet Up
 - 5th European Chambers Meet Up
 - Belgian Canadian Business Chamber, meet Umicore co-hosted by Invest Ontario
 - Belgian Canadian Business Chamber - Hydrogen & Chemicals

- G-NETS
 - Participated in the Tokyo Metropolitan Government sponsored Global City Network for Sustainability (G-NETS) Senior Officials meeting in Tokyo, Japan.
 - Meetings with the Ontario Trade Officers and Canadian Trade Commissioners in the Canadian Embassy based in Tokyo.
- Hamilton Niagara Partnership Global Startups Bootcamp
 - 19 companies, 32 participants
 - Familiarization visit to Niagara Region, Innovate Niagara, and Niagara Falls Innovation Hub
- Niagara Foreign Trade Zone
 - Nine website inquires.
 - NFTZ Webinar – 21 participants
 - Hosted in partnership with Invest in Hamilton.
 - Introduced participants to resources and facilities available to help them expand their business globally. Speakers included Export Development Canada (EDC), Forum for International Trade Training, Hamilton International Airport, Hamilton Oshawa Port Authority.

Prosperous Region: Outbound investment attraction activities to build Niagara as a global brand.

- Organized 25 prospect meetings and
- Attended the trade fair EMPACK, Logistics & Automation 2023 in Spain as part of our FDI targeted Market Strategy.

Prosperous Region: Be an effective and unified voice to advocate with senior governments on behalf of Niagara.

- Hosted the Invest in Ontario Partnership team and the Ontario Invest in Canada representative on a two day familiarization trip to Niagara.
- Continued collaboration with Invest Ontario in securing investment projects for Ontario / Niagara.
- Attended the Ontario Trade Investment Officers reception and introductions were provided to the majority of Ontario's International Trade Investment Officers.
- Attended the Friends of Canada Reception hosted by Canadian Consul General Tom Clark in Buffalo, NY.
- Conducting site visits for two Invest Ontario investment opportunities.

Effective Region: Implement continuous improvement and modernized processes to ensure value-for-money in regional services and programs.

- Worked with BDO to create a customized Customer Relationship Management software tool for the Niagara Economic Development (NED) Team.
- Implemented on October 16, 2023.
- Customized reports and dashboards to ensure effective reporting on key performance indicators on Foreign Direct Investment activity.

Alternatives Reviewed

Foreign Direct Investment (FDI) is a key function of Regional Economic Development and the activities being used are consistent with accepted economic development practices.

Relationship to Council Strategic Priorities

This supports Council's strategic priorities for an Effective and Prosperous Region.

Other Pertinent Reports

- ED 12-2023 - Economic Development Foreign Direct Investment (FDI) Update.

Prepared by:

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Recommended by:

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Submitted by:

Ron Tripp, P.Eng.
Chief Administrative Officer

This report was prepared in consultation with Susan White, Program Financial Specialist and Marco Marino, Associate Director, Economic Development.

Subject: Shared Services Update

Report To: Planning and Economic Development Committee

Report date: Wednesday, April 10, 2024

Recommendations

1. That Report PDS 9-2024 **BE RECEIVED** for information.

Key Facts

- Following the last update report (PDS 30-2023), the Region and Local Area Municipalities (LAMs), led by the Area Chief Administrative Officers (CAOs), have commenced work on two large-scale shared service initiatives, and a policy alignment opportunity.
- The Region's Strategic Transformation Office has categorized all current and future opportunities for shared services within the region as either informal, semi-formal, or formal.
- This report provides an update on the first phase of shared service initiatives, in support of the Area CAOs Shared Services Working Group.
- Significant successes in shared services have been achieved to date between the Region and Niagara municipalities and are inventoried and outlined in Appendix 1.

Financial Considerations

All costs associated with supporting, executing or implementing any new shared service initiatives would be the subject of subsequent reports to Council if undertaken outside of identified operating budgets. Where financial implications to enacting shared service changes impact LAMs, those activities would not proceed to implementation without express collaboration and consent of the affected and respective LAMs.

Staff continue to monitor federal and provincial grant opportunities as a possible offset for the exploration and execution of new, high impact or high complexity shared services initiatives. For example, the Region's pre-budget advocacy to the province includes a request that the Ministry of Municipal Affairs and Housing reintroduce and

expand the Municipal Modernization Program so that it applies to regional governments and two-tier shared services arrangements.

Analysis

Area CAOs and municipal senior staff have worked collaboratively over recent years to implement a number of successful shared service initiatives. They continue to identify opportunities to change how Niagara Region operates and conducts business, so that services are delivered to residents in the most efficient manner possible.

In October 2023, Report PDS 30-2023 provided an update on the initial key areas of focus of the newly created Strategic Transformation Office, related to shared services, as well as the initial timelines for the first phase of activities. As mentioned in the October report, the Strategic Transformation Office has dedicated resources to support the Area CAOs on the numerous areas of focus for exploring and expanding more shared service opportunities that have a widespread impact to the community. There is also a 50/50 jointly funded staff resource between the Region and LAMs in support of advancing and delivering shared services between the parties. In addition to the collaborative work through the Strategic Transformation Office, LAMs have also continued to work among themselves to explore some of their own inter-municipal shared services arrangements. It is worth noting that the Region will have varying roles for each of the shared service initiatives identified by the Area CAO Shared Services Working Group. For those that the Region are not directly involved as a party (either services or operations), the Strategic Transformation Office will help provide leadership, resources and/or facilitation to assist with executing initiatives which involve multiple LAMs – to drive collaborative, effective and meaningful shared service delivery.

Based on the two key shared provincial objectives of more efficient and effective government and increasing housing supply, the first initiative identified by the Area CAOs to explore was a building services review. This review includes assessing the current state to improve building permit and inspection processes, increasing industry capacity through skills training, thereby directly addressing the efficiency of municipal government in increasing the housing supply more expeditiously.

The second initiative identified by the Area CAOs in the first phase of shared services work is identifying opportunities for procurement process and policy governance review and expanding on joint procurement of even more goods and services. PDS 30-2023 also identified smaller, less complex projects now referred to as 'policy alignment'

projects, which are relatively smaller in scope and can be completed much more quickly by smaller numbers of participants using an opt-in/opt-out model.

A shared service structure aims to bring together resources, functions, processes, and skills from different groups to create economies of scale, increase standardization, pool skill sets, and generate the critical mass required to yield a positive return. As originally identified in Report CAO 2-2021, there are three different types of shared services that fall along a spectrum of formalization.

- Informal: Networking and Information Sharing
 - Examples include networking groups, discussion groups, and communities of practice/working groups.
- Semi-formal: Partnerships and Collaboration
 - Examples include memorandums of understanding, joint initiatives and/or procurements, and shared resources.
- Formal: Shared Service Delivery
 - Examples include program oversight through a Joint Board of Management, service level agreements, pooled resources, and process ownership end-to-end.

Recognizing shared services cannot move forward independently, the Area CAOs have formed a consensus around the principles of why shared services are important to move our communities toward more resilient, sustainable, and efficient governments. All work on shared services in Niagara has at its foundation, the following four underlying principles established by the Area CAOs (in no particular order):

- Serving the Public Good
- Increasing Efficiency and Effectiveness
- Improving Customer Service
- Coordinating Use of Resourcing and Staffing

These principles will be applied when exploring, evaluating, and implementing shared service initiatives across and among Niagara's 12 municipalities and the Region.

Progress Update

The Strategic Transformation Office, in partnership with Area CAOs, commenced work on the Building Services Review and Joint Procurement initiatives by laying out the workplans that were developed in collaboration with subject matter experts (Chief Building Officials and Public Works Officials / Procurement, respectively). Additionally, the climate change policy alignment was initiated in December 2023, with all 12 LAMs opting in to participate.

Building Services Review

The first shared service initiative identified as a priority is the Building Services Review. The shared objective for this initiative is to coordinate building services across Niagara with the purpose of establishing consistency, seamlessness, and modernization through the review of the building permit and inspection processes. This includes:

- Maximizing resource sharing and workflow, including streamlining the overall process;
- Improving access to a wider range of qualified staff;
- Identifying gaps, overlaps, or inconsistencies; and,
- Documenting all elements of the processes.

This initiative commenced in November 2023 with an assessment of the work completed to date within each municipality, and identification of guiding principles specific to this review. The Area CAO Working Group endorsed initiative-specific guiding principles for the Building Services Review in December 2023 that will organize and prioritize the work plan. In January, the Chief Building Officials of Niagara (CBON), who represent the Region and all 12 local municipalities, worked collaboratively with the Strategic Transformation Office to develop a work plan that will aim to accomplish the shared objective while meeting each of the guiding principles.

Phase 1 of this work plan aims to bring about more consistency across municipalities while enhancing customer service and building capacity within the building departments. Of the 26 actions identified by CBON, ten were considered a priority. Of these, six are currently underway and four more are being initiated in the next few months.

These ten actions will aim to create more consistency within and between municipalities by documenting processes, aligning policies and procedures, and expanding the

collaborative environment for document and information sharing among the 13 building departments. Additionally, this work will examine how shared resources could also address an important area of concern as it relates to business continuity and reduced inter-municipal competition for the same labour pool, expertise, and skills. With the aim to maximize opportunities for resources and workflow, improve access to qualified staff, build capacity at the entry level, and make the process more consistent and seamless for developers; this work will build upon CBONs collaborative efforts to align and contribute to building efficiency and effectiveness of Niagara's building permit and inspection processes across the region.

It is important to note that CBON is incredibly active, engaged, and leading not only in the identification of many of these efforts but also in their implementation – without which success could not be achieved. The continued collaboration among the building services subject matter experts, under the direction of the Area CAOs and with the support of the Strategic Transformation Office, is enabling a collaborative, strategic and tangible workplan to advance at an accelerated pace.

Taking a two-phased approach, success in Phase 1 of the Building Services Review (2024) will demonstrate significant improvement in consistency, resourcing, process, and customer service across the building services function in Niagara. This is the exclusive aim of Phase 1 and will deliver clear and measurable outcomes. Leveraging the momentum, consistency, and buy-in achieved through Phase 1, Phase 2 of the Building Services Review (proposed to commence in 2025) will explore and identify future opportunities, including additional process and resource benefits that could be realized via potential future governance models. No decisions on Phase 2 commencement or activities will proceed without the Area CAO working group evaluating potential benefits and providing direction on scope. Any activities requiring Council direction would be brought forward as necessary by respective CAOs.

Joint Procurement

Identified as the second shared service initiative, joint procurement is aimed at identifying opportunities between municipalities and/or with the Region for joint procurement, streamlined service delivery, and administrative coordination. In the first phase of this work, given the large majority of contracts and therefore joint procurement opportunities reside in public works services, the Strategic Transformation Office has met with Niagara's Public Works Officials (PWO) to discuss opportunities for collaboration in 2024 and 2025. Like their CBON counterparts, PWO have been highly

engaged in identifying new and aligned opportunities for joint procurements, actively prioritizing where efforts can be maximized.

There are three Regional contracts expiring in the next 12 months that the LAMs would like to participate in, as well as nine municipal contracts that have been identified as opportunities for expansion to others. These nine immediate opportunities are from a larger list of over 40 joint procurement opportunities identified within Niagara's collective public works procurements alone. The potential results of expanded or initiated new joint procurements will demonstrate savings in time, process and financial resources as a result of less procurement obligations (staff administration in contract/RFP/RFT management), larger buying power (may result in lower prices and/or better value), more efficient industry response (one response to one bid solicitation vs. many responses to multiple bids) and aligned specifications for products and services.

The Strategic Transformation Office is working collaboratively with the Niagara PWOs to assess the identified opportunities to determine a common scope, structure, and procurement timelines. This will include a review of existing contracts, recurring contracts/RFPs, options for identifying additional LAM partners, and aligning specifications for a cohesive procurement; all of which the Strategic Transformation Office will coordinate and for the most part, complete on behalf of the PWOs. All procurements will be compliant with all regional and municipal by-laws and policies. Furthermore, the Strategic Transformation Office will initiate assessments in additional areas to evaluate joint procurement opportunities which will include, Clerks, IT, Facilities, Finance, and Emergency Services.

Climate Change Policy Alignment

The climate change policy alignment project was the first to be initiated and builds on the work of the Niagara Climate Change Municipal Community of Practice (NCCMCP), which encompasses all 12 municipalities; all of which have opted-in to participate in the project. The primary goal of this project is to identify areas where alignment can be achieved among municipalities and to assist LAMs in meeting provincial legislative obligations in 2024. In the initial phases of this project, a survey was conducted to establish a baseline of work undertaken by municipalities thus far. Using legislative requirements and municipal best practices, a work plan has been compiled for municipalities to foster collaboration and coordination and effectively align climate change efforts within our region. Regional staff, in collaboration with the Area CAOs and NCCMCP representatives, will identify the resources and support required to action the

work plan items and continue pursuing the desired outcome to be consistent and effective within and among LAMs on climate change initiatives.

Shared Services Inventory

In an effort to demonstrate the extent to which shared services exist and the convey the degree to which collaborative partnerships flourish between the Region and LAMs, the Strategic Transformation Office completed a comprehensive inventory of Niagara Region's shared service initiatives with the LAMs (and some external parties). Included in this inventory are any initiatives that are currently in progress, ongoing, or had a one-time assignment within the last five years. Also recognizing the numerous shared service arrangements that exist between LAMs, with other documented successes outlined in PDS 30-2023, the initial phase of the inventory is focused on Region-LAM arrangements, with LAM-to-LAM initiatives encompassing the important next phase to show the entire magnitude of shared arrangements.

Based on the Region-LAM scope, there were 140 shared service initiatives identified by regional staff, as a type of shared service with one or multiple LAMs, Brock University, Niagara College, District School Board of Niagara (DSBN), Niagara Catholic District School Board (NCDSB), Niagara Parks Commission, Niagara Peninsula Conservation Authority (NPCA), Niagara Region Police, and/or Niagara Region Transit. Of the 140, referring back to the aforementioned definitions, 32 percent are informal, 37 percent are semi-formal, and 31 percent are formal arrangements, dating as far back as 1978.

Appendix 1 lists all the identified shared services, including the department lead, type of shared service, and participating municipalities and/or external parties; as well as an illustrative breakdown of the number of shared service initiatives with each municipality and external parties. To summarize the inventory, Table 1 below shows the total number of initiatives by Regional department, with 39 percent of the initiatives within the Public Works department.

Table 1: Number of Initiatives by Department

| Region Department | Number of Shared Service Initiatives |
|--|--------------------------------------|
| Community Services | 16 |
| Corporate Services | 20 |
| Growth Strategy and Economic Development | 22 |
| HR Administration | 9 |
| Office of the Deputy CAO | 8 |
| Public Works | 55 |
| Public Health and Emergency Services | 10 |
| Total | 140 |

With Phase 1 of the inventory now complete, the Strategic Transformation Office will be conducting Phase 2. This will include initiatives that are exclusively between Niagara's 12 municipalities, of which there are many documented successes. Collection of these initiatives will be completed in collaboration with the Area CAO Working Group and their staff. An exhaustive list of all Niagara Region shared service initiatives will be provided in the next shared services update report in fall 2024.

Alternatives Reviewed

Regional Council has identified a more Effective Region as a core Strategic Priority, including specific deliverables related to identifying, advancing and implementing shared services. The Strategic Transformation Office, in working closely with the Area CAOs, are focusing the path ahead on the prioritized initiatives to meet shared Niagara and provincial objectives for more effective government and increasing housing supply.

As an alternative, the Strategic Transformation Office could opt to not support the LAMs on the identified shared service initiatives (building services and procurement) and focus efforts on other assignments. However, these priorities were identified by the Area CAOs and the Region is working collaboratively with them to develop actionable work plans to deliver services to residents in the most efficient manner possible. Other priorities could certainly be identified for exploration; however, having buy-in from Area CAOs on the focused priority projects allows for a coordinated, engaged and collaborative path forward. This report will be circulated to Area CAOs wherein each can bring information to their respective Councils as needed or as appropriate, and positively lead the contributions on behalf of their municipality.

As projects are initiated and explored, new and emerging ones will take their places as the Area CAOs continue to work through these opportunities and seek ways to meet their common objectives.

Relationship to Council Strategic Priorities

The proposed shared services work is directly related to Council's Strategic Priority of an Effective Region and advances Objective 1.1 "Implement continuous improvement and modernized processes to ensure value-for-money in regional services and programs"; and Objective 1.2 "Explore and implement opportunities to improve service delivery outcomes through shared services".

The continued pursuit of shared service opportunities to transform service delivery also advances the Guiding Principles of fiscal responsibility; innovation; sustainability; partnerships; and transparency and accountability.

Other Pertinent Reports

PDS 30-2023 Areas of Strategic Focus for Shared Services

PDS 10-2023 Strategic Transformation Office – Overview and Priorities

CAO 2-2023 Update on Shared Services Initiatives

CAO 2-2021 Update on Shared Services Initiatives by the CAO Working Group

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Submitted by:

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Chief Administrative Officer

This report was prepared in extensive partnership with and reviewed by the Area CAO Shared Services Working Group comprising all 13 CAOs; Frank Tassone – Director, Transportation Services; Michelle Rasiulis – Procurement Manager; Angela Stea – Director, Corporate Strategy and Community Sustainability; Suzanne Madder – Manager, Corporate Strategy; Beatrice Perna – Climate Change Specialist; and Shannon Cole – Strategic Initiatives Manager.

Appendices

Appendix 1 Shared Services Inventory (Region-LAM)

| Division | Department | Shared Service Initiative Name | Type of Shared Service | Participating Municipalities & External Parties |
|--------------------|--|---|------------------------|---|
| Community Services | Homelessness Services & Community Engagement | Emergency Social Services | Semi-formal | City of Niagara Falls, City of Port Colborne, City of St. Catharines, City of Thorold, City of Welland, Town of Fort Erie, Town of Grimsby, Town of Lincoln, Town of Niagara-on-the-Lake, Town of Pelham, Township of Wainfleet, Township of West Lincoln |
| Community Services | Homelessness Services & Community Engagement | Encampment Strategy | Semi-formal | City of Niagara Falls, City of St. Catharines |
| Community Services | Homelessness Services & Community Engagement | Community Safety and Well Being Plan | Semi-formal | Brock University, Niagara College, District School Board of Niagara, Niagara Catholic District School Board, Niagara Regional Police |
| Community Services | Homelessness Services & Community Engagement | Situation Tables | Semi-formal | District School Board of Niagara, Niagara Catholic District School Board, Niagara Regional Police |
| Community Services | Children’s Services | School Based EarlyON Centres | Formal | Niagara Catholic District School Board |
| Community Services | Children’s Services | Indigenous led Registered Early Years Educator Training Program | Semi-formal | Niagara College |
| Community Services | Children’s Services | Middle Years Development Instrument (MDI) Implementation | Semi-formal | Brock University, District School Board of Niagara, Niagara Catholic District School Board |
| Community Services | Children’s Services | Licensed Child Care | Formal | District School Board of Niagara |
| Community Services | Children’s Services | Niagara Children's Planning Council | Informal | Brock University, Niagara College, District School Board of Niagara, Niagara Catholic District School Board |
| Community Services | Children’s Services | Workforce Recruitment & Retention Working Group | Informal | Niagara College |
| Community Services | Social Assistance and Employment Opportunities | DSBN - Literacy and Basic Skills | Semi-formal | District School Board of Niagara |
| Community Services | Housing Services | Through Their Eyes | Semi-formal | Brock University |
| Community Services | Housing Services | Brock Exercise Program | Semi-formal | Brock University |
| Community Services | Housing Services | Niagara College Wellness Club Partnership | Semi-formal | Niagara College |
| Community Services | Housing Services | Niagara College Social Service Program | Semi-formal | Niagara College |
| Community Services | Seniors Services | Student Placements | Semi-formal | Niagara College, Brock University, District School Board of Niagara |
| Corporate Services | Asset Management | Asset Management Community of practice | Informal | City of Niagara Falls, City of Port Colborne, City of St. Catharines, City of Thorold, City of Welland, Town of Fort Erie, Town of Grimsby, Town of Lincoln, Town of Niagara-on-the-Lake, Town of Pelham, Township of Wainfleet, Township of West Lincoln |
| Corporate Services | Financial Management and Planning | PeopleSoft Shared Service arrangement | Formal | City of St. Catharines |

| Division | Department | Shared Service Initiative Name | Type of Shared Service | Participating Municipalities & External Parties |
|--------------------|-----------------------------------|--|------------------------|---|
| Corporate Services | Financial Management and Planning | Area Treasurers Meetings, ORSTT meetings. Communities of practice have been established to collaborate and share best practices with staff counterparts at the Region and LAMs | Informal | City of Niagara Falls, City of Port Colborne, City of St. Catharines, City of Thorold, City of Welland, Town of Fort Erie, Town of Grimsby, Town of Lincoln, Town of Niagara-on-the-Lake, Town of Pelham, Township of Wainfleet, Township of West Lincoln |
| Corporate Services | Financial Management and Planning | Niagara Transit commission shared financial services | Formal | Niagara Region Transit |
| Corporate Services | IT | Data Center Hosting | Formal | Brock University, Niagara Catholic District School Board, District School Board of Niagara, Niagara Regional Police |
| Corporate Services | IT | GIS Web Map Hosting | Formal | Town of Niagara-on-the-Lake, Town of Pelham, City of Thorold, Township of Wainfleet, City of Port Colborne |
| Corporate Services | IT | 911 Mapping Data – All Municipalities | Formal | City of Niagara Falls, City of Port Colborne, City of St. Catharines, City of Thorold, City of Welland, Town of Fort Erie, Town of Grimsby, Town of Lincoln, Town of Niagara-on-the-Lake, Town of Pelham, Township of Wainfleet |
| Corporate Services | IT | Help Desk (1st Point of Contact - Pilot) | Formal | Town of Grimsby |
| Corporate Services | IT | Procurements – Arial Photography, ESRI EA (All Municipalities) | Formal | City of Niagara Falls, City of Port Colborne, City of St. Catharines, City of Thorold, City of Welland, Town of Fort Erie, Town of Grimsby, Town of Lincoln, Town of Niagara-on-the-Lake, Town of Pelham, Township of Wainfleet |
| Corporate Services | IT | Kronos Time & Attendance | Formal | City of St. Catharines |
| Corporate Services | IT | PeopleSoft ERP | Formal | City of St. Catharines |
| Corporate Services | IT | Cyber Security Response | Informal | City of Niagara Falls, City of Port Colborne, City of St. Catharines, City of Thorold, City of Welland, Town of Fort Erie, Town of Grimsby, Town of Lincoln, Town of Niagara-on-the-Lake, Town of Pelham, Township of Wainfleet, Township of West Lincoln |
| Corporate Services | IT | Staff Augmentation (GIS) | Informal | City of Thorold, City of Port Colborne, Niagara Parks Commission |
| Corporate Services | IT | Staff Augmentation (technical) | Informal | Town of Grimsby |
| Corporate Services | IT | Staff Augmentation (advisory and leadership) | Informal | City of St. Catharines, City of Thorold, Town of Grimsby |

| Division | Department | Shared Service Initiative Name | Type of Shared Service | Participating Municipalities & External Parties |
|--|---|---|------------------------|---|
| Corporate Services | IT | Cyber Security Community of Practice | Informal | City of Niagara Falls, City of Port Colborne, City of St. Catharines, City of Thorold, City of Welland, Town of Fort Erie, Town of Grimsby, Town of Lincoln, Town of Niagara-on-the-Lake, Town of Pelham, Township of Wainfleet |
| Corporate Services | Procurement & Strategic Acquisitions | Niagara Public Purchasing Committee (NPPC Group) | Semi-formal | City of Niagara Falls, City of Port Colborne, City of St. Catharines, City of Thorold, City of Welland, Town of Fort Erie, Town of Lincoln, Town of Grimsby, Town of Niagara-on-the-Lake, Town of Pelham, Township of Wainfleet, Brock University, Niagara College, District School Board of Niagara, Niagara Regional Police, Niagara Peninsula Conservation Authority, Niagara Parks Commission |
| Corporate Services | Legal Services | Provincial Offences Court | Formal | City of Niagara Falls, City of Port Colborne, City of St. Catharines, City of Thorold, City of Welland, Town of Fort Erie, Town of Grimsby, Town of Lincoln, Town of Niagara-on-the-Lake, Town of Pelham, Township of Wainfleet, Township of West Lincoln |
| Corporate Services | Legal Services | Provincial Offences Prosecutions | Semi-formal | City of Niagara Falls, City of Port Colborne, City of St. Catharines, City of Thorold, City of Welland, Town of Fort Erie, Town of Grimsby, Town of Lincoln, Town of Niagara-on-the-Lake, Town of Pelham, Township of Wainfleet, Township of West Lincoln |
| Corporate Services | Facilities Management | Courier service | Semi-formal | Town of Grimsby, Town of Lincoln, City of Niagara Falls, City of Port Colborne, City of St. Catharines, City of Thorold, City of Welland, Town of Fort Erie, Town of Niagara-on-the-Lake, Town of Pelham, Township of Wainfleet, Township of West Lincoln |
| Corporate Services; Growth Strategy & Economic Development | Facilities Management; Financial Management and Planning; IT; Legal Services; Procurement & Strategic Acquisitions; Strategic Transformation Office | Transit Amalgamation | Formal | City of St. Catharines, City of Niagara Falls, City of Welland, Town of Grimsby, Town of Lincoln, Township of West Lincoln, Town of Pelham, Township of Wainfleet, Town of Niagara-on-the-Lake, City of Port Colborne, Town of Fort Erie, City of Thorold |
| Growth Strategy & Economic Development | Corp Strategy & Community Sustainability | Planning Function and Services in Niagara MOU | Semi-formal | City of Niagara Falls, City of Port Colborne, City of St. Catharines, City of Thorold, City of Welland, Town of Grimsby, Town of Fort Erie, Town of Niagara-on-the-Lake, Town of Pelham, Township of Wainfleet, Township of West Lincoln |
| Growth Strategy & Economic Development | Strategic Transformation Office | NRT OnDemand | Formal | City of St. Catharines, City of Niagara Falls, City of Welland, Town of Grimsby, Town of Lincoln, Township of West Lincoln, Town of Pelham, Township of Wainfleet, Town of Niagara-on-the-Lake, City of Port Colborne, Brock University, Niagara College |
| Growth Strategy & Economic Development | DEI Indigenous Relations | DEI Local Area Municipality Working Group | Informal | City of Niagara Falls, City of Port Colborne, City of St. Catharines, City of Thorold, City of Welland, Town of Fort Erie, Town of Grimsby, Town of Lincoln, Town of Niagara-on-the-Lake, Town of Pelham, Township of Wainfleet, Township of West Lincoln |
| Growth Strategy & Economic Development | Corp Strategy & Community Sustainability | Niagara Climate Change Municipal Community of Practice (NCCMCP) | Informal | City of Niagara Falls, City of Port Colborne, City of St. Catharines, City of Thorold, City of Welland, Town of Grimsby, Town of Fort Erie, Town of Niagara-on-the-Lake, Town of Pelham, Township of Wainfleet, Township of West Lincoln, Niagara Peninsula Conservation Authority |
| Growth Strategy & Economic Development | Growth Mgmt & Planning | West Lincoln Planner Secondment | Formal | Township of West Lincoln |
| Growth Strategy & Economic Development | Growth Mgmt & Planning | Planning Function and Services in Niagara MOU | Semi-formal | City of Niagara Falls, City of Port Colborne, City of St. Catharines, City of Thorold, City of Welland, Town of Grimsby, Town of Fort Erie, Town of Niagara-on-the-Lake, Town of Pelham, Township of Wainfleet, Township of West Lincoln |

| Division | Department | Shared Service Initiative Name | Type of Shared Service | Participating Municipalities & External Parties |
|--|---|--|------------------------|---|
| Growth Strategy & Economic Development | Growth Mgmt & Planning | Area Planners | Informal | City of Niagara Falls, City of Port Colborne, City of St. Catharines, City of Thorold, City of Welland, Town of Grimsby, Town of Fort Erie, Town of Niagara-on-the-Lake, Town of Pelham, Township of Wainfleet, Township of West Lincoln |
| Growth Strategy & Economic Development | Growth Mgmt & Planning | Environmental Protocol | Semi-formal | Niagara Peninsula Conservation Authority |
| Growth Strategy & Economic Development | Growth Mgmt & Planning | NPCA Service Agreement | Formal | Niagara Peninsula Conservation Authority |
| Growth Strategy & Economic Development | Corp Strategy & Community Sustainability | NOTL Planner Secondment | Formal | Town of Niagara-on-the-Lake |
| Growth Strategy & Economic Development | Economic Development | Business survey, COVID response - Communities of practice have been established to collaborate and share best practices with staff counterparts at the Region and LAMs | Informal | City of Niagara Falls, City of Port Colborne, City of St. Catharines, City of Thorold, City of Welland, Town of Fort Erie, Town of Grimsby, Town of Lincoln, Town of Niagara-on-the-Lake, Town of Pelham, Township of Wainfleet, Township of West Lincoln |
| Growth Strategy & Economic Development | Economic Development | Workforce Coalition | Informal | Town of Fort Erie, City of Welland, City of St. Catharines, Brock University, Niagara College, Niagara Catholic District School Board, City of Niagara Falls |
| Growth Strategy & Economic Development | Economic Development | Team Niagara | Semi-formal | City of Niagara Falls, City of Port Colborne, City of St. Catharines, City of Thorold, City of Welland, Town of Fort Erie, Town of Grimsby, Town of Lincoln |
| Growth Strategy & Economic Development | Economic Development | Supplier Initiative | Informal | City of Niagara Falls, City of Port Colborne, City of St. Catharines, City of Thorold, City of Welland, Town of Fort Erie, Town of Grimsby, Town of Lincoln, Town of Niagara-on-the-Lake, Town of Pelham, Township of Wainfleet, Township of West Lincoln |
| Growth Strategy & Economic Development | Economic Development | Auto Mayors | Informal | City of St. Catharines |
| Growth Strategy & Economic Development | Infrastructure Planning & Dev Engineering | Private Septic Permits | Formal | City of Niagara Falls, City of Port Colborne, City of St. Catharines, City of Thorold, Town of Fort Erie, Town of Grimsby, Town of Lincoln, Town of Niagara-on-the-Lake, Town of Pelham |
| Growth Strategy & Economic Development | Infrastructure Planning & Dev Engineering | Stormwater Management | Semi-formal | Township of Wainfleet, Township of West Lincoln |
| Growth Strategy & Economic Development | Infrastructure Planning & Dev Engineering | Pollution Prevention Control Plan - CSO funding program | Semi-formal | City of Niagara Falls, City of Port Colborne, City of St. Catharines, City of Thorold, City of Welland, Town of Fort Erie, Town of Grimsby, Town of Lincoln, Town of Niagara-on-the-Lake, Town of Pelham, Township of West Lincoln |
| Growth Strategy & Economic Development | Infrastructure Planning & Dev Engineering | Hydro geological studies | Semi-formal | Township of Wainfleet, Township of West Lincoln |
| Growth Strategy & Economic Development | Infrastructure Planning & Dev Engineering | Master Plan Updates / model updates | Informal | City of Niagara Falls, City of Port Colborne, City of St. Catharines, City of Thorold, City of Welland, Town of Fort Erie, Town of Grimsby, Town of Lincoln, Town of Niagara-on-the-Lake, Town of Pelham, Township of West Lincoln |
| Growth Strategy & Economic Development | Infrastructure Planning & Dev Engineering | Wet weather management working group | Informal | City of Niagara Falls, City of Port Colborne, City of St. Catharines, City of Thorold, City of Welland, Town of Fort Erie, Town of Grimsby, Town of Lincoln, Town of Niagara-on-the-Lake, Town of Pelham, Township of West Lincoln |

| Division | Department | Shared Service Initiative Name | Type of Shared Service | Participating Municipalities & External Parties |
|--------------------------|-----------------------|--|------------------------|---|
| HR Administration | HR Administration | Communities of practice have been established to collaborate and share best practices with staff counterparts at the Region and LAMs | Informal | City of Niagara Falls, City of Port Colborne, City of St. Catharines, City of Thorold, City of Welland, Town of Fort Erie, Town of Grimsby, Town of Lincoln, Town of Niagara-on-the-Lake, Town of Pelham, Township of Wainfleet, Township of West Lincoln, Niagara Peninsula Conservation Authority, Niagara Parks Commission |
| HR Administration | HR Administration | Niagara Region Transit Benefit and Pension Administration and Reporting | Formal | Niagara Region Transit |
| HR Administration | HR Administration | West Lincoln CUPE Job Evaluation | Semi-formal | Township of West Lincoln |
| HR Administration | HR Administration | Pelham Union Job Evalution consulting services | Semi-formal | Town of Pelham |
| HR Administration | HR Administration | LAM Participation in Corporate Learning | Semi-formal | City of Niagara Falls, City of Port Colborne, City of St. Catharines, City of Thorold, City of Welland, Town of Fort Erie, Town of Grimsby, Town of Lincoln, Town of Niagara-on-the-Lake, Town of Pelham, Township of Wainfleet, Township of West Lincoln |
| HR Administration | HR Administration | City of St. Catharines Kronos T/A | Formal | City of St. Catharines |
| HR Administration | HR Administration | Niagara Region Transit Payroll/HRIS/Bene/Pens | Formal | Niagara Region Transit |
| HR Administration | HR Administration | Niagara Region Police Service payroll services | Formal | Niagara Region Police |
| HR Administration | HR Administration | Niagara Region Police Service pension administration and reporting | Formal | Niagara Region Police |
| Office of the Deputy CAO | Clerks Administration | Communities of practice have been established to collaborate and share best practices with staff counterparts at the Region and LAMs | Informal | City of Port Colborne, City of St. Catharines, City of Thorold, City of Niagara Falls, City of Welland, Town of Fort Erie, Town of Grimsby, Town of Lincoln, Town of Niagara-on-the-Lake, Town of Pelham, Township of Wainfleet, Township of West Lincoln |
| Office of the Deputy CAO | Clerks Administration | Joint Election Compliance Audit Committee | Formal | Niagara Catholic District School Board, City of Niagara Falls, City of Port Colborne, City of St. Catharines, City of Thorold, City of Welland, Town of Fort Erie, Town of Grimsby, Town of Lincoln, Town of Niagara-on-the-Lake, Town of Pelham, Township of Wainfleet, Township of West Lincoln |
| Office of the Deputy CAO | Clerks Administration | Integrity Commissioner and Lobbyist Registry Services | Informal | Niagara Peninsula Conservation Authority, City of Niagara Falls, City of Port Colborne, City of St. Catharines, City of Thorold, City of Welland, Town of Fort Erie, Town of Grimsby, Town of Lincoln, Town of Niagara-on-the-Lake, Town of Pelham, Township of Wainfleet, Township of West Lincoln |
| Office of the Deputy CAO | Printing | Print shop | Semi-formal | City of St. Catharines |

| Division | Department | Shared Service Initiative Name | Type of Shared Service | Participating Municipalities & External Parties |
|------------------------------------|---|---|------------------------|--|
| Office of the Deputy CAO | Business Licensing Administration | Incident Management and Licensing Database (Technology) | Formal | Township of Wainfleet |
| Office of the Deputy CAO | Business Licensing Administration | Operational Training | Informal | City of Port Colborne, City of St. Catharines, City of Thorold, City of Welland, Town of Fort Erie, Town of Grimsby, Town of Lincoln, Township of Wainfleet, Township of West Lincoln, Town of Niagara-on-the-Lake, Town of Pelham |
| Office of the Deputy CAO | Business Licensing Administration | Uniform procurement | Informal | City of St. Catharines, City of Thorold, Town of Lincoln, Township of West Lincoln, Town of Grimsby, City of Welland, City of Port Colborne, Town of Fort Erie |
| Office of the Deputy CAO | Business Licensing Administration | Electronic Ticket issuance | Informal | City of St. Catharines |
| Public Health & Emergency Services | Emergency Services | College Paramedic Program | Formal | Niagara College |
| Public Health & Emergency Services | Organizational and Foundational Standards | Regional Physician Recruitment | Semi-formal | City of St. Catharines, City of Thorold, City of Niagara Falls, Town of Fort Erie, City of Welland, City of Port Colborne |
| Public Health & Emergency Services | Organizational and Foundational Standards | Unpaid Student Placements | Semi-formal | Brock University, Niagara College |
| Public Health & Emergency Services | Clinical Services | Student Immunization in all Schools for DSBN and NCDSB | Informal | District School Board of Niagara, Niagara Catholic District School Board |
| Public Health & Emergency Services | Clinical Services | Grade 7 immunization campaign | Informal | District School Board of Niagara, Niagara Catholic District School Board |
| Public Health & Emergency Services | Clinical Services | Sexually Transmitted Infection Testing | Informal | Brock University |
| Public Health & Emergency Services | Environmental Health | Niagara Municipal Enforcement Agency Partnership | Semi-formal | City of Niagara Falls, City of Port Colborne, City of Thorold |
| Public Health & Emergency Services | Chronic Disease and Injury Prevention | Various initiatives | Informal | City of St. Catharines |
| Public Health & Emergency Services | Family Health | Dental Screening/Healthy Smiles Ontario | Informal | District School Board of Niagara, Niagara Catholic District School Board |
| Public Health & Emergency Services | Family Health | School Health - elementary and secondary | Semi-formal | District School Board of Niagara, Niagara Catholic District School Board |
| Public Works | Water - Wastewater | Quality and Compliance Working Group | Informal | City of Niagara Falls, City of Port Colborne, City of St. Catharines, City of Thorold, City of Welland, Town of Fort Erie, Town of Grimsby, Town of Lincoln, Town of Niagara-on-the-Lake, Town of Pelham |
| Public Works | Water - Wastewater | WW Consolidated Linear Infrastructure Working Group | Informal | City of Niagara Falls, City of Port Colborne, City of St. Catharines, City of Thorold, City of Welland, Town of Fort Erie, Town of Grimsby, Town of Lincoln, Town of Niagara-on-the-Lake, Town of Pelham |
| Public Works | Water - Wastewater | Wet Weather Response | Semi-formal | City of Niagara Falls, City of Port Colborne, City of St. Catharines, City of Thorold, City of Welland, Town of Fort Erie, Town of Grimsby, Town of Lincoln, Town of Niagara-on-the-Lake, Town of Pelham |

| Division | Department | Shared Service Initiative Name | Type of Shared Service | Participating Municipalities & External Parties |
|--------------|--------------------------------------|---|------------------------|---|
| Public Works | Water - Wastewater | Niagara River Remedial Action Plan | Semi-formal | Niagara Peninsula Conservation Authority, Niagara Parks Commission, Town of Fort Erie, City of Niagara Falls, Town of Niagara-on-the-Lake |
| Public Works | Water - Wastewater | Environmental Technology Program Advisory Committee | Informal | Niagara College, City of St. Catharines |
| Public Works | Water - Wastewater | Pumping Station Operating and Maintenance | Formal | City of Niagara Falls |
| Public Works | Water - Wastewater | Environmental Laboratory Testing | Formal | Niagara Peninsula Conservation Authority |
| Public Works | Water - Wastewater | Containerized Waste Pickup | Formal | District School Board of Niagara |
| Public Works | Water - Wastewater, Waste Management | Public Works Young Professional Committee | Informal | City of Niagara Falls, City of Port Colborne, City of St. Catharines, City of Thorold, City of Welland, Town of Fort Erie, Town of Grimsby, Town of Lincoln, Town of Niagara-on-the-Lake, Town of Pelham, Township of Wainfleet, Township of West Lincoln |
| Public Works | Water - Wastewater | Niagara Water and Wastewater Spatial Data Working Group | Formal | City of Niagara Falls, City of Port Colborne, City of St. Catharines, City of Thorold, City of Welland, Town of Fort Erie, Town of Grimsby, Town of Lincoln, Town of Niagara-on-the-Lake, Town of Pelham, Township of West Lincoln |
| Public Works | Water - Wastewater | Niagara Flow Monitoring Flow Modeling Working Group | Formal | City of Niagara Falls, City of Port Colborne, City of St. Catharines, City of Thorold, City of Welland, Town of Fort Erie, Town of Grimsby, Town of Lincoln, Town of Niagara-on-the-Lake, Town of Pelham, Township of West Lincoln |
| Public Works | Water - Wastewater | Environmental Laboratory Testing | Informal | City of Niagara Falls, Town of Fort Erie, Town of Pelham |
| Public Works | Water - Wastewater | Wastewater Surveillance Initiative | Semi-formal | City of Niagara Falls, City of St. Catharines, City of Thorold, Town of Fort Erie, City of Welland, Town of Grimsby, Town of Lincoln, Town of Niagara-on-the-Lake, Township of West Lincoln |
| Public Works | Water - Wastewater | Quality Management System Working Group | Informal | City of Niagara Falls, City of Port Colborne, City of St. Catharines, City of Thorold, City of Welland, Town of Fort Erie, Town of Grimsby, Town of Lincoln, Town of Niagara-on-the-Lake, Town of Pelham, Township of West Lincoln |
| Public Works | Water - Wastewater | Waterloss Committee | Informal | City of Niagara Falls, City of Port Colborne, City of St. Catharines, City of Thorold, City of Welland, Town of Fort Erie, Town of Grimsby, Town of Lincoln, Town of Niagara-on-the-Lake, Town of Pelham, Township of West Lincoln |
| Public Works | Water - Wastewater | Linear System Failure Emergency Management | Informal | City of Niagara Falls, City of Port Colborne, City of St. Catharines, City of Thorold, City of Welland, Town of Fort Erie, Town of Grimsby, Town of Lincoln, Town of Niagara-on-the-Lake, Town of Pelham, Township of West Lincoln |
| Public Works | Water - Wastewater | Water Source Protection Committee | Semi-formal | Niagara Peninsula Conservation Authority |
| Public Works | Water - Wastewater | Water Servicing Memorandums of Understanding | Semi-formal | City of Niagara Falls, City of Port Colborne, City of St. Catharines, City of Thorold, City of Welland, Town of Fort Erie, Town of Grimsby, Town of Lincoln, Town of Niagara-on-the-Lake, Town of Pelham, Township of West Lincoln |
| Public Works | Water - Wastewater | Water Pressure Booster Station Legal Agreements | Formal | City of St. Catharines, City of Welland, Town of Pelham |

| Division | Department | Shared Service Initiative Name | Type of Shared Service | Participating Municipalities & External Parties |
|--------------|---------------------------|--|------------------------|---|
| Public Works | Waste Management | Cooperative Container Procurement Program | Semi-formal | City of Niagara Falls, City of Port Colborne, City of St. Catharines, City of Thorold, City of Welland, Town of Fort Erie, Town of Grimsby, Town of Lincoln, Town of Niagara-on-the-Lake, Town of Pelham, Township of Wainfleet, Township of West Lincoln |
| Public Works | Waste Management | Special Events Recycling and Organics | Semi-formal | City of Port Colborne, City of St. Catharines, City of Thorold, City of Welland, Town of Fort Erie, Town of Grimsby, Town of Lincoln, Town of Niagara-on-the-Lake, Town of Pelham, Township of Wainfleet, Township of West Lincoln, Brock University, Niagara College, Niagara Peninsula Conservation Authority, Niagara Parks Commission |
| Public Works | Waste Management | Waste Diversion at Niagara Regional Housing Properties | Semi-formal | City of Niagara Falls, City of Port Colborne, City of St. Catharines, City of Welland, Town of Fort Erie |
| Public Works | Waste Management | Multi-residential Waste Diversion | Semi-formal | City of Niagara Falls, City of Port Colborne, City of St. Catharines, City of Thorold, City of Welland, Town of Fort Erie, Town of Grimsby, Town of Lincoln, Township of West Lincoln, Township of Wainfleet, Town of Niagara-on-the-Lake |
| Public Works | Waste Management | Niagara Region Keen on Green Committee | Formal | City of Niagara Falls, City of Port Colborne, City of St. Catharines, City of Thorold, City of Welland, Town of Fort Erie, Town of Grimsby, Town of Lincoln, Town of Niagara-on-the-Lake, Town of Pelham, Township of Wainfleet, Township of West Lincoln |
| Public Works | Waste Management | Illegal Dumping Working Group | Semi-formal | City of Niagara Falls, City of Port Colborne, City of St. Catharines, City of Thorold, City of Welland, Town of Fort Erie, Town of Grimsby, Town of Lincoln, Town of Niagara-on-the-Lake, Town of Pelham, Township of Wainfleet, Township of West Lincoln |
| Public Works | Waste Management | Welland Town and Gown Committee | Semi-formal | City of Welland, Niagara College |
| Public Works | Waste Management | Enhanced Level of Service - Collections | Formal | City of Niagara Falls, City of Port Colborne, City of St. Catharines, City of Thorold, City of Welland, Town of Fort Erie, Town of Grimsby, Town of Lincoln, Town of Niagara-on-the-Lake, Town of Pelham |
| Public Works | Waste Management | Waste Info-Line | Semi-formal | City of Niagara Falls, City of Port Colborne, City of St. Catharines, City of Thorold, City of Welland, Town of Fort Erie, Town of Grimsby, Town of Lincoln, Town of Niagara-on-the-Lake, Town of Pelham, Township of Wainfleet, Township of West Lincoln |
| Public Works | Transportation Operations | Falls Avenue /420 Landscape Boulevard Maintenance Agreement | Formal | City of Niagara Falls |
| Public Works | Transportation Operations | City of St. Catharines Operations Maintenance Agreement | Formal | City of St. Catharines |
| Public Works | Region-wide | CEMC Mutual Assistance Agreement | Formal | City of Niagara Falls, City of Port Colborne, City of St. Catharines, City of Thorold, City of Welland, Town of Fort Erie, Town of Grimsby, Town of Lincoln, Town of Niagara-on-the-Lake, Town of Pelham, Township of West Lincoln |
| Public Works | Transportation Operations | Town of Lincoln Permission to Enter Quarry Road Site for Debris Disposal | Formal | Town of Lincoln |
| Public Works | Transportation Operations | Shared Services Agreement for Street Sweeping/Forestry Work | Informal | City of Port Colborne |

| Division | Department | Shared Service Initiative Name | Type of Shared Service | Participating Municipalities & External Parties |
|--------------|----------------------------|--|------------------------|---|
| Public Works | Transportation Operations | Temporary Mutual Aid Agreement with Grimsby, Lincoln, Wainfleet, Port Colborne and Fort Erie | Informal | Town of Fort Erie, Township of Wainfleet, Town of Grimsby, Town of Lincoln, City of Niagara Falls |
| Public Works | Transportation Operations | Temporary Mutual Aid Agreement with NOTL | Semi-formal | Town of Niagara-on-the-Lake |
| Public Works | Transportation Operations | Niagara Operations Working Group | Informal | City of Niagara Falls, City of Port Colborne, City of St. Catharines, City of Thorold, City of Welland, Town of Fort Erie, Town of Grimsby, Town of Lincoln, Town of Niagara-on-the-Lake, Town of Pelham, Township of West Lincoln |
| Public Works | Transportation Operations | Book 7 Training Coordination | Informal | City of Niagara Falls, City of Port Colborne, City of St. Catharines, City of Thorold, City of Welland, Town of Fort Erie, Town of Grimsby, Town of Lincoln, Town of Niagara-on-the-Lake, Town of Pelham, Township of West Lincoln |
| Public Works | Transportation Operations | Bulk Sodium Chloride, Winter Sand, Stockpiling and Liquid Sodium Chloride Tender | Semi-formal | City of Niagara Falls, City of Port Colborne, City of St. Catharines, City of Thorold, City of Welland, Town of Fort Erie, Town of Grimsby, Town of Lincoln, Town of Niagara-on-the-Lake, Town of Pelham, Township of West Lincoln |
| Public Works | Transportation Operations | Asphalt, Concrete and Granular Materials Tender | Semi-formal | City of Niagara Falls, City of Port Colborne, City of St. Catharines, City of Thorold, City of Welland, Town of Fort Erie, Town of Grimsby, Town of Lincoln, Town of Niagara-on-the-Lake, Town of Pelham, Township of West Lincoln |
| Public Works | Transportation Operations | Catch Basin Cleaning, Flushing and CCTV Tender | Semi-formal | City of Niagara Falls, City of Port Colborne, City of St. Catharines, City of Thorold, City of Welland, Town of Fort Erie, Town of Grimsby, Town of Lincoln, Town of Niagara-on-the-Lake, Town of Pelham, Township of West Lincoln |
| Public Works | Transportation Operations | Culvert Materials Tender | Semi-formal | City of Niagara Falls, City of Port Colborne, City of St. Catharines, City of Thorold, City of Welland, Town of Fort Erie, Town of Grimsby, Town of Lincoln, Town of Niagara-on-the-Lake, Town of Pelham, Township of West Lincoln |
| Public Works | Region-wide - All LAMs | Coordination of Works on Capital Projects | Semi-formal | City of Niagara Falls, City of Port Colborne, City of St. Catharines, City of Thorold, City of Welland, Town of Fort Erie, Town of Grimsby, Town of Lincoln, Town of Niagara-on-the-Lake, Town of Pelham, Township of Wainfleet, Township of West Lincoln |
| Public Works | Transportation Engineering | SoilFlo Trial for Excess Soils Tracking | Semi-formal | City of Niagara Falls, City of Port Colborne, City of St. Catharines, City of Welland, Town of Fort Erie, Town of Lincoln, Town of Niagara-on-the-Lake, Town of Pelham, Township of Wainfleet, Township of West Lincoln |
| Public Works | Transportation Planning | Municipal 511 | Informal | City of Port Colborne, City of St. Catharines, City of Niagara Falls, City of Thorold, City of Welland, Town of Fort Erie, Town of Grimsby, Town of Lincoln, Town of Niagara-on-the-Lake, Town of Pelham, Township of Wainfleet, Township of West Lincoln |
| Public Works | Transportation Planning | Vision Zero: Automated Enforcement | Formal | City of Port Colborne, City of St. Catharines, City of Niagara Falls, City of Thorold, City of Welland, Town of Fort Erie, Town of Grimsby, Town of Lincoln, Town of Niagara-on-the-Lake, Town of Pelham, Township of Wainfleet, Township of West Lincoln |
| Public Works | Transportation | After Hours Call Centre - Dispatch | Semi-formal | Township of Wainfleet, Township of West Lincoln |

| Division | Department | Shared Service Initiative Name | Type of Shared Service | Participating Municipalities & External Parties |
|--------------|------------------------------------|--|------------------------|--|
| Public Works | Transportation Integrated Services | NPPC Procurements | Formal | City of Niagara Falls, City of Port Colborne, City of St. Catharines, City of Thorold, Town of Fort Erie, Town of Grimsby, Town of Lincoln, Town of Niagara-on-the-Lake, Town of Pelham, Township of Wainfleet, Township of West Lincoln, Niagara Peninsula Conservation Authority |
| Public Works | Transportation Integrated Services | Equipment Procurements | Formal | Township of West Lincoln, City of Welland |
| Public Works | Transportation Integrated Services | Vehicle Procurements | Formal | Town of Pelham |
| Public Works | Transportation Integrated Services | Niagara Fleet Working Group | Informal | City of Niagara Falls, City of Port Colborne, City of St. Catharines, City of Thorold, Town of Fort Erie, Town of Grimsby, Town of Lincoln, Town of Niagara-on-the-Lake, Town of Pelham, Township of Wainfleet, Township of West Lincoln, Niagara Parks Commission |
| Public Works | Transportation Integrated Services | Niagara Asset Management Working Group | Informal | City of Niagara Falls, City of Port Colborne, City of St. Catharines, City of Thorold, Town of Fort Erie, Town of Grimsby, Town of Lincoln, Town of Niagara-on-the-Lake, Town of Pelham, Township of Wainfleet, Township of West Lincoln |
| Public Works | Traffic Systems and Operations | Traffic Signal/PXO design, procurement, construction and maintenance | Formal | City of Niagara Falls, City of Port Colborne, City of St. Catharines, City of Thorold, City of Welland, Town of Fort Erie, Town of Grimsby, Town of Lincoln, Town of Niagara-on-the-Lake, Town of Pelham, Township of Wainfleet, Township of West Lincoln |
| Public Works | Traffic Systems and Operations | Advanced Traffic Management System (ATMS) operation | Formal | City of Niagara Falls, City of Port Colborne, City of St. Catharines, City of Thorold, City of Welland, Town of Fort Erie, Town of Grimsby, Town of Lincoln, Town of Niagara-on-the-Lake, Town of Pelham, Township of Wainfleet, Township of West Lincoln |
| Public Works | Traffic Systems and Operations | Streetlighting maintenance on Regional Roads- all LAMs Region wide | Semi-formal | City of Niagara Falls, City of Port Colborne, City of St. Catharines, City of Thorold, City of Welland, Town of Fort Erie, Town of Grimsby, Town of Lincoln, Town of Niagara-on-the-Lake, Town of Pelham, Township of Wainfleet, Township of West Lincoln |
| Public Works | Traffic Systems and Operations | Sign manufacturing | Informal | City of Niagara Falls, City of Port Colborne, City of St. Catharines, City of Thorold, City of Welland, Town of Fort Erie, Town of Grimsby, Town of Lincoln, Town of Niagara-on-the-Lake, Town of Pelham, Township of Wainfleet, Township of West Lincoln |

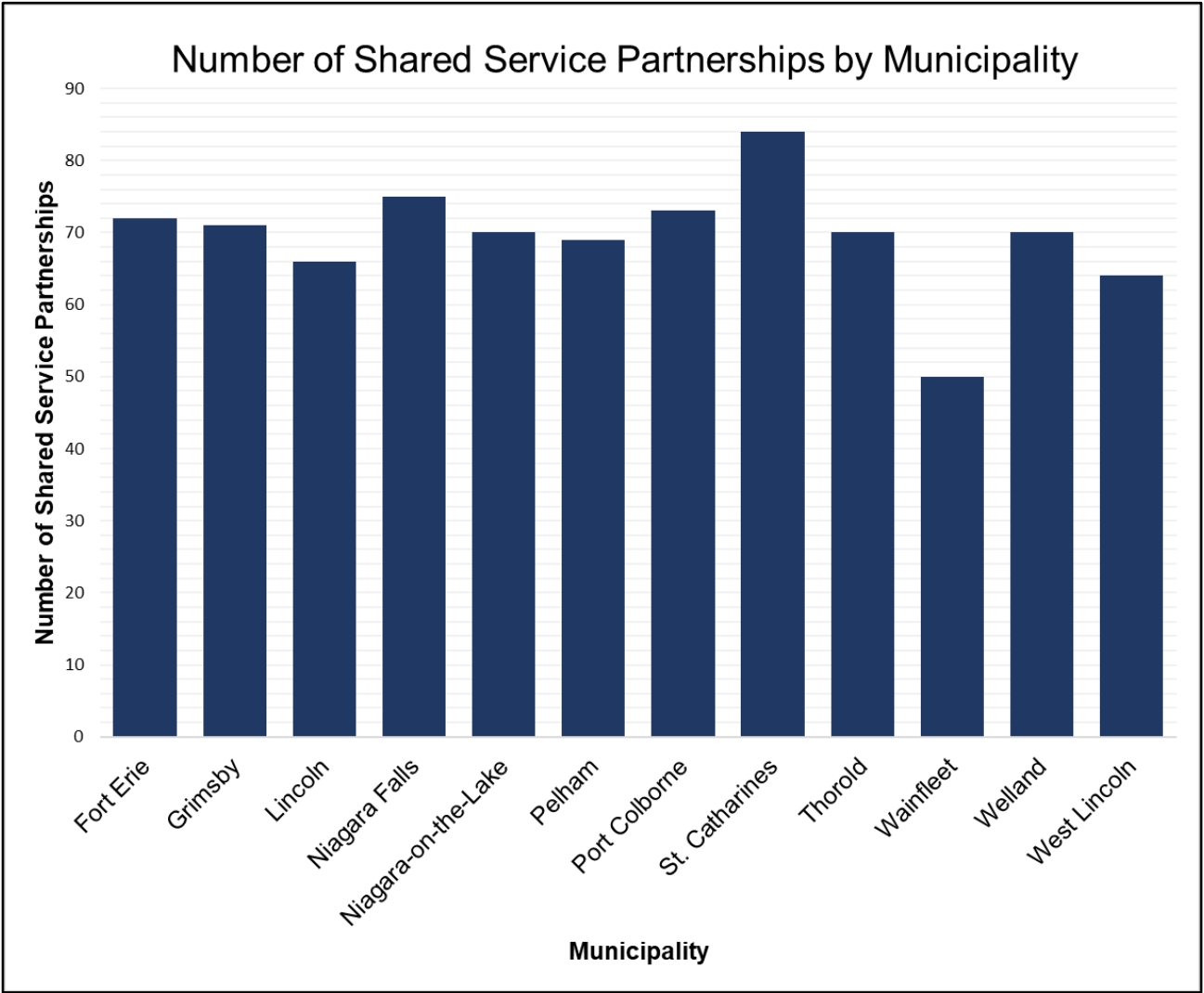


Figure 1: Number of Shared Service Partnerships by Municipality

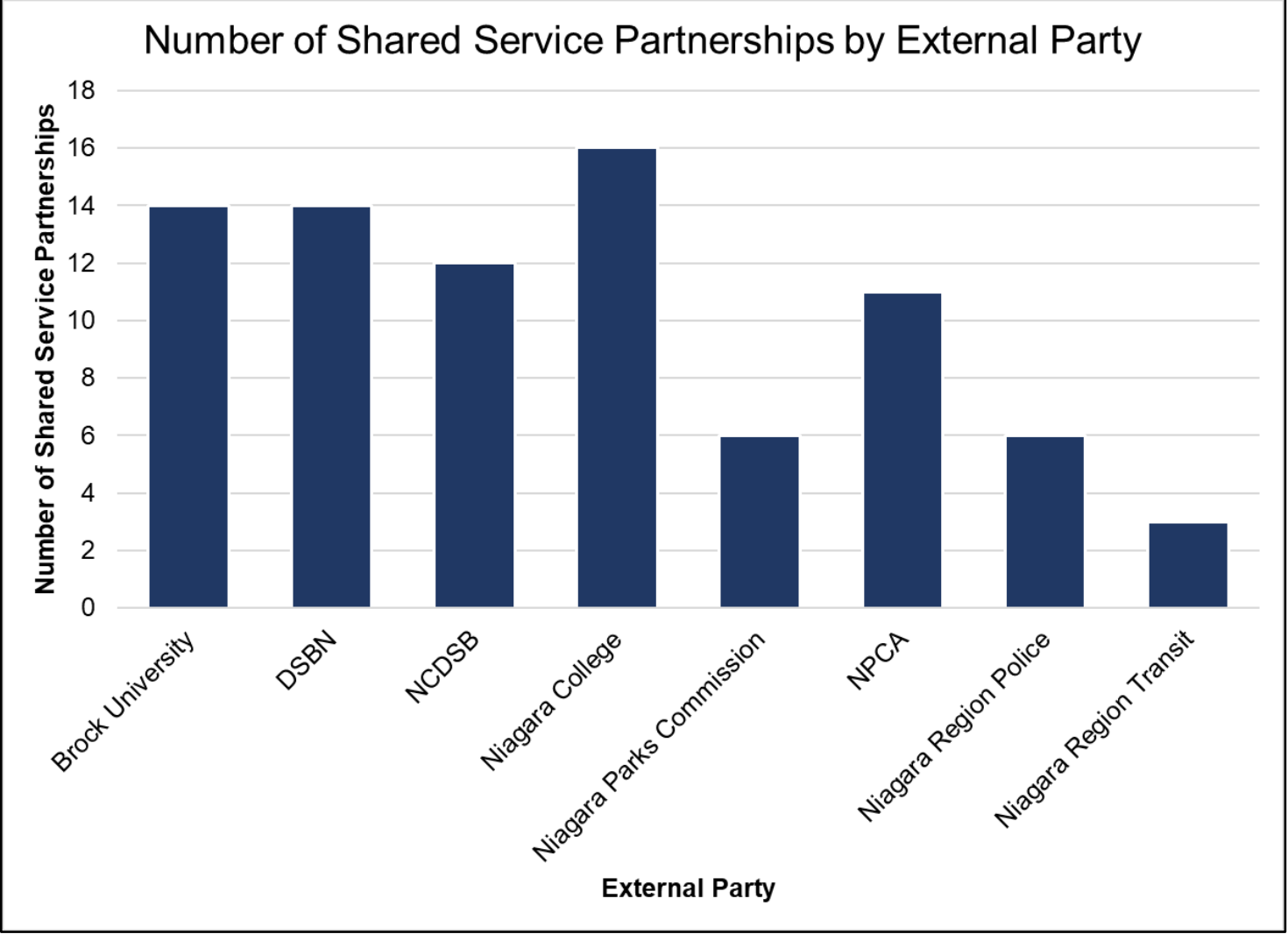


Figure 2: Number of Shared Service Partnerships by External Party

Memorandum

PDS-C 12-2024**Subject:** Workforce Coalition**Date:** April 10, 2024**To:** Planning and Economic Development Committee**From:** Marco Marino, Associate Director, Economic Development

The Workforce Collective (formerly the Niagara Workforce Planning Board) in partnership with Niagara Economic Development (NED), area municipalities, Niagara College, Brock University, Niagara Industrial Association (NIA) and employment agencies announced the formation of a Workforce Coalition to integrate workforce planning and development in Niagara. The intention of this work is to move our community closer to realizing a thriving local economy, powered by decent work and collaborative talent attraction and retention efforts that can speak to our value proposition when looking to attract future investment to the region. Given the international struggle to attract and retain talent we strive to remove the siloed approach to the ongoing labour issue and integrate all of our relationships, expertise and skill sets in identifying creative and collaborative solutions that meet existing and future employer needs.

To solve these challenges, the Coalition aims to engage key leaders in systemic change and align with community-wide initiatives (such as Regional Council's Growing Better Together Strategic Priorities for ensuring a Prosperous Region, also in line with NED's 10 Year Economic Development Strategy and the Niagara Poverty Reduction Strategy). We need to work across employment, education, and training systems to address the growing mismatch between the skills workers have and those employers are seeking.

Through working together, we plan to:

- Develop a workforce strategy that guides workforce planning and development activities.
- Share data and knowledge between partners (to coordinate, increase capacity and reduce duplication); and mobilize information to employers, educators, and service providers.

- Strengthen partnerships and proactively engage in initiatives to develop our workforce.

Marco Marino

Associate Director, Economic Development

Subject: Council-Staff Relations

Report to: Regional Council

Report date: Thursday, April 25, 2024

Recommendations

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

Key Facts

- The purpose of this report is to update Council on the role of the Deputy Chief Administrative Officer (DCAO) and delineate the responsibilities of the office from the Chief Administrative Officer (CAO) role.
- The DCAO position was approved by Council in 2023 and the position was filled on November 1, 2023.
- The DCAO oversees The Office of the Regional Clerk, Strategic Communication and Public Affairs and Government Stakeholder Relations.
- The DCAO provides strategic advice to the CAO, acts as a liaison on behalf of the CAO between the Office of the Regional Chair and the Corporation and works in partnership to resolve a wide range of issues that are often highly sensitive and confidential in nature.
- Additionally the DCAO is the lead on the GO implementation initiative.

Financial Considerations

There are no financial considerations associated with this report.

Analysis

In delineating the roles between the CAO and DCAO it is important to note that both roles are focused on finding efficiencies in the organization while enhancing services for the public and Council. In doing so the CAO is the people leader and head of the corporation and concentrates on the implementation of Council strategic priorities, relationships with the 12 area municipalities, provincial ministries and large institutions including but not limited to Brock University, Niagara College, Niagara Health System,

Niagara Regional Police and Niagara Regional Transit. The CAO also liaises with outward facing organization like the Greater Niagara Chamber of Commerce, Sport Niagara and various community associations.

Conversely, the DCAO focus is more on enterprise or inward facing activities and programs. This includes multi departmental initiatives like departmental reorganizations, policy creation and implementation and various projects like the upcoming new website implementation. The DCAO also provides sponsorship or membership on internal committees and teams including but not limited to Building Utilization, Security, Asset Management, Health and Safety and Council Strategic Priority Teams.

Both the CAO and DCAO provide support for Council in the form of advice or information as required. The CAO is the main contact for concerns or questions on policy, advocacy, governance and Department work plans and programs. Smaller issues or Council requests regarding which department or director to contact on a given issue or where to get answers to citizen queries, should be directed to the DCAO. The DCAO department is set up to coordinate queries of this nature and ensure items are actioned and completed using a follow up tracking system managed by the Department Executive Assistant.

Alternatives Reviewed

No alternatives were considered at this time but it is worth noting that the DCAO function will expand as required to adapt to legislative changes or reorganizations to ensure the corporation is flexible enough to adapt to a changes.

Relationship to Council Strategic Priorities

The DCAO position supports the Council Strategic Priority of Effective Region by aiding service effectiveness for both staff and Council.

Ron Tripp, P.Eng.
Chief Administrative Officer

This report was prepared in consultation with Dan Carnegie, Deputy Chief Administrative Officer.

THE REGIONAL MUNICIPALITY OF NIAGARA

BY-LAW NO. <>

A BY-LAW TO AMEND BY-LAW 2019-79 BEING A
BY-LAW TO DEFINE BUDGET PLANNING
REQUIREMENTS FOR THE REGIONAL
MUNICIPALITY OF NIAGARA AND TO REPEAL
BY-LAW 2024-22

WHEREAS Section 224(d) of the Municipal Act, 2001, S.O. 2001, c. 25, as amended, states that it is the role of council to ensure that administrative policies, practices and procedures and controllership policies, practices and procedures are in place to implement the decisions of council;

WHEREAS Section 289(1) of the Municipal Act, 2001, S.O. 2001, c. 25, as amended, requires that for each year, The Regional Municipality of Niagara, in the year or the immediately preceding year, prepare and adopt a Budget including estimates of all sums required during the year;

WHEREAS Regional Council passed By-law 2019-79 being a By-law to Define Budget Planning Requirements for The Regional Municipality of Niagara on October 17, 2019, and amended By-law 2019-79 on November 19, 2020, and further amended it on March 21, 2024; and

WHEREAS Regional Council deems it necessary to further amend By-law 2019-79.

NOW THEREFORE the Council of The Regional Municipality of Niagara enacts as follows:

1. That the Section 2.1 “Definitions” be amended as follows:

Delete 2.1 (a).

Add :“Assessment Growth” means the increase in property assessment as a result of the changes that happen to a property within a calendar year, including; new construction, major renovations, demolitions and property value appeals.

Add: “Business Case” means a document that justifies the scope of a project and provides insight into benefits, risk assessment, and financial and staffing impacts.

Add: "Incremental Operating Costs of Growth" means additional operating costs including staffing, materials, maintenance, etc., but excluding the related debt servicing cost associated with capital project as a result of growth.

Add: "Rate Budget" means the budget for services such as water and wastewater treatment, biosolids management and lab services. Costs for these services are charged to the municipalities based on usage. The rates charged to residents for each of these services will vary depending on where they live.

Add: "Tax Increment Grant" or "TIG" means a refund of taxes on assessment growth directly related to a development.

Add: "Transit Special Tax Levy" means Regional property taxes that pay for transit services across the Region and varies between municipalities based on service levels.

Add: "Waste Management Special Tax Levy" means Regional property taxes that pay for services including curbside collection, recycling and landfill sites and waste management and varies between municipalities based on service levels.

Delete: "Special Levy".

2. That Section 4 be deleted and replaced with the following:

4.1 That a schedule of BRCOTW meetings, which deliberate budget approvals, be presented to Council directly or during the planning meeting identified in 4.3 whereas;

- a) The annual operating and capital budgets are scheduled to be approved in the year prior to the new budget year.
- b) That the exception to item 4.1.a) be where the new budget year immediately follows a year in which a municipal election is held, as allowed in the Act.

4.2 That the schedule in which the budgetary reports are presented to BRCOTW be in the following order, or as may otherwise be determined at the meeting referred to in 4.3:

- a) Capital program;
- b) Special Tax Levies (Waste Management and Niagara Transit Commission);
- c) Rate (Water and Wastewater);
- d) ABCs included the General Tax Levy;

- e) Regional Departments and Consolidated General Tax levy programs.
- 4.3 That a planning meeting of BRCOTW for a new budget year be scheduled no later than July 31 of the year preceding the new budget year.
- 4.4 That the budget plan, deliberations, and approval of the budget be based upon the following for fullness of Council decision making and transparency to the public:
- a) That the increase in budget to provide base services, excluding revenues and the costs of growth and capital, be prepared with reference to an appropriate inflationary factor as determined by Council at the planning meeting for the new budget year.
 - b) That the incremental operating budget requirements to support the capital asset plan be provided with a separate increase. That any new programs and services to be considered be provided with a separate increase.
 - c) That net assessment growth revenue be prioritized in the following order:
 - i. Tax Increment Grants
 - ii. Incremental Operating Costs of Growth
 - iii. Costs to fund new and growth capital assets
 - iv. Gaps in funding items in sections 4.4 (b) and 4.4 (c) of this By-law
 - v. Programs aimed at driving economic growth or other Council priorities
- Other factors such as growth and strategic plans may be incorporated into the overall prioritization of assessment growth.
- 4.5 That budget deliberations provide Council with a Business Case where any one of the following conditions are met:
- a) The request includes the addition of (a) permanent FTE(s);
 - b) The request adds (a) new service(s) not offered by the Niagara Region in the year prior to the new budget year. This excludes changes in delivery of (a) service(s) within a division.

- 4.6 That budget deliberations provide Council with information on material changes meeting the following conditions:
- a) The net request is in excess of \$500,000 increase or decrease to a departmental budget. This excludes increases or decreases for general labour related costs (other than those in 4.5.a) as these general costs will be reported on corporately
 - b) The gross divisional change is in excess of \$1,000,000. A gross change less than \$1,000,000, with a net impact less than \$500,000 will be at the discretion of the Commissioner and/or Treasurer.
3. That Section 5.3 be deleted.
4. That the following wording in Section 5 be amended as follows:
- That estimated incremental debt payments for a project be included in the operating budget in the year the capital project is approved as a placeholder for the payments that will be made. Where a surplus may occur due to timing, that placeholder will be used to fund pay-as-you-go capital or debt substitution unless otherwise approved by Council.
- That operating programs that are time limited or one-time in nature may be funded by time limited or one-time sources, such as reserves in accordance with the Reserve Policy.
5. That By-law 2024-22 is hereby repealed.
6. 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: < >

THE REGIONAL MUNICIPALITY OF NIAGARA

BY-LAW NO. <>

A BY-LAW TO APPOINT AREA WEED INSPECTORS
FOR THE PURPOSE OF ENFORCING THE WEED
CONTROL ACT, R.S.O. 1990, C.W.5, FOR THE
REGIONAL MUNICIPALITY OF NIAGARA
AND TO REPEAL BY-LAW 2023-35

WHEREAS subsection 6(1) of the *Weed Control Act, R.S.O. 1990, c.W.5*, states that the council of every upper-tier and single-tier municipality shall by by-law appoint one or more persons as area weed inspectors to enforce this Act in the area within the council's jurisdiction and fix their remuneration or other compensation;

WHEREAS subsection 7(2) of the *Weed Control Act, R.S.O. 1990, c.W.5*, states that if the council of an upper-tier or single-tier municipality passes a by-law appointing an area weed inspector on or after the 1st day of April, the clerk shall within seven days after the passing of the by-law give the chief inspector a written notice indicating the name and address of every area weed inspector and the area for which the appointment is made; and

WHEREAS subsection 1(1)(e) of the *Provincial Offences Act, R.S.O. 1990, c. P33*, states that a provincial offences officer means an officer, employee or agent of any municipality or of any local board of any municipality whose responsibilities include the enforcement of a by-law, an Act or a regulation under an Act, while in the discharge of their duties.

NOW THEREFORE the Council of The Regional Municipality of Niagara enacts as follows:

1. That the following persons be hereby appointed as Area Weed Inspectors for the enforcement of *Weed Control Act, R.S.O. 1990, c.W.5*, within the area of jurisdiction:

- Angelo Apfelbaum, Manager, Business Licensing
- Gino Pasquariello, Licensing Enforcement Officer
- Petar Vujic, Manager, Road Safety, Public Works
- Doug Bolton, Supervisor, Corridor Management, Public Works
- Adam Parker, Corridor Technician, Public Works
- Kevin Allan, Corridor Technician, Public Works

2. That this by-law shall come into force and effect on the day upon which it is passed.

THE REGIONAL MUNICIPALITY OF NIAGARA

James Bradley, Regional Chair

Ann-Marie Norio, Regional Clerk

Passed: < >

THE REGIONAL MUNICIPALITY OF NIAGARA

BY-LAW NO. <>

A BY-LAW TO AMEND BY-LAW 89-2000 BEING A BY-LAW TO PROVIDE FOR THE REGULATION OF TRAFFIC ON REGIONAL HIGHWAYS (LIMITED PARKING RESTRICTIONS IN THE CITY OF ST. CATHARINES)

WHEREAS on the 20th day of April, 1989 the Council of The Regional Municipality of Niagara did pass By-law No. 89-2000, which is a by-law to provide for the regulation of traffic on Regional Highways;

WHEREAS it is necessary from time to time to amend said by-law;

WHEREAS on the 23rd day of July, 2020, Council of The Regional Municipality of Niagara passed By-law 2020-47 being a by-law to delegate authority to the Director of Transportation Services to request the preparation of an amending by-law to make routine and administrative changes to the schedules of Traffic and Parking By-law 89-2000 in accordance with the Delegation of Authority Respecting Traffic and Parking By-law 89-2000 Matters Policy; and,

WHEREAS a memorandum dated April 17, 2024, 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 limited parking restrictions on Regional Road 87 Main Street in the City of St. Catharines.

NOW THEREFORE the Council of The Regional Municipality of Niagara enacts as follows:

1. That Schedule "E" of the said By-Law No. 89-2000 be and the same is hereby amended by **adding** the following:

Schedule "E"
Limited Parking Restrictions

| HIGHWAY | SIDE | FROM | TO | TIMES/DAYS | MAXIMUM |
|-----------------------------------|-------|---------------------------------|---------------------------------|---|------------|
| Regional Road 87 (Main Street) | South | Simcoe Street | 44 meters east of Simcoe Street | 9:00 a.m. to 6:00 p.m Monday to Saturday | 1 Hour |
| Regional Road 87 (Main Street) | South | 44 meters east of Simcoe Street | 50 meters east of Simcoe Street | Anytime | 15 Minutes |
| Regional Road 87 (Main Street) | South | 50 meters east of Simcoe Street | Gertrude Street | 9:00 a.m. to 6:00 p.m Monday to Saturday | 1 Hour |

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 BEING A BY-LAW TO PROVIDE FOR THE REGULATION OF TRAFFIC ON REGIONAL HIGHWAYS (STOP SIGN LOCATIONS IN THE CITY OF ST. CATHARINES)

WHEREAS on the 20th day of April, 1989 the Council of The Regional Municipality of Niagara did pass By-law No. 89-2000, which is a by-law to provide for the regulation of traffic on Regional Highways;

WHEREAS it is necessary from time to time to amend said by-law;

WHEREAS on the 23rd day of July, 2020, Council of The Regional Municipality of Niagara passed By-law 2020-47 being a by-law to delegate authority to the Director of Transportation Services to request the preparation of an amending by-law to make routine and administrative changes to the schedules of Traffic and Parking By-law 89-2000 in accordance with the Delegation of Authority Respecting Traffic and Parking By-law 89-2000 Matters Policy; and,

WHEREAS a memorandum dated April 17, 2024, 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 implementing stop signs on Regional Road 81 (St. Paul Street West) in the City of St. Catharines.

NOW THEREFORE the Council of The Regional Municipality of Niagara enacts as follows:

1. That Schedule "P" of the said By-Law No. 89-2000 be and the same is hereby amended by **adding** the following:

Schedule "P"
Stop Sign Locations

| HIGHWAY | AT | FACING TRAFFIC |
|---|--------------|---|
| Regional Road 81 (St. Paul Street West) | First Street | Northbound, Southbound, Eastbound and Westbound |

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 BEING A BY-LAW
TO PROVIDE FOR THE REGULATION OF TRAFFIC ON
REGIONAL HIGHWAYS (THROUGH HIGHWAYS IN THE
CITY OF ST. CATHARINES)

WHEREAS on the 20th day of April, 1989 the Council of The Regional Municipality of Niagara did pass By-law No. 89-2000, which is a by-law to provide for the regulation of traffic on Regional Highways;

WHEREAS it is necessary from time to time to amend said by-law;

WHEREAS on the 23rd day of July, 2020, Council of The Regional Municipality of Niagara passed By-law 2020-47 being a by-law to delegate authority to the Director of Transportation Services to request the preparation of an amending by-law to make routine and administrative changes to the schedules of Traffic and Parking By-law 89-2000 in accordance with the Delegation of Authority Respecting Traffic and Parking By-law 89-2000 Matters Policy; and,

WHEREAS a memorandum dated April 17 2024, 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 designating through highways on Regional Road 81 (St. Paul Street West) in the City of St. Catharines.

NOW THEREFORE the Council of The Regional Municipality of Niagara enacts as follows:

1. That Schedule "N" of the said By-Law No. 89-2000 be and the same is hereby amended by **adding** the following:

Schedule "N"
Through Highways

| HIGHWAY | FROM | TO |
|---|--|--|
| Regional Road 81 (Main Street West, Main Street East, St. Paul Street West) | Regional Road 81 (Main Street West, Patton Street) | First Street |
| Regional Road 81 (St. Paul Street West) | First Street | Vansickle Road |
| Regional Road 81 (St. Paul Street West, queenston Street and York Road) | Vansickle Road | Regional Road 100 (Four Mile Creek Road) |

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 BEING A
BY-LAW TO PROVIDE FOR THE REGULATION OF
TRAFFIC ON REGIONAL HIGHWAYS (STOP SIGN
LOCATIONS IN THE CITY OF NIAGARA FALLS)

WHEREAS on the 20th day of April, 1989 the Council of The Regional Municipality of Niagara did pass By-law No. 89-2000, which is a by-law to provide for the regulation of traffic on Regional Highways;

WHEREAS it is necessary from time to time to amend said by-law;

WHEREAS on the 23rd day of July, 2020, Council of The Regional Municipality of Niagara passed By-law 2020-47 being a by-law to delegate authority to the Director of Transportation Services to request the preparation of an amending by-law to make routine and administrative changes to the schedules of Traffic and Parking By-law 89-2000 in accordance with the Delegation of Authority Respecting Traffic and Parking By-law 89-2000 Matters Policy; and,

WHEREAS a memorandum dated April 17 2024, 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 implementing stop signs on Regional Road 27 (Schisler Road) in the City of Niagara Falls.

NOW THEREFORE the Council of The Regional Municipality of Niagara enacts as follows:

1. That Schedule "P" of the said By-Law No. 89-2000 be and the same is hereby amended by **adding** the following:

Schedule "P"
Stop Sign Locations

| HIGHWAY | AT | FACING TRAFFIC |
|----------------------------------|----------------------------------|---|
| Regional Road 27 (Schisler Road) | Regional Road 98 (Montrose Road) | Northbound, Southbound, Eastbound and Westbound |

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 BEING A BY-LAW TO PROVIDE FOR THE REGULATION OF TRAFFIC ON REGIONAL HIGHWAYS (THROUGH HIGHWAYS IN THE CITY OF NIAGARA FALLS)

WHEREAS on the 20th day of April, 1989 the Council of The Regional Municipality of Niagara did pass By-law No. 89-2000, which is a by-law to provide for the regulation of traffic on Regional Highways;

WHEREAS it is necessary from time to time to amend said by-law;

WHEREAS on the 23rd day of July, 2020, Council of The Regional Municipality of Niagara passed By-law 2020-47 being a by-law to delegate authority to the Director of Transportation Services to request the preparation of an amending by-law to make routine and administrative changes to the schedules of Traffic and Parking By-law 89-2000 in accordance with the Delegation of Authority Respecting Traffic and Parking By-law 89-2000 Matters Policy; and,

WHEREAS a memorandum dated April 17, 2024, 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 designating through highways on Regional Road 27 and Regional Road 98 in the City of Niagara Falls.

NOW THEREFORE the Council of The Regional Municipality of Niagara enacts as follows:

1. That Schedule "N" of the said By-Law No. 89-2000 be and the same is hereby amended by **adding** the following:

Schedule "N"
Through Highways

| HIGHWAY | FROM | TO |
|--|-------------------------------------|-------------------------------------|
| Regional Road 27 (East Main Street, Schisler Road) | Wellington Street | Regional Road 98 (Montrose Road) |
| Regional Road 98 (West Service Road, Montrose Road) | Regional Road 98 (Kalar Road) | Regional Road 27 (Schisler Road) |
| Regional Road 98 (West Service Road, Montrose Road) | Regional Road 27 (Schisler Road) | Regional Road 25 (Netherby Road) |

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 ADOPT, RATIFY AND CONFIRM THE
ACTIONS OF REGIONAL COUNCIL AT ITS MEETING
HELD APRIL 25, 2024

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 Thursday, April 25, 2024, 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: < >

THE REGIONAL MUNICIPALITY OF NIAGARA

BY-LAW NO. <>

A BY-LAW TO ACCEPT, ASSUME AND DEDICATE
PART OF LOT 7, CONCESSION 6, IN THE
TOWNSHIP OF WAINFLEET AS PART OF REGIONAL
ROAD NO. 627 (O'REILLY'S ROAD)

WHEREAS it is in the interest of Regional Council to accept a road widening from David Z. Orosz and Debra B. Orosz; and

WHEREAS it is deemed expedient to accept, assume and dedicate the lands hereinafter described as part of the public highway being Regional Road No. 627 (O'Reilly's Road);

NOW THEREFORE the Council of The Regional Municipality of Niagara enacts as follows:

1. That the following land be and the same is hereby accepted, assumed and dedicated as public highway forming part of the said Regional Road No. 627 (O'Reilly's Road):

Part Lot 7, Concession 6, Township of Wainfleet, Regional Municipality of Niagara and designated as Part 1 on Reference Plan 59R-14045.

2. That this by-law shall be deemed to be in force and effect as of January 21, 2010.

THE REGIONAL MUNICIPALITY OF NIAGARA

James Bradley, Regional Chair

Ann-Marie Norio, Regional Clerk

Passed: < >