



THE REGIONAL MUNICIPALITY OF NIAGARA  
CORPORATE SERVICES COMMITTEE  
FINAL AGENDA

CSC 08-2019

Wednesday, August 7, 2019

9:30 a.m.

Council Chamber

Niagara Region Headquarters, Campbell West

1815 Sir Isaac Brock Way, Thorold, ON

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	Pages
1. <u>CALL TO ORDER</u>	
2. <u>DISCLOSURES OF PECUNIARY INTEREST</u>	
3. <u>PRESENTATIONS</u>	
4. <u>DELEGATIONS</u>	
4.1 <u>Request for Development Charge Exemption - 1070 Vansickle Road North, St. Catharines</u> Henriette Marsh, Resident, City of St. Catharines	3 - 4
5. <u>ITEMS FOR CONSIDERATION</u>	
5.1 <u>CSD 47-2019</u> Update to Execution of Documents By-Law	5 - 39
5.2 <u>CSC-C 15-2019</u> Recommendations from the Accessibility Advisory Committee meeting held June 25, 2019	40 - 52
6. <u>CONSENT ITEMS FOR INFORMATION</u>	
6.1 <u>CSC-C 14-2019</u> Niagara Go Station Strategy	53 - 67
6.2 <u>CSD 58-2019</u> Non-conforming Smarter Niagara Incentive Program Requests	68 - 104

**7. OTHER BUSINESS**

**8. CLOSED SESSION**

**8.1 Confidential Presentation**

A Matter Respecting a Proposed or Pending Acquisition or Disposition of Land by the Municipality and a Position, Plan, Procedure, Criteria or Instruction to be Applied to any Negotiations Carried on or to be Carried on by or on Behalf of the Municipality - Niagara GO Station Development Strategy

**8.2 Confidential CSD 17-2019**

A Matter Respecting a Proposed or Pending Acquisition or Disposition of Land by the Municipality and a Position, Plan, Procedure, Criteria or Instruction to be Applied to any Negotiations Carried on or to be Carried on by or on Behalf of the Municipality - Niagara GO Station Development Strategy

**8.3 Confidential CSD 44-2019**

A Matter Respecting Litigation and A Matter of Advice that is Subject to Solicitor-Client privilege under s. 239(2) of the Municipal Act, 2001 – Carillion Canada Inc. v. RMON re NRPS Headquarters and 2 District

**8.4 Confidential CSD 52-2019**

A Matter Respecting a Proposed Acquisition of Land by the Municipality - Lease Agreement, Niagara Emergency Medical Services, 509 Glendale Avenue East, Niagara-on-the-Lake

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

**10. NEXT MEETING**

The next meeting will be held on Wednesday, September 11, 2019 at 9:30 a.m. in the Council Chamber, Regional Headquarters.

**11. ADJOURNMENT**

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

**From:** [PF-Mailbox-01](#)  
**To:** [Lotimer, Kelly](#); [Norio, Ann-Marie](#); [Trennum, Matthew](#); [Evely, Mark](#)  
**Subject:** FW: Online Form - Request to Speak at a Standing Committee  
**Date:** Friday, July 19, 2019 12:38:53 PM

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**From:** Niagara Region Website  
**Sent:** Friday, 19 July 2019 12:38:43 (UTC-05:00) Eastern Time (US & Canada)  
**To:** Clerks  
**Subject:** Online Form - Request to Speak at a Standing Committee

## Request to Speak at a Standing Committee

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

Name

henriette-marsh

Address

[REDACTED]

City

st catharines

Postal

[REDACTED]

Phone

[REDACTED]

Email

[REDACTED]

Organization

standing committee  
Regional Council

Presentation Topic

development fees

Presentation includes slides

No

Previously presented topic

No

Presentation Details

i am requesting an exemption from development fees for 1070 vansicle rd n. i have been in the process to build a bugalow style all wheelchair access semi since march/2017..i had a house on property which got burned down..i now am finally done the creation of new lot to build semi & i find out i have to pay for 2 development fees... i have already payed @82,000 dollars to get this far..also i am building for possible seniors which i know we have great shortage of also o spoke with regional councilor & he feels i shoul'n't have to pay,,spoke with todd harrison's clerk & he advised me to talk to you..i'd like to present this to you...pls what else should i do to go to nxt meeting on aug 7th??

Video Consent

Yes





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**Subject:** Update to Execution of Documents By-Law

**Report to:** Corporate Services Committee

**Report date:** Wednesday, August 7, 2019

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## **Recommendations**

1. That Regional Council **APPROVE** the amendment of By-law No. 09-2016 being A By-law to Govern the Execution of Documents and to Delegate Certain Administrative Powers and Duties to Staff and to Repeal By-law 126-2011 (hereinafter the “Execution By-law”) by deleting reference in section 8 thereof to “21 days” and substituting therefor “30 days”.

## **Key Facts**

- The purpose of this report is to seek approval for amendment of the Execution By-law to reflect changes to the meeting schedule of Council implemented during the current term.
- Section 2 of the Execution By-law identifies persons holding the offices or positions of Regional Chair, Regional Clerk, the Chief Administrative Officer and Commissioner of Corporate Services/Treasurer as signing officers for the Corporation.
- In circumstances where there is no regular meeting of Council for more than 21 days, Section 8 of the Execution By-law authorizes the signing officers designated by Section 2 of the Execution By-law to execute such documents as they deem reasonably necessary to carry out the business of the Regional Corporation.
- During prior terms of Council which regularly met once every three weeks, the broad authority granted by Section 8 of the Execution By-law was typically effective only during limited periodic gaps when there was more than 21 days between regular Council meetings including Council’s summer recess.
- The current regular meeting schedule of Council of approximately every four weeks means the delegated power is in effect continuously throughout the year which staff believe was not the original intent when Council approved the Execution By-law.
- Legal & Court Services are undertaking a general review of the Execution By-law and hope to bring forward more comprehensive suggested improvements during the current year but are of the opinion this particular provision should be considered by Council in advance of that more general review.

## **Financial Considerations**

There are no direct financial effects arising from this Report.

## Analysis

Section 2 of the Execution By-law identifies persons holding the following offices or positions as signing officers for the Regional Corporation:

- Regional Chair,
- Regional Clerk,
- the Chief Administrative Officer, and
- Commissioner of Corporate Services/Treasurer as signing officers for the Corporation

Subsection 6(a) of the Execution By-law provides that unless otherwise provided by law or the Execution By-law, documents may be executed by the signatures of any two of the signing officers noted in the preceding paragraph.

Section 5 indicates signing officers shall not execute a document unless authorized by by-law which authorization includes the authority granted by Section 8 and Schedule “A” of the Execution By-law, authorization under the Procurement By-law and transaction specific by-laws typically arising from a report to Council and the resulting resolutions of Council.

The purpose of this report is to seek Council’s approval for amendment of Section 8 of the Execution By-law which provides as follows:

“8. When there is no regular meeting of Council scheduled during a period of time that is more than 21 days after the date of the previously scheduled regular Council meeting, the signing officers designated under section 2 are hereby authorized to execute such documents as they deem to be reasonably required to carry on the business of the Regional Corporation.”

Section 8 provides a broad delegation of authority through the discretionary language used which would potentially permit signing officers to enter into binding arrangements of significant direct cost and/or risk without approval of Council. Examples of matters that require Council approval but could be authorized under section 8 could include:

- Execution of a contract for procured goods or services with a value in excess of five million dollars that, pursuant to the requirements of the Procurement By-law would otherwise go to Council for approval;
- Execution of Minutes of Settlement with a payment in excess of one million dollars (CAO’s current limit under Schedule “A” to the Execution By-law); or
- Entering into a revenue generating contract, with attendant costs and risks, when the contemplated revenue generated will exceed the limits, (currently \$100,000) delegated to staff by paragraph 51 of Schedule “A” to the Execution By-law;

However the section only takes effect when the period between regularly scheduled Council meetings exceed 21 days. These periods of effectiveness were typically (but not exclusively) limited to Council's the summer recess from late July to early September when the alternative methods of calling Council meetings (and obtaining quorum) i.e. special or emergency meetings as discussed later in this report may have been more difficult to implement. Attached hereto as Appendix 1 are sample meeting schedules for Council in 2012, 2013 and 2014 representing two separate terms of Council which indicate gaps in the summer of up to 49 days between Council meetings in certain years. The 2013 year indicates four gaps in excess of 21 days between Council meetings. The 2012 year indicates gaps in July-August and December-January. The 2014 year indicates a summer gap plus a gap following the election that year.

Council, in passing the Execution By-law in 2016, approved the delegation under the circumstances as then existed. The recommended change to the by-law is to remove the reference to "21 days" in the above quoted section and substitute "30 days" to better align with the current regular meeting schedule of Council. Attached hereto as Appendix 2 is Council's 2019 schedule. There are gaps between regular meetings of more than 21 days throughout the year with the exception of the meetings on April 25 and May 16. There are also gaps of greater than 30 days on three occasions.

- January – February 42 days;
- May –June 35 days;
- August – September 35 days;

As a result there is no perfect number of days to include in Section 8. The majority of Council meetings are within 28 days of the prior regular meeting. The suggested amendment to 30 days was made in an attempt to correspond with the majority of the meetings while recognizing it does not fully recreate the different circumstances that existed at the time of original passing of the Execution By-law.

The risk associated with any decision to delegate authority is the reliance upon the delegated parties. That risk is dealt with in the Execution By-law and Procurement By-law generally by the inclusion of monetary limits on such a decision making authority, in certain circumstances reporting on use of the authority after the fact and systems of checks and balances such as requiring two signatures. No such monetary limitation or specific reporting mechanism exists in Section 8 as it is currently written but will be considered as part of a comprehensive review by staff of the by-law as discussed later in this report.

The risk associated with limiting the delegated authority under Section 8 would be that time sensitive documents that may be in the best interest of the Regional Corporation to execute and which cannot be approved by an alternative by-law authority such as the Procurement By-law, will either have to be delayed to the next regular Council meeting and/or until a special or an emergency meeting of Council can be called. This risk

existed at the time of passing of the Execution By-law, the difference being only the timing to the next regular Council meeting.

The Procedural By-law (By-law 120-2010 as amended) provides authority to the Regional Chair to call a special meeting with at least 48 hours' notice and an emergency meeting under the circumstances described in Section 7 of the Procedural By-law without notice. As such there is a method to limit the risk of losing an opportunity in the event Council approves further restrictions on the applicability of Section 8 of the Execution By-law.

Legal and Court Services staff are reviewing, in consultation with other departments, the Execution By-law with the intent of bring more comprehensive amendments forward by the end of the current year. As the needs of Niagara Regions departments change and changes in the types of routine documents encountered by Niagara Region, periodic updates of the by-law are recommended.

### **Alternatives Reviewed**

Staff considered leaving Section 8 in its current form notwithstanding the changes to Council's schedule on the basis that Council may wish to include this delegated power effectively twelve months of each year. Staff recognized that when Council dates were changed the concerns raised by this report were not, to staff's knowledge, part of the discussion and as such should be raised with Council. The option to continue with the current wording is open to Council.

Staff, recognize both the ability to call Council meetings on relatively short notice and the fact that the unique use of Section 8 in the past related to a summer period when the expectation, based on the structure of the Council, might be that some Councillors vacation during the period. That situation no longer exists as there is not a dedicated "breaks period" for Council. As such staff considered recommending elimination of Section 8 entirely. It was not recommended in recognition that special and emergency meetings, while possible, should not be the norm and Council may find over-use undesirable. The option of deleting the section from the by-law altogether remains open to Council.

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

This report supports proper and efficient of Niagara Region's core functions while balancing respect for taxpayers through appropriate application of risk analysis to Niagara Region's operations and by-laws.

## Other Pertinent Reports

No related reports.

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**Prepared by:**

Sterling Wood  
Legal Counsel  
Enterprise Resource Management  
Services

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**Recommended by:**

Todd Harrison, CPA, CMA  
Commissioner/Treasurer  
Enterprise Resource Management  
Services

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**Submitted by:**

Ron Tripp, P.Eng.  
Acting Chief Administrative Officer

*This report was reviewed by Donna Gibbs, Director of Legal and Court Services.*

## Appendices

Appendix 1 Council Schedules 2012, 2013, and 2014

Appendix 2 Council Schedule 2019

Appendix 3 By-law No. 09-2016 being A By-law to Govern the Execution of Documents and to Delegate Certain Administrative Powers and Duties to Staff and to Repeal By-law 126-2011

CSD 47-2019  
August 7, 2019  
Appendix 1

**SCHEDULE OF REGULAR MEETINGS**  
**REGIONAL COUNCIL, BUDGET REVIEW COMMITTEE OF THE WHOLE,**  
**COUNCIL BUSINESS PLANNING COMMITTEE OF THE WHOLE AND STANDING COMMITTEES**

**2012**

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Committee Week held one week earlier to accommodate March Break

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


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 Regional Chair's 2012 Golf Tournament - August 23, 2012	 Stat Holiday
 Council & Agenda Dist.	 Budget Review COTW
 Planning & Priority Week	 March Break

 Committee Week
 Niagara Week - May 28, 29 & 30, 2012
 Council Business Planning COTW or Special COTW

<b>FCM - June 1 - 4 Saskatoon</b>	<b>AMO - August 19 - 22 Ottawa</b>
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**Meeting Times**

**Council:** Thursdays during Council Week

6:30pm

**Committee of the Whole:**

Thursdays at 6:30pm

(Includes Budget Review, Council Business Planning and Special COTW Meetings)

**Budget Review Committee of the Whole:**

October 11, October 18, November 8 and November 29  
November 1

**Standing Committee Meeting Times During Committee Week:**

**Public Works Committee**

**Public Health and Social Services Committee**

**Corporate Services Committee**

**Integrated Community Planning**

CSD 47-2019  
August 7, 2019  
Appendix 1

6:30pm to 9:30 pm

8:30am to 6:00pm

Tuesdays at 9:30am

Tuesdays at 2:00pm

Wednesdays at 9:30am

Wednesdays at 1:00pm

*Revised Meeting Schedule Approved by  
Council on June 21, 2012*

**SCHEDULE OF REGULAR MEETINGS**  
**REGIONAL COUNCIL, BUDGET REVIEW COMMITTEE OF THE WHOLE,**  
**COUNCIL BUSINESS PLANNING COMMITTEE OF THE WHOLE AND STANDING COMMITTEES**  
**2013**

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Committee Week held one week earlier to accommodate March Break

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- Regional Chair's 2013 Golf Tournament - August 22, 2013
- Council & Agenda Dist.
- Planning & Priority Week
- Stat Holiday
- Budget Review COTW
- March Break

- Committee Week
- Niagara Week - May 6, 7 & 8, 2013
- Council Business Planning COTW or Special COTW

<b>FCM Sustainable Communities - February 13-15 Windsor</b>	<b>AMO - August 18 - 21 Location TBD</b>
<b>FCM Annual Conference - May 31 - June 3 Vancouver</b>	

Approved November 15, 2012

Length of Service Lunch - Tuesday June 18, 2013 at Club Capri  
 Length of Service Dinner Wednesday June 19, 2013 at Amici's Banquet Hall

12:00 p.m.  
 5:00 p.m.

### Meeting Times

**Council:** Thursday: during Council Week

**\*Budget Review Committee of the Whole prior to Council on June 6, 2013**

**Committee of the Whole:**

(Includes Budget Review, Council Business Planning and Special COTW Meetings)

**\*\*Budget Review Committee of the Whole on November 7, 2013**

**Standing Committee Meeting Times During Committee Week:**

**Public Works Committee**

**Public Health and Social Services Committee**

**Corporate Services Committee**

**Integrated Community Planning Committee**

6:30pm

4:00 pm to 6:00pm

Thursdays at 6:30pm

8:30am to 6:00pm

Tuesdays at 9:30am

Tuesdays at 2:00pm

Wednesdays at 9:30am

Wednesdays at 1:00pm



**C8095**

**SCHEDULE OF REGULAR MEETINGS**  
**REGIONAL COUNCIL, BUDGET REVIEW COMMITTEE OF THE WHOLE,**  
**COUNCIL BUSINESS PLANNING COMMITTEE OF THE WHOLE AND STANDING COMMITTEES**  
**2014**

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Committee Week held one week earlier to accommodate March Break

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12	Nomination Day					

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27	Municipal Election					

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11	Inaugural Council					

- Regional Chair's 2014 Golf Tournament - August 21, 2014
- Council & Agenda Dist.
- Planning & Priority Week
- Stat Holiday
- Budget Review COTW
- March Break

- Committee Week
- Niagara Week - May 5, 6 & 7, 2014
- Council Business Planning COTW or Special COTW

FCM Sustainable Communities - February 11-13 Charlottetown, PEI	AMO - August 17 - 20 London, ON
FCM Annual Conference - May 30 - June 2, Niagara Falls, ON	

Length of Service Lunch June 17, 2014 at Club Capri  
Length of Service Dinner June 18, 2014 at Amici's

*Approved by Council October 10, 2013*

12:00 p.m.  
5:00 p.m.

**Meeting Times**

**Council:** Thursdays during Council  
\*Budget Review Committee of the Whole prior to Council on June 12, 2014

**Committee of the Whole:**  
(Includes Budget Review, Council Business Planning and Special COTW Meetings)  
\*\*Budget Review Committee of the Whole on October 16, 2014

**Standing Committee Meeting Times During Committee Week:**  
Public Works Committee  
Public Health and Social Services Committee  
Corporate Services Committee  
Integrated Community Planning Committee

6:30pm  
4:00 pm to 6:00pm  
Thursdays at 6:30pm  
  
8:30am to 6:00pm  
  
Tuesdays at 9:30am  
Tuesdays at 2:00pm  
Wednesdays at 9:30am  
Wednesdays at 1:00pm

## 2019 LEGISLATIVE SCHEDULE OF REGULAR MEETINGS

REGIONAL COUNCIL, BUDGET REVIEW COMMITTEE OF THE WHOLE,  
COUNCIL BUSINESS PLANNING COMMITTEE OF THE WHOLE AND STANDING COMMITTEES

JANUARY						
S	M	T	W	T	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

FEBRUARY						
S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28		

MARCH						
S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

APRIL						
S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30				

MAY						
S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

JUNE						
S	M	T	W	T	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	**20	21	22
23	24	25	26	27	28	29
30						

JULY						
S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			








AUGUST						
S	M	T	W	T	F	S
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4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

SEPTEMBER						
S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30					

OCTOBER						
S	M	T	W	T	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

NOVEMBER						
S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30

DECEMBER						
S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

 Council	 Council Business Planning Committee of the Whole - <i>At the call of the Chair</i>	 Stat Holiday
 Committee Week	 Committee of the Whole	 March Break
 Budget Review Committee of the Whole		

\*\* BRCOTW prior to Council on June 20, 2019 at 4 p.m.

AMO - August 18-21, Ottawa, ON	FCM Conference - May 30 - June 2, Quebec City	ROMA Conference - Jan 29-31, Toronto, ON OGRA Conference Feb 26-Mar 1, Toronto,
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### Meeting Times

**Council**  
**Committee of the Whole** (includes Budget Review and Council Business Planning)  
**Public Works Committee**  
**Public Health and Social Services Committee**  
**Corporate Services Committee**  
**Planning & Development Committee**

Thursdays at 6:30pm  
Thursdays at 6:30pm  
Tuesdays at 9:30am  
Tuesdays at 2:00pm  
Wednesdays at 9:30am  
Wednesdays at 1:00pm

Updated on June 21, 2019 - Include BRCOTW (CSD 40-2019)

Bill 09-2016

Authorization Reference: CSD 09-2016

*Amended December 7, 2017  
By-law No. 2017-112*

*PWC 14-2017;  
Minute Item 5.1*

THE REGIONAL MUNICIPALITY OF NIAGARA

BY-LAW NO. 09-2016

A BY-LAW TO GOVERN THE EXECUTION OF DOCUMENTS AND TO  
DELEGATE CERTAIN ADMINISTRATIVE POWERS AND DUTIES TO  
STAFF AND TO REPEAL BY-LAW 126-2011

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WHEREAS subsection 227(a) of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, provides that it is the role of the officers and employees of the municipality to implement council's decisions and establish administrative practices and procedures to carry out council's decisions;

AND WHEREAS the Council of The Regional Municipality of Niagara (the "Regional Corporation") by resolution adopted on December 20, 2007 approved a policy entitled "Delegation of Powers and Duties";

AND WHEREAS the Policy provides that the efficient management of the Regional Corporation, and the need to respond to various issues in a timely fashion, makes it appropriate for Council of the Regional Corporation to delegate certain administrative powers and duties to Regional staff;

AND WHEREAS the Council of the Regional Corporation has deemed it desirable to set out its policies with respect to the execution of documents in a By-law and to delegate certain administrative powers and duties to Regional staff;

AND WHEREAS on September 25, 2008, the Council of the Regional Corporation enacted By-law 96-2008 to govern the execution of documents and to delegate certain administrative powers and duties to staff;

AND WHEREAS on December 8, 2011, the Council of the Regional Corporation enacted By-law 126-2011 to govern the execution of documents and to delegate certain administrative powers and duties to staff and repealed By-law 96-2008;

AND WHEREAS the Council of the Regional Corporation wishes to repeal By-law 126-2011 and replace it with a new by-law;

NOW THEREFORE the Council of the Regional Corporation enacts as follows:

**DEFINITIONS**

Bill 09-2016

Authorization Reference: CSD 09-2016

*Amended December 7, 2017  
By-law No. 2017-112*

*PWC 14-2017;  
Minute Item 5.1*

1. (a) In this By-law,

“Administrative Powers” means all actions which may be taken by Council and Committees, individual members of Council, and all Regional officers and employees, which are necessary or appropriate for the effective management of the Regional Corporation in the performance of its responsibilities, including the procurement and disposal of goods, services and property for the purposes of the Regional Corporation;

“Council” means the Council of the Regional Corporation;

“Document” means any written instrument whether on paper or in electronic form including, without limiting the foregoing, any contract, agreement, deed, purchase order, memorandum, letter of intent, application, release, waiver or acknowledgement which, when executed, will have or is intended to have the effect of causing the Regional Corporation to be bound in a legally enforceable relationship with any other person; and shall not include:

- (i) any cheques, bank drafts, orders for payment of money, promissory notes, acceptances, bills of exchange, debentures and any similar instruments; and
- (ii) correspondence, whether by letter or in electronic form, intended to convey information or confirm a position on a matter, but not intended to create a contract or agreement between the Regional Corporation and any other person, whether or not a legally enforceable right or remedy is created thereby;

“Execute” means to complete the formalities intended to give effect to a document and may include any one or more of the following formalities as may be required in the circumstances:

- (iii) signing the document;
- (iv) causing the seal of the Regional Corporation to be affixed to the document; and

Bill 09-2016

Authorization Reference: CSD 09-2016

*Amended December 7, 2017*  
*By-law No. 2017-112*

*PWC 14-2017;*  
*Minute Item 5.1*

- (v) causing delivery of the document to be made to the other parties thereto; and

“Regional Corporation” means The Regional Municipality of Niagara.

- (b) Any reference to a statute is to such statute and to the regulations made pursuant to it, as such statute and regulations may at any time be amended or modified and in effect, and to any statute or regulations that may be passed that have the effect of supplementing or superseding such statute or regulations.
- (c) Schedule “A” – “Routine Documents” attached hereto forms part of this By-law.

## **APPOINTMENT OF SIGNING OFFICERS**

- 2. Subject to the requirements of this By-law and any statute regarding the execution of any particular kind of document, an employee or officer of the Regional Corporation, who at the time of execution of any document holds any of the following offices or positions, is a signing officer of the Regional Corporation and has the authority to execute the document on its behalf:
  - (a) the Regional Chair;
  - (b) the Regional Clerk;
  - (c) the Chief Administrative Officer;
  - (d) the Commissioner of Corporate Services/Treasurer.
- 3. In addition to the signing officers designated in section 2, a document listed in Column 1 of Schedule “A” of this By-law (“Routine Documents”) may be executed by an employee or officer of the Regional Corporation who at the time of execution of the particular document holds any one of the offices or positions set out opposite in Column 2 of Schedule “A”, or by an employee or officer who holds a position above the delegated signing officer in the organizational chart, and they shall be considered to be signing officers but only for the limited purposes of the documents set out in Schedule “A” that they are authorized to sign, provided that all other provisions of this By-law are complied with.



Bill 09-2016

Authorization Reference: CSD 09-2016

*Amended December 7, 2017  
By-law No. 2017-112*

*PWC 14-2017;  
Minute Item 5.1*

4. When any signing officer designated under section 2 or 3 is absent for any reason or the office or the position is vacant:
  - (a) if there is a by-law which designates a deputy, associate or other acting person as having the authority of the person holding the position or office of the signing officer, such deputy, associate or acting person is authorized to exercise the authority of the signing officer under this By-law; and
  - (b) unless contrary to a by-law as described in clause (a), any employee or officer of the Regional Corporation appointed in writing by the signing officer identified in section 2 or 3, as acting in the position or office of such signing officer during his or her temporary absence, is authorized to exercise the authority of the signing officer under this By-law.

#### **AUTHORITY AND MANNER OF EXECUTION**

5. Subject to any statutory requirement to the contrary, signing officers shall not execute any document unless its execution is authorized by by-law enacted by Council. For greater certainty and without limiting the foregoing, a by-law authorizing execution of a document includes:
  - (a) a by-law authorizing the execution of the document and without limiting the foregoing, includes by-laws referred to in section 7 of this By-law;
  - (b) a by-law confirming the proceedings of Council that confirms a resolution, including a resolution adopting a Committee recommendation which authorizes the execution of the document;
  - (c) the Procurement By-law to the extent that it authorizes the making of purchase orders, contracts and agreements for the purchase of goods and services; and
  - (d) this by-law as it relates to documents listed in Schedule "A" of this By-law ("Routine Documents") and documents executed under section 8.

Bill 09-2016

Authorization Reference: CSD 09-2016

*Amended December 7, 2017*  
*By-law No. 2017-112*

*PWC 14-2017;*  
*Minute Item 5.1*

6. The following rules shall apply to the execution of documents:
- (a) Unless otherwise required by law or this By-law, a document may be executed by the signatures of two signing officers and when so executed the document may be endorsed with the words, "We have authority to bind the Corporation", or any similar words indicating the authority of the signing officers.
  - (b) Every signing officer shall ensure that his or her name and title is legibly printed beneath his or her signature.
  - (c) The seal of the Regional Corporation shall not be applied to a document upon execution unless it is executed by the signatures of no less than two signing officers, one of whom shall be the Regional Clerk.
7. The authority to execute documents shall include the following:
- (a) where a by-law authorizes the acceptance or execution of a contract or the making of an offer that upon acceptance becomes a contract, in addition to the execution of such acceptance, contract or offer, the signing officers are hereby authorized to execute all documents required by the terms of the contract that are necessary to perform the contract or carry out the Region's obligations under it and any such by-law shall be deemed to include such authority;
  - (b) where a by-law authorizes the making of any application, or the commencement of any work, undertaking or project which requires any approval, the signing officers are hereby authorized to execute all application documents and supporting documents necessary for the making of the application or to apply for the required approval and any such by-law shall be deemed to include such authority;
  - (c) where a by-law authorizes the settlement of any legal action or other proceeding involving a claim made by or against the Regional Corporation, the signing officers are hereby authorized to execute such receipts, releases, indemnities, acknowledgments or similar documents necessary to effect the settlement provided that they have been approved by the Director of Legal and Court Services or his or her designate and any such by-law shall be deemed to include such authority; and

Bill 09-2016

Authorization Reference: CSD 09-2016

*Amended December 7, 2017  
By-law No. 2017-112*

*PWC 14-2017;  
Minute Item 5.1*

- (d) where a document on its face is subject to or is conditional upon approval, adoption or ratification by Council, the signing officers may execute the document before the document is so approved, adopted or ratified, provided that the document and its execution shall not be legally binding on the Regional Corporation until the by-law approving, adopting or ratifying the document or execution is enacted.
8. When there is no regular meeting of Council scheduled during a period of time that is more than 21 days after the date of the previously scheduled regular Council meeting, the signing officers designated under section 2 are hereby authorized to execute such documents as they deem to be reasonably required to carry on the business of the Regional Corporation.

## **ADMINISTRATION**

9. All documents to be executed shall be prepared in a sufficient number of identical originals to permit at least two executed originals to be retained by the Regional Corporation.
10. All documents:
- (a) to be executed by the signing officers designated in section 2; or
  - (b) which require financial securities and/or proof of insurance;
- shall be forwarded to the Director of Legal and Court Services, or designate, for approval prior to execution, along with the documents authorizing execution, including the Committee/Council Report and Council minutes approving the report.
11. Following execution, the Legal and Court Services division shall forward one original executed document to the Office of the Regional Clerk and the remaining original(s) to the department with primary oversight for the agreement.
12. The department with primary oversight for the agreement shall be responsible for distribution of the executed document.



Bill 09-2016

Authorization Reference: CSD 09-2016

*Amended December 7, 2017*  
*By-law No. 2017-112*

*PWC 14-2017;*  
*Minute Item 5.1*

13. The short title of this By-law is the "Document Execution By-law".

**EFFECTIVE BY-LAW DATE**

14. This By-law comes into force and takes effect on the day upon which it is passed.

THE REGIONAL MUNICIPALITY OF NIAGARA

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(Alan Caslin, Regional Chair)

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(Ralph Walton, Regional Clerk)

Passed: February 25, 2016

Bill 09-2016

Authorization Reference: CSD 09-2016

*Amended December 7, 2017*  
*By-law No. 2017-112*

*PWC 14-2017;*  
*Minute Item 5.1*

**SCHEDULE “A”**  
**Routine Documents**

In addition to the signing officers designated under section 2 of this By-law, the documents listed in Column 1 may also be executed by the officers or employees of the Regional Corporation holding the office or position shown opposite in Column 2.

In this Schedule “A”, the term “Director of Legal and Court Services” includes authorized Legal Counsel employed by the Regional Corporation.

<b>Section</b>	<b>Column 1 Document</b>	<b>Column 2 Signing Officers</b>
<b>Public Works</b>		
1.	Documents permitted or required under the Sewer Use By-law in force from time to time including Surcharge Agreements.	The Commissioner of Public Works or The Director of Water and Wastewater
2.	Agreements relating to the supply of water or sewer services within the Regional area, including operation and maintenance agreements with Niagara area municipalities.	The Commissioner of Public Works
3.	Agreements providing for the control of access, ingress and egress to and from Regional roads.	The Commissioner of Public Works
4.	Agreements, including cost sharing agreements with Niagara area municipalities or other government agencies, regarding road construction and/or road maintenance pursuant to projects or programs approved by Council.	The Commissioner of Public Works

Bill 09-2016

Authorization Reference: CSD 09-2016

Amended December 7, 2017  
By-law No. 2017-112

PWC 14-2017;  
Minute Item 5.1

**SCHEDULE "A"**  
**Routine Documents**

Section	Column 1 Document	Column 2 Signing Officers
5.	Agreements and other documents permitting underground pipe crossings of lands used for gas lines or railway purposes, limited access highways, or hydro corridors, provided that the total consideration to be paid or a reasonable estimate of the cost of the obligations to be incurred by the Regional Corporation, excluding applicable taxes, legal fees and fees of an administrative nature, does not exceed \$100,000.	The Commissioner of Public Works
6.	<i>The following documents permitted or required under the Municipal Drinking Water Licensing Program:</i>	
6(1)	<i>Amendments to the Region's Drinking Water Quality Management System (DWQMS) Operational Plan of a minor or administrative nature</i>	<i>The Commissioner of Public Works</i>
6(2)	<i>Pre-approved amendments to the Region's drinking water systems (Schedule "C" of Drinking Water Works Permits (DWWP)), municipal drinking water licence renewal, submission of approval for proposed works and Director notification of water works project completion</i>	<i>The Commissioner of Public Works or the Water and Wastewater Compliance Technologist or the Water Compliance Specialist</i>

Bill 09-2016

Authorization Reference: CSD 09-2016

Amended December 7, 2017

By-law No. 2017-112

PWC 14-2017;

Minute Item 5.1

**SCHEDULE "A"**  
**Routine Documents**

Section	Column 1 Document	Column 2 Signing Officers
7.	Agreements with developers regarding road improvements to Regional roads, where the improvements are required for new development.	The Commissioner of Planning and Development Services or Associate Director of Development Planning

**Planning**

8.	Agreements imposed or required in satisfaction of any condition of approval under the <i>Planning Act</i> in connection with the development of land including, without limitation, subdivisions, site plans and re-zonings where the Regional Corporation is not the applicant, and Releases and Acknowledgments of Compliance pursuant to any such agreements.	The Commissioner or Director responsible for the program
9.	Applications, submissions, declarations, representations and agreements imposed or required in satisfaction of any condition of approval under the <i>Planning Act</i> or the <i>Building Code Act, 1992</i> in connection with the development or redevelopment of Regional lands or buildings where the Regional Corporation is the applicant, provided the project has been approved by Council.	The Commissioner or Director responsible for the program

Bill 09-2016

Authorization Reference: CSD 09-2016

*Amended December 7, 2017**By-law No. 2017-112**PWC 14-2017;**Minute Item 5.1*

**SCHEDULE "A"**  
**Routine Documents**

Section	Column 1 Document	Column 2 Signing Officers
<b>Corporate Services - Properties</b>		
10.	Any of the following documents in subsections 10(1) to 10(5) inclusive provided that the total consideration to be paid or a reasonable estimate of the cost of the obligations to be incurred by the Regional Corporation, excluding applicable taxes, legal fees and fees of an administrative nature, does not exceed \$100,000, or where a leasehold or land use license is involved, \$100,000 per annum.	
10(1)	Agreements of purchase and sale and all deeds, transfers and other documents required for the acquisition, purchase, sale or exchange of any interest in land including, without limitation, easements, rights of first refusal, option agreements and re-purchase agreements.	The Commissioner of Corporate Services/Treasurer or Commissioner of Public Works
10(2)	Agreements and other documents permitting the Regional Corporation or its contractors or agents to enter upon land for any of the purposes of the Regional Corporation, or agreements and other documents permitting others or their contractors or agents to enter upon lands of the Regional Corporation.	The Commissioner of Corporate Services/Treasurer or Commissioner of Public Works

Bill 09-2016

Authorization Reference: CSD 09-2016

*Amended December 7, 2017*  
*By-law No. 2017-112*

*PWC 14-2017;*  
*Minute Item 5.1*

**SCHEDULE "A"**  
**Routine Documents**

<b>Section</b>	<b>Column 1 Document</b>	<b>Column 2 Signing Officers</b>
10(3)	Documents permitting encroachment on easements and other lands vested in the Regional Corporation which are not part of a public highway, including encroachment agreements and the assignment, release or termination of encroachment agreements, and the release and abandonment of easements.	The Commissioner of Corporate Services/Treasurer or Commissioner of Public Works
10(4)	Agreements to lease or license, and leases or licenses of premises required for Regional purposes; and, agreements to lease or license and leases or licenses of Regional lands or premises to be temporarily disposed of.	The Commissioner responsible for the program
10(5)	Facility license or rental agreements for occupancy of space on a short term basis for the purposes of the Regional Corporation, such as staff meetings, public meetings and open houses and for the occupancy of Regional lands or premises on a short term basis by others, such as the use of meeting rooms, the council chambers, motion picture and television locations.	<p>The Director responsible for the program (expenditure up to \$25,000)</p> <p>The Commissioner responsible for the program (expenditure greater than \$25,000)</p>

Bill 09-2016

Authorization Reference: CSD 09-2016

*Amended December 7, 2017*  
*By-law No. 2017-112*

*PWC 14-2017;*  
*Minute Item 5.1*

**SCHEDULE “A”**  
**Routine Documents**

<b>Section</b>	<b>Column 1 Document</b>	<b>Column 2 Signing Officers</b>
11.	Offer to purchase agreements for strategic land acquisitions valued at more than \$100,000, conditional on final approval by Regional Council.	The Chief Administrative Officer
12.	Acknowledgments of the status, term and conditions of any lease under which the Regional Corporation is a tenant and notices pursuant to the <i>Residential Tenancies Act, 2006</i> where the Regional Corporation is the landlord.	The Commissioner of Corporate Services/Treasurer
13.	Undertakings, certificates, statements, declarations, notices of election under the <i>Expropriations Act</i> and other documents required for the completion of any transaction involving the acquisition, purchase, sale or exchange of any interest in land, but not including agreements of purchase and sale, deeds and transfers, leases and agreements to lease except to effect registration where the transaction is otherwise authorized.	The Commissioner of Corporate Services/Treasurer or the Director of Legal and Court Services, or Law Clerk authorized in writing by the Director of Legal and Court Services
14.	Consents and Waivers of Notice relating to an application for registration under the <i>Land Titles Act</i> .	The Commissioner of Corporate Services/Treasurer or the Director of Legal and Court Services

Bill 09-2016

Authorization Reference: CSD 09-2016

Amended December 7, 2017

By-law No. 2017-112

PWC 14-2017;

Minute Item 5.1

**SCHEDULE "A"**  
**Routine Documents**

Section	Column 1 Document	Column 2 Signing Officers
15.	Real estate documents for registration under the <i>Land Registration Reform Act</i> .	The Director of Legal and Court Services or Law Clerk authorized in writing by the Director of Legal and Court Services
16.	Requests for Reconsideration pursuant to the <i>Assessment Act</i> , and settlement of such requests pertaining to Regional lands and premises, including on behalf of a tenant or tenants, and related minutes of settlement and any documentation.	The Commissioner of Corporate Services/Treasurer
17.	Assessment appeals pursuant to the <i>Assessment Act</i> , and settlement of such appeals pertaining to Regional lands and premises initiated by the Regional Corporation, including on behalf of a tenant or tenants and consent to third party appeals relating to assessment of Regional lands and premises, and related minutes of settlement and other documentation.	The Commissioner of Corporate Services/Treasurer

**Corporate Services – Finance**

18.	Agreements required for the delivery of banking services to the Regional Corporation, including agreements for purchase cards, VISA cards and electronic services.	The Commissioner of Corporate Services/Treasurer
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Bill 09-2016

Authorization Reference: CSD 09-2016

Amended December 7, 2017  
By-law No. 2017-112

PWC 14-2017;  
Minute Item 5.1

**SCHEDULE "A"**  
**Routine Documents**

Section	Column 1 Document	Column 2 Signing Officers
19.	Purchase Orders generated by and dispatched by the Electronic Financial Management System in the procurement of goods and services.	The Commissioner of Corporate Services/Treasurer
<b>Corporate Services – Court Services</b>		
20.	All documents required in fulfillment of the duties of a clerk of the court under the <i>Provincial Offences Act</i> , its regulations, the Rules of Court and terms of the Provincial Transfer Agreement.	The Associate Director Court Services or where authorized in writing by the Associate Director Court Services: Supervisor Court Administration or Trial Coordinator or Court Clerks
21.	Documents and general correspondence incidental to the day to day administration and management in the Provincial Offences Court under the <i>Provincial Offences Act</i> , the Rules of Civil Procedure and Small Claims Court Rules and/or consistent with the authorities granted under the Procurement By-law.	The Associate Director Court Services or the Supervisor responsible for the program
22.	Documents and general correspondence incidental to prosecutorial functions under the <i>Provincial Offences Act</i> , <i>Courts of Justice Act</i> , the regulations, the Rules of Court and the Provincial Transfer Agreement.	Senior Prosecutor and where authorized in writing by the Associate Director Court Services, the Prosecutors or Prosecution Coordinator

Bill 09-2016

Authorization Reference: CSD 09-2016

Amended December 7, 2017  
 By-law No. 2017-112

PWC 14-2017;  
 Minute Item 5.1

**SCHEDULE "A"**  
**Routine Documents**

Section	Column 1 Document	Column 2 Signing Officers
23.	Documents and general correspondence incidental to collection and enforcement of default fines under the <i>Provincial Offences Act</i> , the Rules of Civil Procedure and Small Claims Court Rules.	The Supervisor responsible for the program and where authorized in writing by the Associate Director Court Services, the Collection Clerks
<b>Public Health</b>		
24.	Special event contracts and paid duty agreements for the provision of Paramedic Services.	The Chief/Director of Emergency Services
<b>Community Services</b>		
25.	License agreements and license agreement renewals for day nurseries operated on behalf of the Regional Corporation.	The Director of Children's Services
26.	Child Care Subsidy Service Contracts with:  licensed day nurseries (institutions); and private home day care facilities (individuals);  pursuant to the <i>Day Nurseries Act</i> .	The Director of Children's Services

Bill 09-2016

Authorization Reference: CSD 09-2016

*Amended December 7, 2017  
By-law No. 2017-112*

*PWC 14-2017;  
Minute Item 5.1*

**SCHEDULE "A"**  
**Routine Documents**

<b>Section</b>	<b>Column 1 Document</b>	<b>Column 2 Signing Officers</b>
27.	Agreements relating to the admission of persons to Long-Term Care Homes or supportive housing operated by the Regional Corporation, including both permanent and temporary admissions (respite).	The Director of Seniors Services or the Administrator of the Long-Term Care Home to which the person is being admitted
28.	Agreements for the provision of personal care services including, but not limited to, aesthetics and hairdressing services, for residents of Long-Term Care Homes operated by the Regional Corporation.	The Administrator of the Long-Term Care Home in which the services are required
29.	Agreements for the provision of medical and laboratory services for residents of Long-Term Care Homes operated by the Regional Corporation, where the service providers directly bill the Ontario Health Insurance Plan (OHIP), the Local Health Integration Network (LHIN) or other funding agency.	The Director of Seniors Services
30.	Occupancy Agreements with occupants of transitional housing units owned or leased by the Regional Corporation.	Director Homelessness Services and Community Engagement

Bill 09-2016

Authorization Reference: CSD 09-2016

*Amended December 7, 2017*  
*By-law No. 2017-112*

*PWC 14-2017;*  
*Minute Item 5.1*

**SCHEDULE "A"**  
**Routine Documents**

<b>Section</b>	<b>Column 1 Document</b>	<b>Column 2 Signing Officers</b>
31.	Agreements between the Regional Corporation acting as Delivery Agent under the <i>Ontario Works Act, 1997</i> , and a person who has a legal obligation to provide financial support to a recipient of Ontario Works, regarding the recovery of income assistance paid for the benefit of the Ontario Works recipient from that person.	Staff designated in writing by the Director of Social Assistance and Employment Opportunities as Family Support Workers under the <i>Ontario Works Act, 1997</i>
32.	Directions and assignments (including assignments of support orders, assignments of insurance proceeds and assignments of other benefits and sources of income) in favour of the Regional Corporation acting as Delivery Agent under the <i>Ontario Works Act, 1997</i> , and agreements to reimburse the Regional Corporation acting as Delivery Agent under the <i>Ontario Works Act, 1997</i> .	The Director of Social Assistance and Employment Opportunities

Bill 09-2016

Authorization Reference: CSD 09-2016

*Amended December 7, 2017*  
*By-law No. 2017-112*

*PWC 14-2017;*  
*Minute Item 5.1*

**SCHEDULE "A"**  
**Routine Documents**

Section	Column 1 Document	Column 2 Signing Officers
33.	Receipts, releases, minutes of settlement, consents and other documents required for the settlement or compromise of any claim, action, application or other proceeding brought or made by or against the Regional Corporation, acting as Delivery Agent under the <i>Ontario Works Act, 1997</i> , in relation to support for a recipient of Ontario Works and/or support arrears owed to the Regional Corporation as support assignee.	Staff designated in writing by the Director of Social Assistance and Employment Opportunities as Family Support Workers under the <i>Ontario Works Act, 1997</i>

Human Resources		
34.	Contracts of employment (whether by letter or other formal document), but not including: collective agreements and amendments thereto; and, contracts of employment for the position of Chief Administrative Officer or Commissioner.	The employee's supervisor/manager, where the document has been approved in writing by the Director People Services and Organizational Development or Staffing Specialist authorized in writing by the Director

Bill 09-2016

Authorization Reference: CSD 09-2016

*Amended December 7, 2017  
By-law No. 2017-112*

*PWC 14-2017;  
Minute Item 5.1*

**SCHEDULE "A"**  
**Routine Documents**

<b>Section</b>	<b>Column 1 Document</b>	<b>Column 2 Signing Officers</b>
35.	Personnel and student placement agreements, secondment agreements and related documents in respect of persons being placed with the Regional Corporation or employees of the Regional Corporation being placed with other organizations, including educational institutions, government or other agencies, where the agreement is approved by the Director of Legal and Court Services.	Director responsible for the program (for the Onboarding documentation, where the documentation is approved by the Director of Legal and Court Services) or Manager when authorized in writing by the Director  The Director People Services and Organizational Development or Staffing Specialist authorized in writing by the Director (for the balance of the documentation contemplated herein)
36.	Service agreements with persons or agencies providing services under the Wellness Program.	The Director People Services and Organizational Development or Staffing Specialist authorized in writing by the Director
37.	Minutes of settlement and other documents required for the settlement of any labour relations matters.	The Director People Services and Organizational Development or Manager authorized in writing by the Director (for proceeds of settlement up to \$100,000)  The Chief Administrative Officer (for proceeds of settlement up to \$1,000,000)
38.	Memoranda of agreement pertaining to collective bargaining negotiations provided that such memoranda are conditional upon Council approval.	The Director People Services and Organizational Development or Manager authorized in writing by the Director

Bill 09-2016

Authorization Reference: CSD 09-2016

*Amended December 7, 2017  
By-law No. 2017-112*

*PWC 14-2017;  
Minute Item 5.1*

**SCHEDULE "A"**  
**Routine Documents**

Section	Column 1 Document	Column 2 Signing Officers
<b>Multi-departmental</b>		
39.	Applications to any government, agency or fund for compensation, funding or any form of subsidy related to any Regional programs, operations or capital projects, and any ancillary documents therein including, subsequent submissions, declarations or representations required for processing the application or the receipt of funds or any agreements required for the receipt of the funds and without limitation includes Multi-Sector Services Accountability Agreements and Long-Term Care Home Services Agreements with the Local Health Integration Network and the documents ancillary thereto.	The Commissioner responsible for the program, operation or capital project to which the compensation, funding or subsidy relates, and the Commissioner of Corporate Services/Treasurer or Director of Financial Management and Planning/Deputy Treasurer
40.	Ministry settlement forms required at the completion of year end program audits.	The Commissioner responsible for the program (up to \$100,000)  The Chief Administrative Officer (up to \$1,000,000)

Bill 09-2016

Authorization Reference: CSD 09-2016

*Amended December 7, 2017*  
*By-law No. 2017-112*

*PWC 14-2017;*  
*Minute Item 5.1*

**SCHEDULE "A"**  
**Routine Documents**

Section	Column 1 Document	Column 2 Signing Officers
41.	Receipts, releases, indemnities, minutes of settlement and other documents required for the settlement or compromise of any claim, demand, action or other proceeding brought or made by or against the Regional Corporation where the proceeds of the settlement do not exceed \$1,000,000 and the document has been approved by the Director of Legal and Court Services.	The Director of Legal and Court Services (up to \$100,000)  The Chief Administrative Officer (up to \$1,000,000)
42.	Receipts, releases, indemnities, waivers and other documents required for the disbursement of donations or bequests to the Regional Corporation.	The Commissioner responsible for the department in respect of which the donation or bequest was made, and the Director of Legal and Court Services
43.	Agreements for repayment for the settlement or compromise of any claim, demand, action or other proceeding brought by the Regional Corporation excluding agreements arising from year end audits with provincial ministries.	The Commissioner responsible for the program in respect of which the claim, demand, action or other proceeding arose, and the Director of Legal and Court Services
44.	Approval of the release of any confidential records, documents and information requested by the Ombudsman under section 239.1 of the <i>Municipal Act, 2001</i> , or the <i>Ombudsman Act</i> .	The Director of Legal and Court Services



Bill 09-2016

Authorization Reference: CSD 09-2016

Amended December 7, 2017  
By-law No. 2017-112

PWC 14-2017;  
Minute Item 5.1

**SCHEDULE "A"**  
**Routine Documents**

Section	Column 1 Document	Column 2 Signing Officers
45.	Agreements for the acquisition, sale, exchange, release or non-disclosure of information or data, including IAR Provincial Data Sharing Agreements provided that the requirements of the <i>Municipal Freedom of Information and Protection of Privacy Act</i> , the <i>Personal Health Information Protection Act</i> and the Procurement By-law have been complied with.	The Commissioner or Director responsible for the program, operation or project to which the agreement relates or the Chief Information Officer
46.	Data license agreements for the provision of spatial data of the Regional Corporation to others.	The Associate Director Applications and Information Services
47.	Hardware/Software License and Services, Maintenance and Support Agreements for technology acquired in accordance with the Procurement By-law.	The Chief Information Officer, or the Director responsible for the program, operation or project to which the agreement relates
48.	Agreements with any government or agency related to the Ontario Municipal Benchmarking Initiative (OMBI).	The Chief Administrative Officer
49.	Agreements to permit the use of the intellectual property of the Regional Corporation.	The Chief Administrative Officer

Bill 09-2016

Authorization Reference: CSD 09-2016

Amended December 7, 2017  
By-law No. 2017-112

PWC 14-2017;  
Minute Item 5.1

**SCHEDULE "A"**  
**Routine Documents**

Section	Column 1 Document	Column 2 Signing Officers
50.	Applications, submissions, declarations, representations and agreements imposed or required in satisfaction of any regulatory applications to any government body or agency, including without limitation, documents related to trademark applications and environmental compliance approvals to the Ministry of Environment and/or Environment Canada.	<p>The Commissioner responsible for the program or Director/Manager authorized in writing by the Commissioner responsible for the program. <i>The Water and Wastewater Compliance Technologist or the Water Compliance Specialist may also execute and submit the following:</i></p> <ul style="list-style-type: none"> <li><i>a. Submission for approval of proposed works and pre-authorized amendments for works for Environmental Compliance Approvals related to water and wastewater;</i></li> <li><i>b. Regulatory reporting submission for wastewater system discharge pursuant to the Wastewater Systems Effluent Regulation;</i></li> <li><i>c. Regulatory reporting submission for pollutant releases to air, water and land for the National Pollutant Release Inventory pursuant to the Canadian Environmental Protection Act;</i></li> <li><i>d. Submission for registration regarding air emission activities or temporary water taking events for the Environmental Activity and Sector Registry; and,</i></li> <li><i>e. Regulatory reporting submission and permit renewal for water taking permits.</i></li> </ul>

Bill 09-2016

Authorization Reference: CSD 09-2016

*Amended December 7, 2017**By-law No. 2017-112**PWC 14-2017;**Minute Item 5.1*

**SCHEDULE "A"**  
**Routine Documents**

<b>Section</b>	<b>Column 1 Document</b>	<b>Column 2 Signing Officers</b>
51.	Revenue generating agreements and agreements where the Regional Corporation is providing services to others for a charge, provided that the revenue being generated or charged by the Regional Corporation does not exceed \$100,000 per annum.	The Commissioner responsible for the program
52.	Agreements with government agencies or non-profit agencies, for nominal consideration, relating to the supply of services for approved programs of the Regional Corporation.	The Commissioner responsible for the program

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## MEMORANDUM

CSC-C 15-2019

**Subject: Recommendations from the Accessibility Advisory Committee meeting held June 25, 2019**

**Date: August 7, 2019**

**To: Corporate Services Committee**

**From: Ann-Marie Norio, Regional Clerk**

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The Accessibility Advisory Committee, at its meeting held on June 25, 2019, passed the following motion for consideration by the Corporate Services Committee:

Minute Item No. 5.1

AAC-C 4-2019

Terms of Reference - Accessibility Advisory Committee

That Report ACC-C 4-2019, dated June 25, 2019, respecting the Terms of Reference for the Accessibility Advisory Committee **BE RECEIVED** and the following recommendation **BE APPROVED**:

1. That the Accessibility Advisory Committee recommends to the Corporate Services Committee that the Terms of Reference (attached as Appendix I to Report AAC-C 4-2019), **BE APPROVED**.

The minutes of the Accessibility Advisory Committee meeting of June 25, 2019, and Report AAC-C 4-2019 are attached for your information.

Respectfully submitted and signed by

---

Ann-Marie Norio  
Regional Clerk

**THE REGIONAL MUNICIPALITY OF NIAGARA  
ACCESSIBILITY ADVISORY COMMITTEE  
OPEN SESSION**

**AAC 03-2019  
Tuesday, June 25, 2019  
Committee Room 4  
Niagara Region Headquarters  
1815 Sir Isaac Brock Way, Thorold ON**

Committee: Councillor Ip (Committee Chair), G. Eden, I. Greaves, L. Hay, T. Hore, B. Kon, C. Peddle, V. Sparling, C. Theal, D. Whipple (Committee Vice-Chair)

Absent/Regrets: Bradley (Regional Chair), H. Matthews

Staff: K. Lotimer, Legislative Coordinator, S. Murphy, Accessibility Advisor, C. Mustard, Real Estate Coordinator, K. Whittard, Clinical Team Manager, Public Health

Others: T. Morden, Niagara Regional Police

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**1. CALL TO ORDER**

Committee Chair Ip called the meeting to order at 1:30 p.m.

**2. DISCLOSURES OF PECUNIARY INTEREST**

There were no disclosures of pecuniary interest.

**3. PRESENTATIONS**

**3.1 Accessibility and the International Plaza at Regional Headquarters**

Vanessa Aykroyd, Landscape Architect, provided Committee members with information respecting Accessibility and the International Plaza at Regional Headquarters. Topics of the presentation included:

- International Plaza Site Plan
- Guiding Accessible Design Principles
- Site Furniture
- Wayfinding (Signage)
- Tactile Warning Surface Indicators
- Slopes and Surfaces

**4. DELEGATIONS**

There were no delegations.

**5. ITEMS FOR CONSIDERATION**

**5.1 AAC-C 4-2019**

Terms of Reference - Accessibility Advisory Committee

That Report ACC-C 4-2019, dated June 25, 2019, respecting the Terms of Reference for the Accessibility Advisory Committee **BE RECEIVED** and the following recommendation **BE APPROVED**:

1. That the Accessibility Advisory Committee recommends to the Corporate Services Committee that the Terms of Reference (attached as Appendix I to Report AAC-C 4-2019), **BE APPROVED**.

**Carried**

**6. CONSENT ITEMS FOR INFORMATION**

**6.1 AAC 02-2019**

Accessibility Advisory Committee Meeting Minutes  
April 9, 2019

That Report AAC 02-2019, being the Minutes of the Accessibility Advisory Committee meeting held on April 9, 2019, **BE RECEIVED**.

**7. OTHER BUSINESS**

**7.1 Text Telephone (TTY) Service at Regional Headquarters**

Steve Murphy, Accessibility Advisor, advised Committee members that the annual fee for Text Telephone Services (TTY) for Regional Headquarters is due and enquired if Committee members viewed this as a necessary service to provide. Committee members advised that the TTY service is practically obsolete, therefore it could be discontinued.

**7.2 Specialized Transit Study**

Ian Greaves, Committee member, enquired about an update on the Specialized Transit Study being conducted. Steve Murphy, Accessibility Advisor, advised Committee members that a presentation respecting the Specialized Transit Study is on the agenda for the Linking Niagara Transit Committee meeting being held on June 26, 2019.

**8. NEXT MEETING**

The next meeting will be held on Tuesday, September 17, 2019 at 1:30 p.m. in Committee Room 4.

**9. ADJOURNMENT**

There being no further business, the meeting adjourned at 2:50 p.m.

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—  
Councillor Ip  
Committee Chair

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—  
Kelly Lotimer  
Legislative Coordinator

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—  
Ann-Marie Norio  
Regional Clerk

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**Subject:** Terms of Reference: Accessibility Advisory Committee (AAC)

**Report to:** Accessibility Advisory Committee

**Report date:** Tuesday, June 25, 2019

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## Recommendations

That this Committee recommends to the Corporate Services Committee:

That Report AAC-C 4-2019, dated June 25, 2019, respecting the Terms of Reference for the Accessibility Advisory Committee **BE RECEIVED** and the following recommendation **BE APPROVED**:

1. That the Accessibility Advisory Committee Terms of Reference attached to Report AAC-C 4-2019 as Appendix I, **BE APPROVED**.

## Key Facts

- The purpose of this report is to obtain approval for the proposed terms of reference for the AAC.
- Embedded in the terms of reference for the AAC is the requirement that the terms be reviewed and refined every four years to keep them meaningful and current. The terms of reference for the AAC were last updated in 2015
- Proposals to amend the Terms of Reference require the approval of a majority of the members of the Committee present.

## Financial Considerations

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

## Analysis

The terms of reference for the Accessibility Advisory Committee was last reviewed and amended in 2015. Staff have reviewed the current terms of reference and are proposing minor amendments (i.e. reporting structure) to ensure the information provided is meaningful and current. Once these amendments are approved by a majority of the Committee members present, they will be submitted to Regional Council for approval through the Corporate Services Committee and shall take effect only upon the approval of Council.



### **Alternatives Reviewed**

The requirement that the terms for the AAC be reviewed and refined every four years is embedded in the terms of reference, therefore no alternatives were considered.

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

Not applicable (pending the development of Council Strategic Priorities).

### **Other Pertinent Reports**

n/a

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**Prepared by:**  
Ann-Marie Norio  
Regional Clerk

*This report was prepared in consultation with Steve Murphy, Policy & Sustainability Analyst.*

### **Appendices**

Appendix 1              Draft Terms of Reference for the Accessibility Advisory Committee

**ACCESSIBILITY ADVISORY COMMITTEE (AAC)**  
***DRAFT* TERMS OF REFERENCE**

**Appendix to Report AAC-C 4-2019**

**Recommended for Approval by the Corporate Services Committee on <date>**

**Ratified by Regional Council on <date>**

**Consolidated Version as of <date>**

## **TABLE OF CONTENTS**

1. PREAMBLE .....	3
2. MANDATE .....	3
3. GOALS/PURPOSE .....	3
4. REPORTING STRUCTURE .....	4
5. WORK PLAN .....	4
6. BUDGET .....	4
7. MEMBERSHIP .....	4
7.1 Composition .....	4
7.2 Term .....	5
7.3 Privacy .....	5
8. ROLES & RESPONSIBILITIES .....	5
8.1 Chair & Vice Chair .....	5
8.2 Committee Members .....	5
9. WORKING GROUPS .....	6
10. RESOURCES .....	6
11. MEETINGS .....	6
12. ABSENTEEISM .....	7
13. AMENDMENTS TO THE TERMS OF REFERENCE .....	7

## 1. **PREAMBLE**

On June 13, 2005, The *Accessibility for Ontarians with Disabilities Act, 2005* received Royal Assent and is now law. The purpose of this legislation is to benefit all Ontarians by developing, implementing and enforcing accessibility standards in order to achieve accessibility for Ontarians with disabilities by 2025. The Provincial Government, in collaboration with persons with disabilities will develop these standards that public and private sector bodies who provide goods and services will have to meet.

Public sector organizations are required to continue to prepare and make public annual accessibility plans as their legal obligations under the *Ontarians with Disabilities Act, 2001 (ODA)*. This accessibility plan is prepared to address and issues and barriers preventing persons with disabilities from participating fully in the life of the community and is intended to identify, remove and prevent all barriers that may impede residents and visitors from access and using services.

## 2. **MANDATE**

The Regional Niagara Accessibility Advisory Committee is an advisory body established by the Regional Municipality of Niagara in accordance with the following Terms of Reference. The Committee has been established to advise Regional Council, reporting through the Corporate Services Committee on Municipal requirements as contained in the *Ontarians with Disabilities Act*, including the preparation of a five year accessibility plan.

## 3. **GOALS/PURPOSE**

To advise the Regional Municipality of Niagara regarding the preparation of a five year accessibility plan. The plan must address the identification, removal and prevention of barriers to persons with disabilities in the Region's by-laws, policies, programs, practices and services, including the following components:

- A report on the steps the municipality has taken to identify, remove and prevent barriers to people with disabilities
- How the municipality assesses its proposals for by-laws, policies, programs, practices and services
- A list of by-laws, policies, programs, practices and services the municipality will review in the coming years to identify barriers
- How the municipality intends to identify, remove and prevent barriers in the coming year

The Committee may also advise on other municipal obligations under the Act, as follows:

- Considerations related to access for persons with disabilities when buying goods and services

- Development of accessibility plans for municipally administered, sub-contracted or licensed transit providers in consultation with persons with disabilities
- The percentage of modified units in new social housing
- Access considerations in site plan approvals
- Other matters as directed by Council

#### **4. REPORTING STRUCTURE**

The AAC will report to Regional Council through the Corporate Services Committee.

#### **5. WORK PLAN**

The AAC will provide guidance to staff in the development of the five year accessibility plan, identifying the specific initiatives and activities to be undertaken within each of the areas of focus, inclusive of budget needs, to further guide decision-making and resource management.

#### **6. BUDGET**

The AAC shall have an annual operating budget to be used for valid Committee purposes as detailed in the budget approved by Regional Council for the current year.

The Regional Clerk shall submit a budget request each year to Regional Council for consideration and approval.

There shall be no compensation payable to the members of the Committee with the exception of mileage reimbursement for scheduled meetings of the AAC.

#### **7. MEMBERSHIP**

##### **7.1 Composition**

Membership for the AAC shall not exceed a maximum of 14 members.

Membership for the AAC shall include:

- At least one member from Regional Council
- At least eight members who are people with disabilities
- Two members who are citizen of caregiver volunteers
- Three members who are community or professional stakeholders

All attempts will be made to stay within the guideline composition; however, if the applications received or the qualifications of applicants do not fully address the guideline composition criteria, the most capable and qualified applicants will be recommended for appointment to fulfill the membership composition.

## **7.2 Term**

The term of membership shall be four years, concurrent with Regional Council's elected term of office, and the membership shall be approved by Council in accordance with membership requirements in the Terms of Reference.

## **7.3 Privacy**

The meetings of the AAC are public. Members should be aware that their names will be in the public realm and a list of membership may be provided when requested. Member information, other than name or municipality, will be kept confidential in accordance with the *Municipal Freedom of Information and Protection of Privacy Act*.

# **8. ROLES & RESPONSIBILITIES**

## **8.1 Chair & Vice Chair**

A Chair and Vice Chair will be elected from Committee members on a biannual basis at the first meeting of the New Year to preside over meetings and Committee business.

It is the role of the Chair to preside over Committee meetings so that its business can be carried out efficiently and effectively, and to act as a liaison between the Committee, the Corporate Services Committee and Regional Council.

It is the role of the Vice Chair to preside over Committee meetings in the absence of the Chair and to perform any other duties delegated by the Chair or as assigned by the Committee through a majority vote.

## **8.2 Committee Members**

All AAC members, including the Chair and Vice Chair, have the responsibility to help achieve the AAC's Mandate and Goals/Purposes. Committee members are also responsible for:

- Reviewing meeting materials in advance of the meetings and arriving prepared to provide a broad perspective on the issues under consideration;
- Working diligently to complete assigned activities;
- Participating on working groups, as appropriate;
- Agreeing to describe, process and resolve issues in a professional and respectful manner;
- Providing input to help identify future projects or strategic priorities for future years' work;

- Communicating activities of the Committee to groups represented or those who may have an interest and offer information back to the Committee.

## **9. WORKING GROUPS**

To fulfill its mandate and accomplish its goals, the AAC may establish working groups to deal with specific issues or projects. The working groups will meet, as needed, to review specific issues referred to them by the AAC and otherwise complete their assigned tasks.

Working groups are considered to be time-limited, project specific sub-committees of the AAC in that they are convened to accomplish a specific task (or tasks) in a narrowly defined time period.

Working groups must be comprised of at least three members of the AAC and may include community members and other individuals with relevant knowledge and expertise. Local municipal participation should be sought depending on the nature of the work being undertaken.

Working groups shall be chaired where possible by a voting member of the AAC and shall provide regular updates to the AAC regarding recommendations on assigned projects. Minutes of the meetings of the working group shall be recorded and submitted to the AAC for proper directing through the approval process. Working groups may meet at a time and place as decided by the members of the working group.

Administrative support shall be provided by a staff representative of the AAC or designate. The appropriate staff representative (or designate) will attend all working group meetings.

## **10. RESOURCES**

The Regional Clerk's Office is the designated lead department providing resource support for the AAC; however, the Committee also has access to the technical expertise of staff from other Regional departments as may be required. It is recognized that staff time and the level of participation will be dependent on other departmental priorities as determined by senior management and/or Regional Council. As required, additional resources may be sought. Additional resourcing may be required for projects with senior levels of government.

The Committee shall receive administrative support from the Office of the Regional Clerk for meeting and agenda management.

## **11. MEETINGS**

The AAC Committee shall meet at least four times per year, and may meet more frequently if required. A meeting schedule shall be set for the AAC and circulated to

the members for approval each year. Should a time sensitive matter arise, the AAC may meet at the call of the Chair.

The AAC meetings will be held at Regional Headquarters at a time as determined by the members. All meetings will be open to the public.

Meetings shall be governed by the Region's Procedural By-law, being a by-law to govern the calling, place and proceedings of the meetings of Council and its Committees, as may be amended from time-to-time.

If necessary, a schedule setting the due dates for materials to be included on the agenda will be circulated to each member pending adoption of a meeting schedule or the scheduling of a meeting date.

A committee member who is unable to attend a meeting, shall forward his/her regrets to the Office of the Regional Clerk as soon as possible. Should the Office of the Regional Clerk not have confirmation of quorum 24 hours prior to the meeting, the meeting shall be cancelled.

## **12. ABSENTEEISM**

Members who miss three unauthorized consecutive meetings shall be deemed to have resigned from the Committee and will be notified of this in writing by the Committee Chair.

## **13. AMENDMENTS TO THE TERMS OF REFERENCE**

The Terms of Reference should be reviewed and refined at a minimum of every four years to ensure that they remain current and meaningful.

Proposals to amend the Terms of Reference shall require the approval of a majority of the members present. Proposed amendments to the Terms of Reference shall be submitted to Regional Council for approval through the Corporate Services Committee and shall take effect only upon the approval of Council.



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## MEMORANDUM

CSC-C 14-2019

**Subject: Niagara GO Station Strategy**

**Date: August 7, 2019**

**To: Corporate Services Committee**

**From: Matt Robinson, Director**

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This memo provides Committee with the rationale for the proposed Niagara GO Station Development Strategy presented in confidential report CSD 17-2019, which outlines a strategy for Niagara to invest in the GO train station sites along the CN Rail-owned Grimsby Subdivision, also known as the Niagara corridor. The GO Station Development Strategy outlined in CSD 17-2019 will allow Niagara Region and our local municipal partners to fully leverage and maximize the resident and visitor experience at these key gateways by creation of multi-modal mobility hubs. The customer experience is vital to the continued growth of GO Train service in Niagara, the growth of municipal and regional transit, and tourism in the region.

Niagara has taken considerable time and resources in the strategic planning for transit and GO Train service, including establishing premier transit-supportive policy sets to ensure the foundation for future transit growth and that development is clear, focused and appropriate. The following sets out the policy regime already in place to enable and fully leverage investments in station areas in Niagara Region.

The 2017 Niagara Region Transportation Master Plan (TMP) is what guides the Region's transportation capital investments, and creates the blueprint for growth. The TMP presents a long-term strategy to guide the planning, development and renewal of a multi-modal transportation system in a manner that is consistent with projected needs, aligned with the region's growth, and with the overall vision for a sustainable Niagara.

The following foundational policy has provided the direction to invest in the station areas:

*"Continue to support the expansion of GO Transit passenger rail service to Niagara Region, and the development/ redevelopment of rail stations to serve as major transit station areas, to support needs of communities along the corridor, and to commuters and tourists moving in both directions between Niagara Region and the GTHA."*

This policy clearly demonstrates the strategic planning and critical integration these station areas have in the long-term transportation network and growth of the region. Other initiatives in place that have led to this GO Station Development Strategy as the logical next step in Niagara's GO Expansion Implementation include:

1. Niagara Region Official Plan policy objectives for the urban areas that includes: *“to actively support the continuation and improvement of the railway system for the movement of both passengers and goods”* clearly indicating that Niagara Region has long supported investment in rail as a travel mode for passengers and believes there is an active role for the Region to play in delivery of this objective;
2. Significant investment in transit including seamless connection all 12 of Niagara’s local municipalities, and expansion of transit service hours over the next three years;
3. 2011 “Niagara Rail Service Expansion Environmental Study Report GO Transit” by RJ Burnside which concluded that the existing rail stations were keys to GO’s expansion and that there would be a new station built in Grimsby;
4. Niagara Falls, St. Catharines, Lincoln, Grimsby, and Niagara Region have set out a vision for the station areas through the Secondary Plan process. Unanimously approved and adopted into the respective Official Plans in each community, these transformational GO station area visionary plans laid out the future development, capital improvements and next generation land use around the train station sites, establishing a full suite of transit-supportive policies that enable full maximization of the land densities, station accesses and transportation network upgrades necessary to ensure these stations remain at the core of the transportation network and the areas evolve into dynamic mobility hubs.

Investing in the station areas further enables the implementation of the mobility hub vision by providing integrated transit connectivity and public investment. This investment will act as a catalyst for further development and redevelopment by the private sector in these station areas. The Region is best positioned to fully capitalize on the existing potential of the station areas as transit hubs, which will be a benefit for all parties and future transit users. At Committee of the Whole July 4, 2019, these and other elements of the overall GO Station Development Strategy were presented (attached Appendix 1).

Respectfully submitted and signed by,

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Matt Robinson  
Director, GO Implementation Office

**Appendix 1** – Committee of the Whole Presentation – July 4, 2019: Niagara GO Station Development Strategy



# Implementation of Niagara's GO Rail Expansion

Committee of the Whole  
July 4, 2019



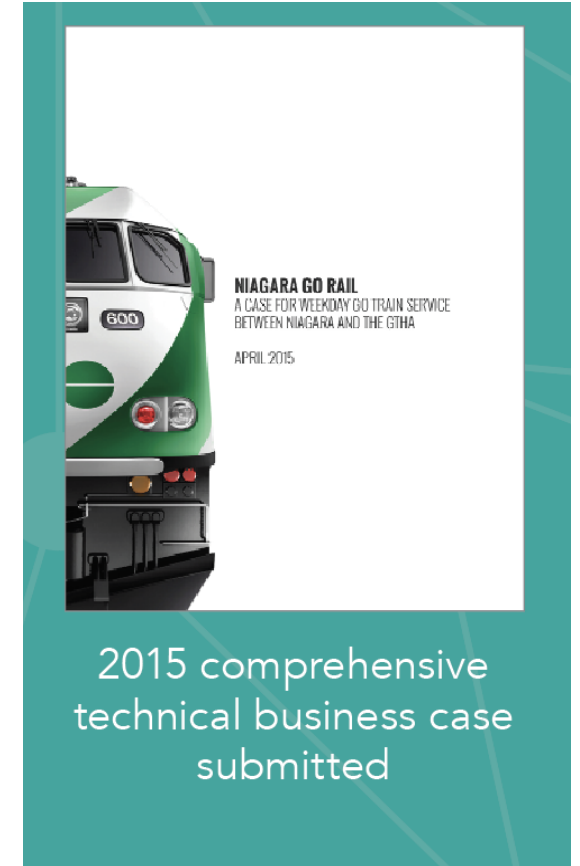
# Agenda Overview

- Niagara Region Investment in GO
- Key Milestones
- Policy Framework
- Transit Oriented Development
- GO Hub & Transit Stations Study
- Station Status
- Conclusion and Next Steps

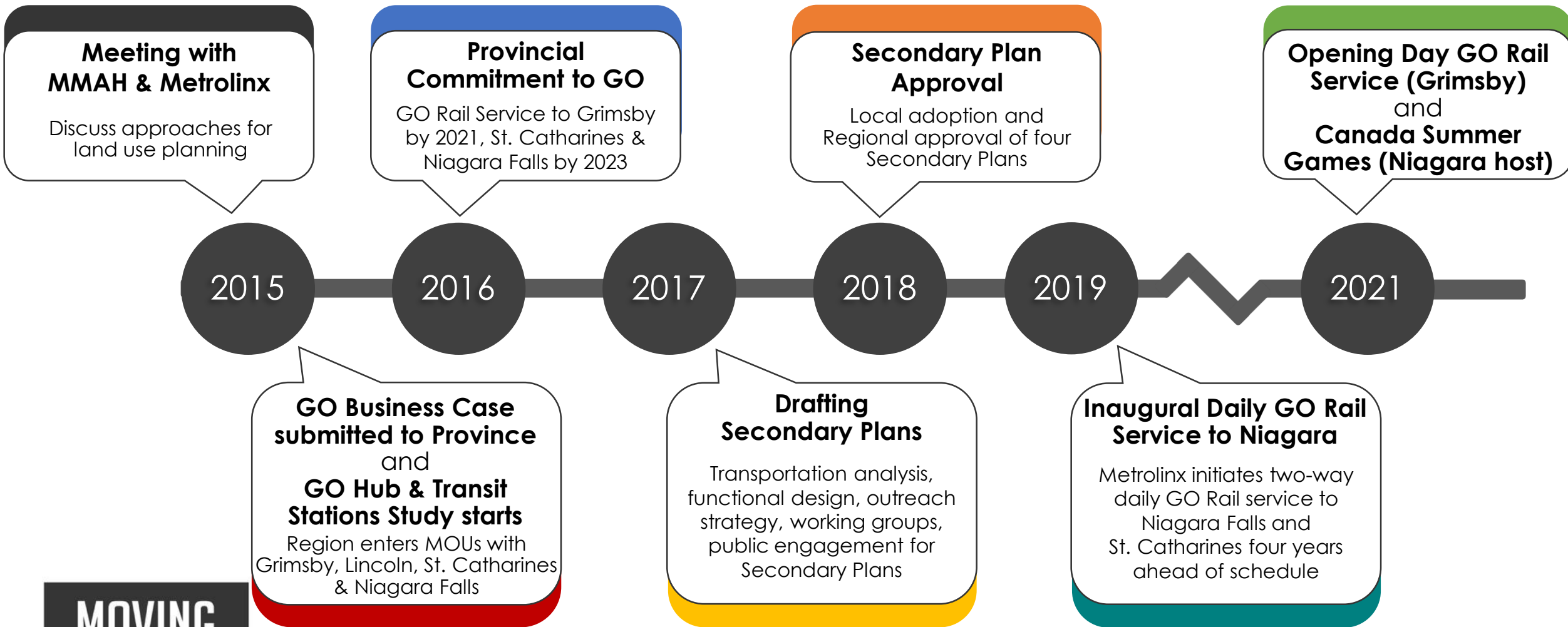


# Niagara Region Investment in GO

- 2015 Business Case: Region committed \$40M (1/3 of projected capital costs) to the expansion of GO rail to Niagara
  - \$40M already set aside (2016 - \$10M; 2017 - \$30M)
  - \$34M remains (Grimsby parcel, GIO, consulting, due diligence)
- \$40M contribution as cornerstone of Niagara project expansion
  - Regional contribution = very positive MX and provincial recognition



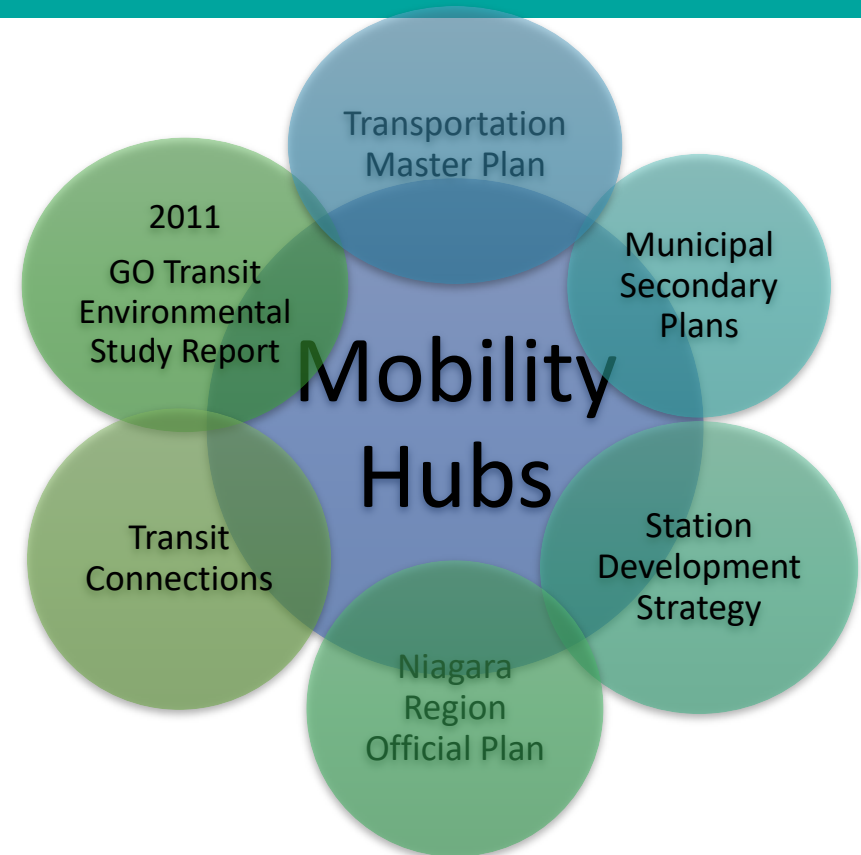
# Key Niagara GO Expansion Milestones



# Transit-Supportive Policy Framework

Significant investment in creating proactive policy climate for transit-supportive development:

- GO Transit Niagara Expansion EA (2011)
- Niagara Region Official Plan
- GO Hub & Transit Stations Study (2015)
- Transportation Master Plan (2017)
- Municipal Secondary Plans (2018)
- Local Transit Connections (2019)
- Station Development Strategy (2019)



*“... the development/redevelopment of rail stations to serve as major transit station areas, to support needs of communities along the corridor...”*

- Niagara Region TMP



## SEAMLESS MOBILITY



Seamless integration of modes at the rapid transit station.



Safe and efficient movement of people with high levels of pedestrian priority.



A well-designed transit station for a high quality user experience.



Strategic parking management.



A vibrant, mixed-use environment with higher land use intensity.



An attractive public realm.

## SUCCESSFUL IMPLEMENTATION



A minimized ecological footprint.



Effective partnerships and incentives for increased public and private investment.



Flexible planning to accommodate growth and change.



# Transit-Oriented Development (TOD)

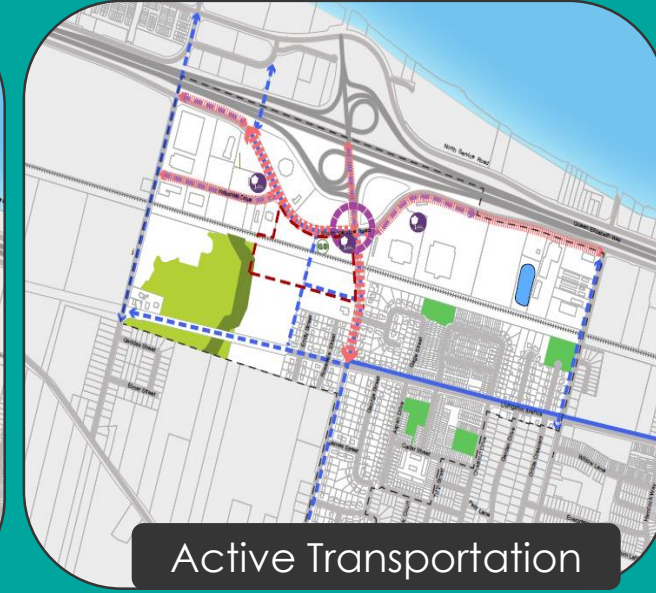
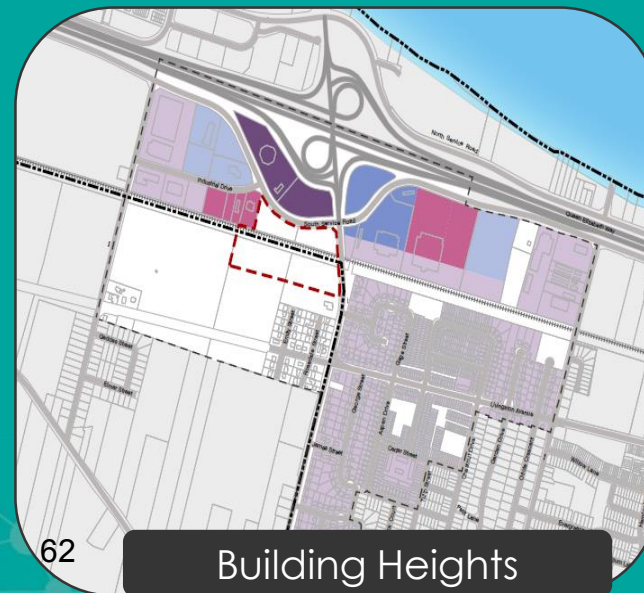
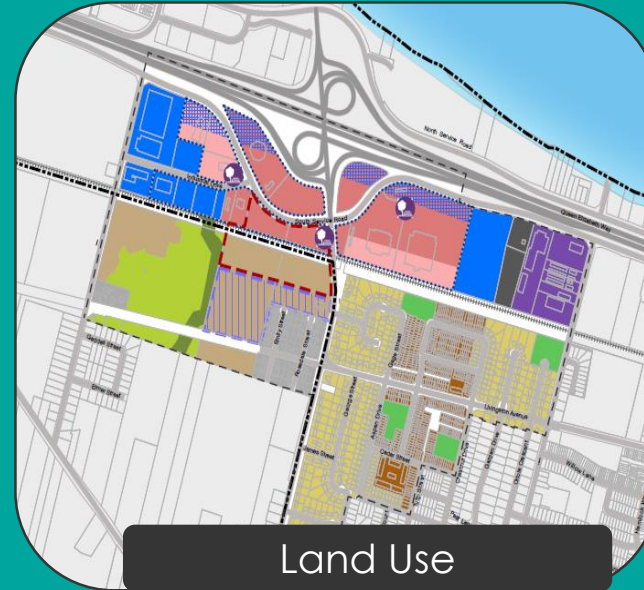
Dec. 2018 - new Provincial approach on GO station delivery (TOD)

- MX focus is operating service going forward
- Third Party 'Market-driven' (municipal, developer, P3, etc.)
- New delivery approach required for Niagara stations
- MX no longer building at Grimsby; not acquiring STC or NF stations
- MX budget containment – investments now focused on 'in-corridor capital improvements' and rail operations (service frequency)



# GO Hub & Transit Stations Study

- Proactively identified enabling capital work projects for safe and efficient access to each GO Station
- Developed GO Station design precincts around Niagara's identified GO Station sites
- Land uses that permit transit-supportive development and protect existing neighbourhoods
- Clear direction to budget for and move forward with enabling capital work projects at local and regional levels





# Niagara GO Extension: Current Status

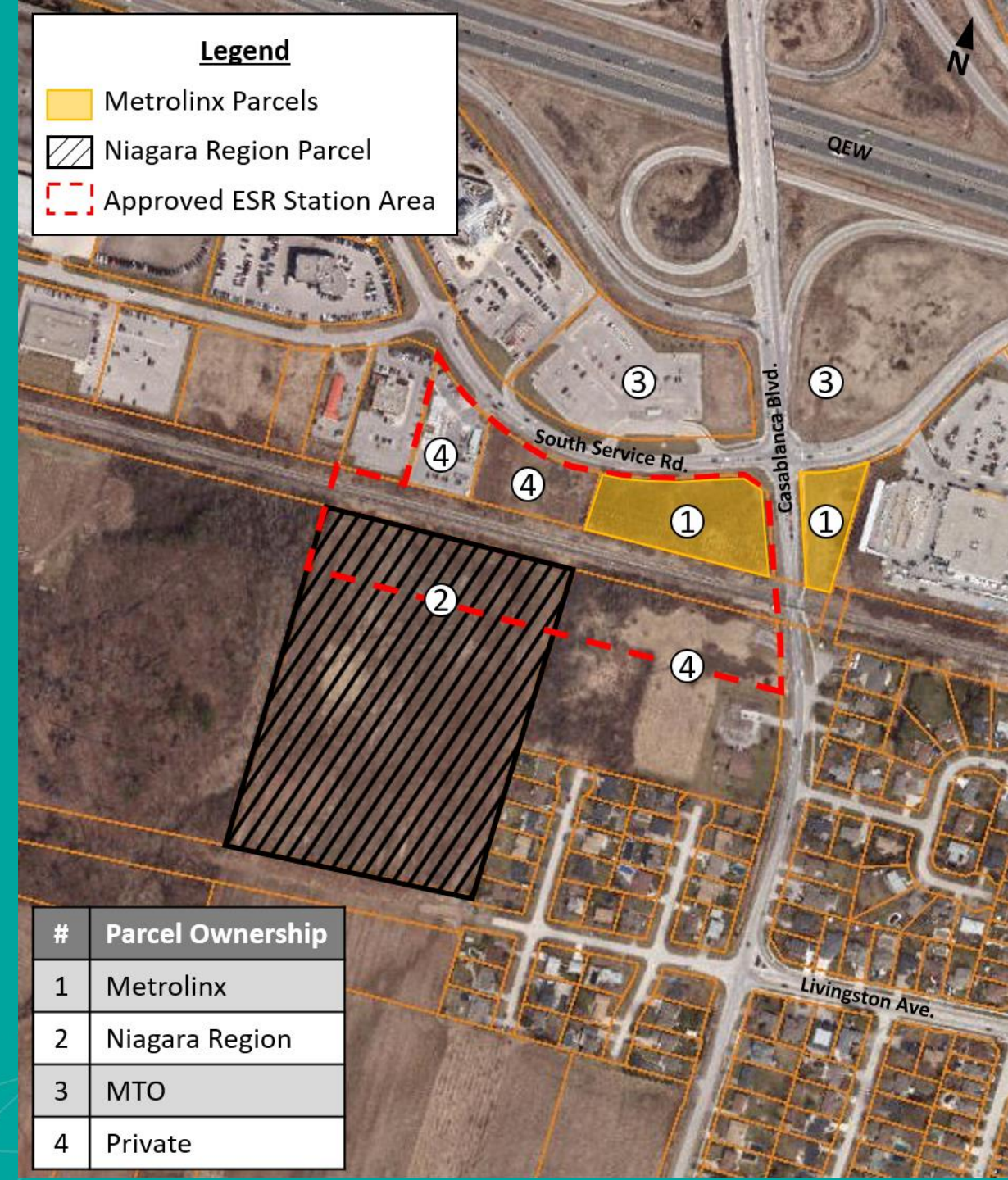
- Grimsby (announced)
  - Subject to Provincial/MX TOD policy
  - New build, greenfield site; MX lands + Regional lands
  - Region acquired 14.2 acres for this express purpose
- Niagara Falls & St. Catharines (in service)
  - Utilizing existing VIA stations
- Lincoln (TBD)
  - 2011 ESR 'future potential station'
  - Opportunity to proceed under Provincial/MX TOD policy





# Grimsby GO Station

- 2011 MX EA identified station area
  - Station area included parking, bus loop, and PPUDO facilities on all of the lands identified as station area
- Region land purchase – start of proactive implementation strategy
- Proactive, comprehensive secondary plan
- Grimsby Council confirms station area
- MX now pursuing “market-driven approach” to station construction
- Casablanca Boulevard/South Service Road reconstruction

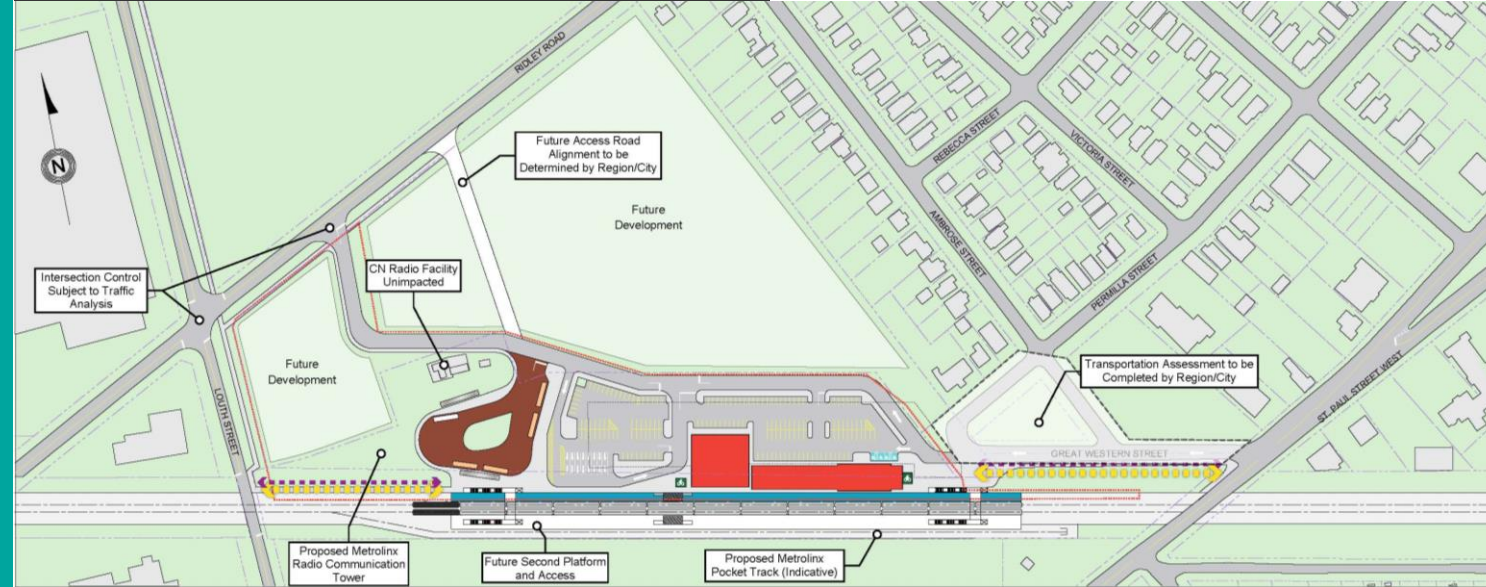




# St. Catharines GO Station

- MX detailed design in progress
- Secondary Plan has VIA station as mobility hub & core of the area
- Opportunity to leverage vacant parcels to create a hub with TOD
- Primary station access road MOU
- City's Ridley Road reconstruction
- St. Paul St. West CNR bridge reconstruction

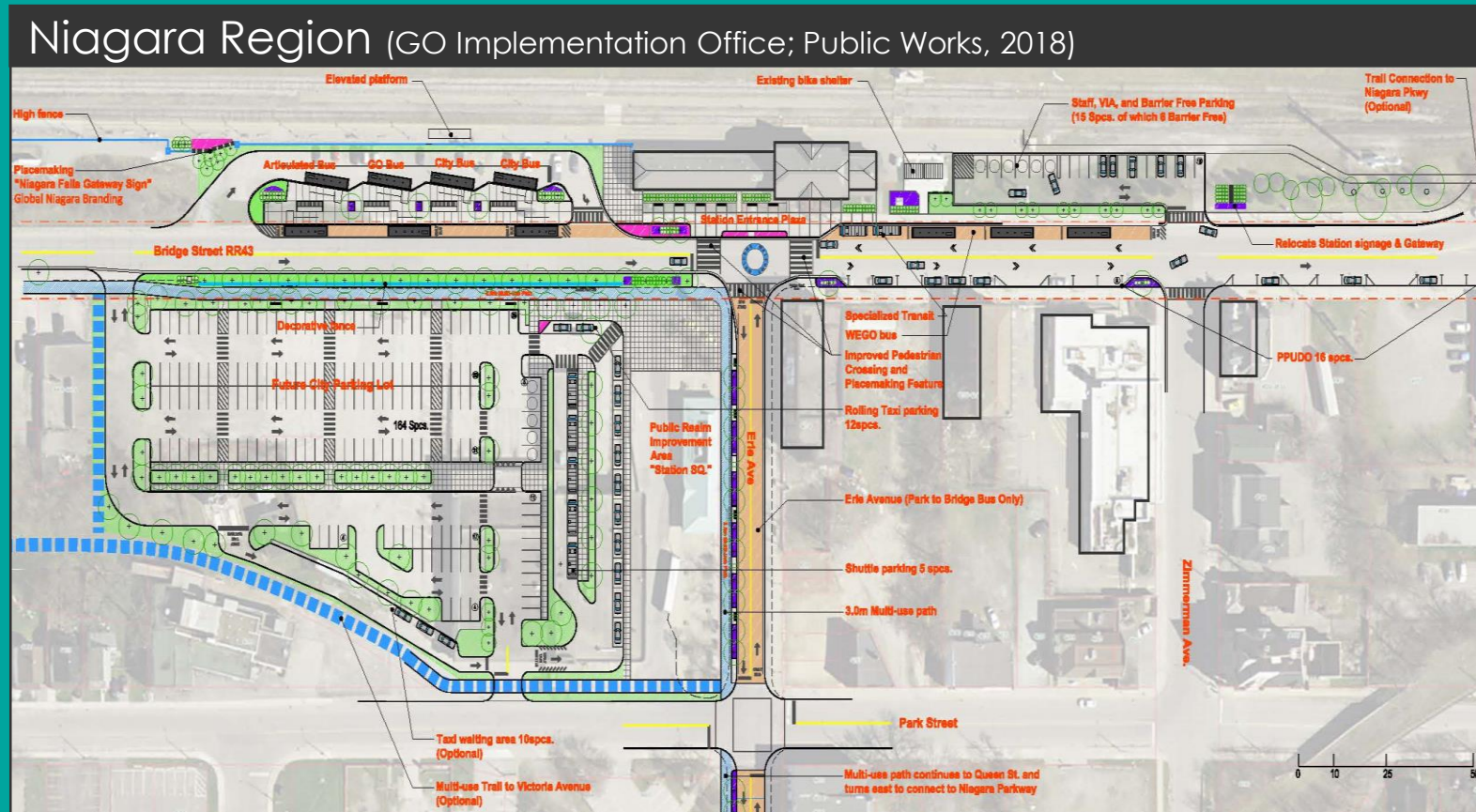
## Metrolinx Functional Design





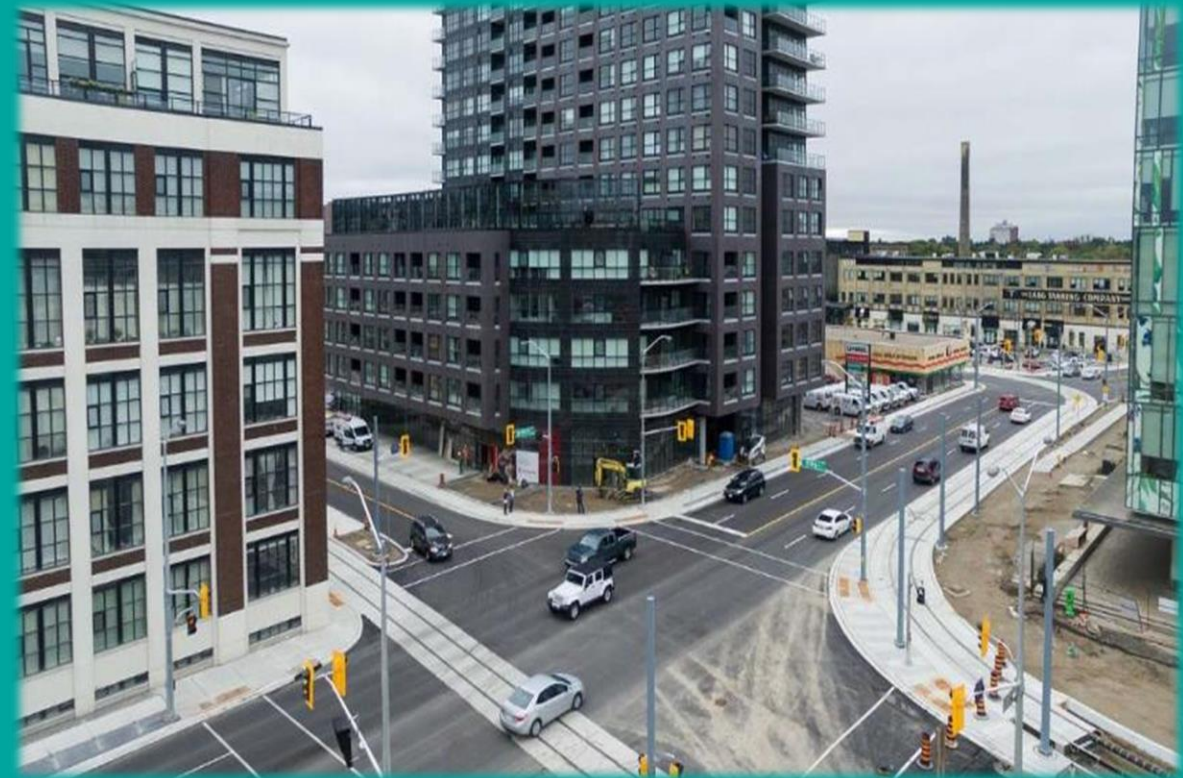
# Niagara Falls GO Station Precinct Vision

- Region & City partnered to create transformative vision for Niagara Falls GO Station precinct
- Secondary Plan has station as a mobility hub & core of the area
- Catalyst for development
- All precinct elements identified/recommended within Secondary Plan policy
- Region & City will budget for, coordinate, and implement these elements in upcoming years
- Bridge St. reconstruction



# Conclusion/Next Steps

- Municipalities across GGH are **leveraging transit investment to drive growth**
- Transit station areas serve **important function** within regional transportation system
- Current proactive policy framework presents unique opportunity to proactively invest in transportation networks and infrastructure around our GO stations to create vibrant mobility hubs and drive growth
- Niagara Region preparing strategy investment of \$40M existing contribution for Niagara station area improvements as catalyst in establishing true mobility hubs as envisioned in Secondary Plans
- Multi-site station development strategy to Corporate Services in August



*Evolving transit hub in Kitchener (GO rail and LRT station)*



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**Subject:** Non-conforming Smarter Niagara Incentive Program Requests

**Report to:** Corporate Services Committee

**Report date:** Wednesday, August 7, 2019

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## Recommendations

That this report **BE RECEIVED** for information; and

That a copy of this report **BE CIRCULATED** to the City of St. Catharines.

## Key Facts

- The purpose of this report is to inform Council of requests from the City of St. Catharines (City) for the Region to provide new and amended tax incentive funding for two properties located at 51 Lake Street and 136 James Street.
- Niagara Region partners with local municipalities to provide matching funding for eligible grants through a variety of programs, in this case through a suite of incentives included in the Region's Smarter Niagara Incentive Program. Local municipalities are eligible to apply for Regional matching funding for grants for locally approved projects in this incentive suite. Regional funding is based on eligibility, conformity to program parameters and is subject to budgetary approval.
- In 2014 the City, which had sold these properties to a private developer, approved tax increment grants (TIGs), residential grants, and municipal application/permit fee grants for these properties. The Region allocated matching funding through the two eligible programs (TIGs and residential grants) for each property, and provided in addition Regional development charge reduction grants for each of them.
- When contamination was subsequently discovered on these properties, the City retroactively designated these properties brownfields in 2016 and approved them for the higher brownfield TIG incentive rate. The City also approved new Brownfield Tax Assistance Program (BTAP) grants for each property under its 2015 Community Improvement Plan (CIP), for which it also has requested Regional matching funding.
- The intent of TIGs and BTAP grants is to provide incentives to remediate and develop sites that may not otherwise be rehabilitated. The City's requests to change the previously approved TIG amounts and add BTAP grants for the properties were made after remediation and construction had been completed on these projects.
- The Region has committed a total of \$1,302,497 for incentives for the two properties. The City is requesting an additional \$421,527 in Regional funding, which is not budgeted. Once the Region approves funding for these incentives they are



budgeted through assessment growth and there is no precedent for changing them. Details of approved funding and revised requests are provided in Appendix 3.

- Regional participation in these incentives is discretionary; there is no liability to the Region if it does not participate in any revised incentive funding requests.
- Regional Staff can not approve the request as it is retroactive and falls outside staff's delegated authority.

## **Financial Considerations**

Niagara Region through the Smarter Niagara Incentive Program approved matching funding for tax increment grants (TIGs) for two properties in the City of St. Catharines, at 51 Lake and 136 James Streets in 2014. TIG incentives provide a grant based on a percentage of the increased assessment value of a development, usually over a 10-year period, and they are funded through assessment growth. The Region matched the two TIGs at the City's 45% rate for non-brownfield projects over ten years.

Two years after this approval, the City retroactively designated the properties as brownfields and approved both properties to receive the higher brownfield TIG incentive rate of 80% over 10 years. In addition, the City approved a new grant for each property, a Brownfield Tax Assistance Program (BTAP) grant. BTAPs provide a freeze or cancellation of municipal taxes on properties during a specified period of redevelopment.

The City has requested the Region match both the revised TIG grant levels and the new BTAP grants for each property which would result in an additional \$421,527 in Regional funding on top of the existing Regional incentive payments/commitments of over \$1.3 million. This figure includes Regional residential and development charge grants as well as the original TIG commitment for each property. Details are outlined in Appendix 3.

While funding at the original 45% TIG rate for each property is accommodated in the current Regional budget, there is no funding for the revised 80% TIG funding level request or for the new BTAP grants. The Region would match the local municipal program, a key part of which as outlined in the City's report on these requests, "one of the foundations of the program is that incentives are not provided retroactively for projects that already have commenced or are completed" (PBS 054-2016, Appendix 1). Any action to revise existing incentive levels for these properties would be non-conforming, require Regional Council action, and would have to be prospective, i.e., funding would have to be allocated in future Regional budgets.

## **Analysis**

In 2014 through report PDS 189-2014, the City approved TIGs for properties located at 51 Lake Street and 136 James Street. These TIGs, for seven-story apartment buildings with 67 and 53 units respectively, were to be paid over 10 years at a 45% increment over the term of the grant. In the same report, these two properties were also each approved for residential grants. The Region approved matching funding for both TIGs and residential grants for both properties.

Contamination was subsequently discovered on the two properties. There did not appear to be a Record of Site Condition for either property, which sets out the environmental condition of a property based on environmental site assessments, prior to issuing of a building permit and work commencing. Total soil remediation costs for 51 Lake Street and 136 James Street were \$1,633,261.06 and \$1,425,960.57 respectively. In March 2016 City Council voted to reconsider and ultimately reversed its initial approval of the report on this request (PBS-054-2016) which did not recommend the new funding levels (Appendix 2).

In 2016 the City submitted a funding allocation request to the Region for these properties based on the retroactive brownfield designation rates for the TIGs, and for new BTAP grants for each property. Though the purpose of these incentives is to encourage remediation and redevelopment on land that may otherwise not be developed without such incentives, in response to a subsequent Regional inquiry the City notified the Region that work on both properties was complete. The Region matches project funding approved under eligible local programs, within the parameters of the Smarter Niagara Incentive Program. Following the City's program as outlined in its report on these projects (Appendix 1), the Region would not fund retroactive incentives. A request to do so is considered non-conforming, and must be brought by the local municipal partner before Council for consideration. This report represents that request.

## **Alternatives Reviewed**

This is a report for information only. If Council takes no action, the Region allocated in the existing budget for TIGs at 45% on both properties will be paid out upon submission of complete invoicing packages. Regional funding for residential grants totalling \$250,000 and development charge grants/exemptions totalling \$537,000 have already been paid out.

Alternatively Council may consider approving the City's request for revised and new grants totalling \$421,527. This funding is not available in the 2019 budget. As these grants are funded through assessment growth any addition funding can be accommodated prospectively through future Regional budgets.

## **Relationship to Council Strategic Priorities**

This report is for information and though its subject matter relates to Council Strategic Priorities, particularly fiscally sustainable government and responsible infrastructure planning, there is no recommendation that realizes any specific priority.

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### **Prepared by:**

Todd Harrison, CPA, CMA  
Commissioner/Treasurer  
Enterprise Resource Management  
Services

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### **Recommended by:**

Rino Mostacci, MCIP, RPP  
Commissioner, Planning and  
Development Services

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### **Submitted by:**

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

*This report was prepared in consultation with Helen Chamberlain, CPA, CA, Director, Financial Management & Planning/Deputy Treasurer, Enterprise Resource Management Services and Marian Bannerman, PhD, Program Manager, Grants and Incentives, Planning and Development Services.*

## **Appendices**

- Appendix 1 PBS 054-2016 Community Improvement Plan – Request for Approval of Applications, City of St. Catharines (February 22, 2016)
- Appendix 2 Corporation of the City of St. Catharines Regular Council Minutes (March 7, 2016)
- Appendix 3 Estimated Grant Costs for 51 Lake and 136 James Streets



## Corporate Report

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**Report from** Planning and Building Services, Planning Services

**Date of Report:** January 18, 2016

**Date of Meeting:** February 22, 2016

**Report Number:** PBS-054-2016

**File:** 60.32.99

**Subject:** Community Improvement Plan – Request for Approval of Applications for:  
Tax Increment Finance Program (TIF)

- 155 Ontario Street and 4, 6, 10 Adams Street
- 19 Beard Place
- 60 Canterbury Drive
- 271 Merritt Street

Brownfield Tax Assistance Program

- 282-285 Ontario Street and 10 Pleasant Avenue

Expanded Incentive under 2004 Plan

- 51 Lake Street
- 136 James Street

## Recommendation

That Council approve the application for a Tax Increment Finance incentive under the 2015CIP, equivalent to a 45% tax rebate over a 10-year time period, for the application for 155 Ontario Street and 4, 6, 10 Adams Street; and

That Council approve the application for a Tax Increment Finance incentive under the 2015CIP, equivalent to a 45% tax rebate over a 10-year time period, for the application for 271 Merritt Street; and

That Council approve the application for a Brownfield Tax Assistance incentive under the 2015CIP, equivalent to a 100% tax rebate over a three-year time period, for each of 282 Ontario Street, 285 Ontario Street, and 10 Pleasant Avenue; and

That applications for Tax Increment Finance under the 2015CIP pertaining to 60 Canterbury Drive and 19 Beard Place not be approved; and

That the request to shift CIP incentives under the 2004 CIP pertaining to 51 Lake Street and 136 James Street not be approved unless CIP funding is increased by Council accordingly; and

Further, that the base amount of the funding model for the CIP program be amended, beginning in 2017, to sustain adequate funding of existing commitments made under the 2004 CIP, as well as funding to support approval of projects under the 2015CIP as recommended in this report. FORTHWITH

## **Summary**

The City has had a Community Improvement Plan (CIP) since 2004. A total of 86 projects were approved for municipal financial incentives under this CIP. To satisfy all remaining financial incentive commitments made under this Plan, the municipality is required to allocate an additional \$6,935,000 in future municipal budgets.

To date, five applications have been submitted for consideration of incentive approvals, for a total of seven projects, under the City's new CIP (2015CIP) Tax Increment Finance (TIF) Program and the Brownfield Tax Assistance (BTA) Program. A request has also been made for changing incentives previously granted under the 2004 CIP. The total estimated value of all incentives requested is \$5,454,820. If approved, this amount would be required to be set out in future municipal budgets over the next 10 to 20 years and is over and above the allocation required to satisfy existing commitments approved under the 2004 CIP.

This report outlines existing commitments made under the 2004 CIP and addresses the evaluation and budget implications of new TIF and BTA applications received under the 2015CIP, as well as the request for a change in incentives under the former 2004 CIP for two development sites.

## **Background**

Provincial legislation enables local municipalities to adopt Community Improvement Plans (CIP) to enable municipalities to offer financial incentives to the private sector to stimulate investment in projects that support municipal community renewal objectives and strategies. More specifically, the incentives are intended to help offset a portion of costs incurred by the private sector for projects related to redevelopment, reuse, and rehabilitation of the built environment, and brownfield remediation.

### **Original CIP (2004)**

The City first adopted a CIP in 2004, with a 10-year time plan horizon. It expired at the end of 2014. The 2004 CIP offered seven financial incentive programs. Four of the programs offered a one-time grant, and three provided a longer term tax based incentive.

Under the 2004 CIP, a total of 86 projects were approved by City Council for financial incentives. The total value of incentives committed by the City under those approvals was \$13,135,000. Between 2004 and 2015, approximately \$6,200,000 has been allocated in municipal budgets for funding the incentive approvals granted, and 37% of this allocation has been disbursed to date. An estimated additional \$6,935,000 is required to be allocated in future municipal budgets to satisfy all of the existing funding commitments approved under 2004 CIP programs. This will extend for approximately 12 years to 2028.

The 86 projects approved through the 2004 CIP represent the creation of over 900 new residential dwelling units and an estimated increase of \$150,000,000 in property tax assessment.

## Revised 2015CIP

In advance of the CIP expiring at the end of 2014, the City, in 2013, undertook an extensive review of the CIP. This review resulted in the preparation of the 2015CIP, which was formally approved by Council on November 17, 2014. It offers the following programs:

1. Façade Improvement Program (FIP) and Residential / Office Conversion Program  
A one-time grant is given after project completion. The Director of Planning and Building Services has been given approval authority under these programs. There is an allocation of \$100,000 in the proposed 2016 municipal budget to fund these programs.
2. Tax Increment Finance (TIF) Program  
This program provides an annual rebate of property taxes paid on a property to offset a portion of costs incurred for soil remediation and/or redevelopment projects.

The value of the rebate is based on the increase in property tax assessment resulting from the completion of the project. For redevelopment projects, the value of the rebate is 45% of the increase in property taxes generated by the project, or the eligible project costs incurred, whichever is less. The rebate is given annually for a period of 10 years after project completion

For redevelopment projects that also involve soil remediation, the value of the rebate is 80% of the increase in property taxes generated by the project, or eligible project costs incurred, whichever is less, and the rebate is given annually for a period of 10 years after project completion.

The program is based on a competitive application process, with each application evaluated based on a weighted criteria ranking system to determine priority consideration for approval. The evaluation criteria and weighted ranking system is set out in Appendix 1.

The program is available to all properties within the City's urban area. However, one of the components of the program evaluation criteria gives a higher points ranking to properties located in Priority Neighbourhoods and within designated Intensification Areas as established in the City's Official Plan (Appendix 2).

Although the incentive is given for a 10-year period, the timeline to allocate monies in the municipal budget to fund the incentive is typically spread out over a much longer time frame. Approved projects must enter into a TIF Agreement with the municipality prior to project commencement and then have three years to complete the project. Within two years of completing the project, the applicants must request commencement of the incentive rebate. Effectively, the tax rebate may not be commenced for a period of up to five years after actual project completion.

Given the long term nature of the tax based incentives, the allocation of monies in the municipal budget directed towards paying the incentive is spread out over an extended period of time, typically 10 to 20 years.

### 3. Brownfield Tax Assistance (BTA) Program

This program provides an annual rebate of property taxes paid on a property to offset costs incurred for soil remediation projects. The rebate is equal to 100% of annual taxes paid on the property, or eligible project costs incurred, whichever is less, and is provided annually for a maximum period of three years.

This program is only available to properties located in Priority Neighbourhoods (Appendix 2).

The municipality began accepting applications under the new 2015CIP on October 30, 2015. To date, four TIF applications and one BTA application have been submitted for consideration of incentive approvals for a total of seven projects.

Combined, the requested TIF projects represent the generation of 675 new residential dwelling units and approximately 125 new permanent job opportunities, the majority of which are in the Downtown.

If all TIF and BTA applications were approved, the total value of incentives that would be granted by the City is estimated at \$5,087,320. The estimated increase in property tax assessment generated by the proposed projects is \$168,176,000, and will result in an increase of slightly over \$1,000,000 in annual City property taxes levied once projects are completed.

This report addresses the evaluation and budget implications of the TIF and BTA applications submitted under the new 2015CIP.

This report also addresses a request to shift an existing approved incentive granted under the former 2004 CIP. This request pertains to the redevelopment projects underway at 51 Lake Street and 136 James Street in the Downtown area. The total value of the requested incentive shift is \$367,500.

## **Report**

### **2015CIP**

#### **Applications Received**

##### **TIF Program**

Four TIF applications have been submitted for the following properties (Appendix 3 - location map):

- 155 Ontario Street and 4, 6 and 10 Adams Street
- 19 Beard Place
- 60 Canterbury Drive
- 271 Merritt Street

## **BTA Program**

One BTA application has been submitted for brownfield properties at 282, 285 Ontario Street and 10 Pleasant Avenue. (See Appendix 4 - location map).

## **Application Evaluation**

Each of the new proposed projects has been evaluated for the following:

- satisfaction of complete application requirements;
- satisfaction of program criteria in the approved 2015CIP;
- consideration of community renewal goals, objectives and growth strategies established in the Official Plan and the Corporate Strategic Plan;
- determination of the value of the financial incentive requested for each project.

Appendix 5 provides a summary of the project description, evaluation of each project and the estimated value of the incentive requested for each project. Based on the competitive priority evaluation criteria of the TIF program (Appendix 1), the proposed TIF projects are addressed in Appendix 5 in descending order of priority ranking for approval.

Appendix 6 provides a summary of the estimated annual and total value of incentives requested by each project.

The estimated incentive values stated in the appendices are only estimates and are subject to change depending on actual detailed project costs incurred, annual property taxes levied at time of project commencement and supplementary (actual) MPAC post development property tax assessments required after project completions.

## **Summary**

### **TIF Applications**

Based on project evaluations, all the TIF applications satisfy program criteria to be eligible for the incentive. Completion of these projects is estimated to generate an overall increase in property tax assessment of approximately \$168,176,000 and an increase of about \$1,000,000 in annual City property taxes levied once projects are completed.

If approved, the estimated total value of incentives that would be granted by the City for these projects is \$4,735,450 over a 10-year period, or \$473,545 annually.

### **BTA Applications**

Based on project evaluation, the BTA application for all three properties satisfies program criteria to be eligible for the incentive. If approved, the estimated annual and total three-year value of the incentive, by property, is as follows:

282 Ontario Street:	\$55,400 annually/\$166,200 over three years;
285 Ontario Street:	\$59,000 annually/\$177,000 over three years;
10 Pleasant Avenue:	\$2,890 annually/\$8,670 over three years.



The total incentive for all three properties combined would be \$117,300 annually and \$351,870 over three years.

### **Recommendation for Incentive Approvals**

All applications submitted for the TIF and BTA programs under the 2015CIP represent worthwhile projects for municipal community renewal and growth.

Approval of all applications would require that an estimated total of \$5,087,320 be allocated in future municipal budgets to fund these projects.

In recognition that the City's Operating Budget cannot sustain overall financial support for all applications for funding, the 2015CIP introduced a competitive application ranking system for TIF applications (Appendix 1) to address priority ranking for consideration of approval.

Certain stakeholders recommended that applications meeting a certain threshold of points awarded under the ranking system should automatically be recommended for approval. However, in essence, this discredits the purpose of the program to provide a priority based evaluation system in relation to the funding model to support the continuance of the CIP program.

In Council approving this priority based system, and in relation to the funding model to support new projects, it was recognized that certain applications may be recommended for approval and others may not.

The evaluation of applications is set out in Appendix 5. Based on this competitive ranking system, and in consideration of the Corporate Strategic Plan, the Official Plan, overall municipal goals for community renewal, growth strategies, and objectives, staff provide the following recommendations for priority approval of applications received under the 2015CIP:

1. 155 Ontario Street (including 4,6,10 Adams Streets);
2. 282-285 Ontario Street/10 Pleasant Avenue;
3. 271 Merritt Street.

Combined, these projects represent the generation of 604 new residential dwelling units, the creation of approximately 125 new permanent job opportunities, an estimated increase of \$152,181,908 in property tax assessment, and \$951,400 in annual property taxes paid to the City upon the completion of the projects.

### **Incentive Request Outside of the 2015CIP Program - 51 Lake Street and 136 James Street**

The City has received a request to shift an existing approved incentive granted under the former 2004 CIP. This request has been made for the redevelopment projects currently underway at 51 Lake Street and 136 James Street (Appendix 7).

On July 7, 2014, the applicant received approval for incentives under the 2004 CIP for redevelopment projects at 51 Lake Street and 136 James Street. Approval was granted under the Tax Increment Grant (TIG) program which provides a 45% tax rebate incentive over 10 years. Approval was also given for a grant under the Residential Construction Program and the refund of application and permit fees under the Municipal Application and Permit Fees Refund Program.

After approval of the incentive, it was discovered that additional project costs for soil remediation would be incurred on both sites to address contaminants that were previously undetected. This has triggered the request to move, retroactively, from the TIG program to the Brownfield Tax Increment Grant (BTIG) program and the BFTA program under the 2004 CIP. The BTIG program provides an 80% tax rebate for redevelopment projects that involve remediation, for a period of 10 years, and the BFTA program provides a 100% tax rebate for soil remediation for a maximum period of three years during remediation.

The applicant has stated that had the property owners been aware of the soil contamination on the subject properties at the time of their original application under the 2004 CIP, they would have applied for the BTIG and BFTA at that time, rather than the TIG.

The following provides a summary of CIP incentives previously approved and the incentives now requested.

- 51 Lake Street  
Construction of 67 residential units

2004 CIP Approvals		Request	
TIG (ten years)	\$248,364	BTIG (ten years)	\$432,936
Residential Construction	\$125,000	Residential Construction	\$125,000
Municipal Fee Rebate	\$ 88,015	Municipal Fee	\$ 88,015
		BTFA (maximum 3 years)	\$ 11,058
Total	\$461,379		\$657,009
Total Increase Requested			\$195,630
Approval under the BTIG and BFTA programs would represent an increase in the total value of incentive provided to the owners of approximately \$195,630 or \$19,563 annually.			

- 136 James Street  
Construction of 53 residential units

2004 CIP Approvals		Request	
TIG (ten years)	\$201,747	BTIG (ten years)	\$365,496
Residential Construction	\$125,000	Residential Construction	\$125,000
Municipal Fee Rebate	\$ 59,117	Municipal Fee	\$ 59,117
		BTFA (maximum 3 years)	\$ 8,121
Total	\$385,864		\$557,734
Total Increase Requested			\$171,870
Approval under the BTIG and BFTA programs would represent an increase in the total value of incentive provided to the owners of approximately \$171,870 or \$17,187 annually.			

The specific reason for the requested shift in the incentives is to recover costs related to unforeseen required soil remediation works. It must be acknowledged that evidence of contamination did not surface until the process for obtaining Records of Site Condition were underway. In order to proceed with the projects, brownfield remedial works in the amounts of \$1,363,016 for 51 Lake Street and \$835,765 for 136 James Street were required to be undertaken. As such, additional costs have been incurred that otherwise were not contemplated during Council deliberation of the original CIP requests for these two projects.

Given the additional costs that have been incurred to reach project completion, it is altogether prudent for Council to consider the approval of the applicant's request to transfer the TIG to that of a Brownfield TIG and also to consider approval of the Brownfield Tax Assistance program.

The premise of CIP is to offer incentives to stimulate private investment in 'new' projects, and one of the foundations of the program is that incentives are not provided retroactively for projects that already are commenced or are completed. The developments at 51 Lake Street and 136 James Street will be complete in 2016, and investments already have been made. Supporting these requests may be precedent setting and open the door for other projects previously approved for CIP funding that are complete or under construction to make similar requests.

The granting of this request may also compromise consideration of incentive approvals for other worthwhile projects that have submitted applications under the 2015CIP. Approval of the applicants request further impacts the amount of monies that Council would need to allocate for the 2016 CIP budget and for future years. In fact, to approve this request, Council would need to increase the funding by \$36,750 above recommended 2017 amounts for the first three years and then by \$17,751 for the remaining seven years.

These requested additional funds need to be balanced against those projects that fulfill the goals of the Strategic Plan and the Official Plan of achieving a vibrant Downtown and Urban Growth Centre where higher density of development is to be achieved.

Staff does not support the request from the applicant for expanding existing approved incentives granted under the former 2004 CIP for the properties at 51 Lake Street and 136 James Street for the reasons stated above.

## **Financial Implications**

The 2016 municipal budget establishes a funding model for financing commitments made under the CIP program. This funding model is to be carried over in subsequent future budgets to satisfy the long term nature of the incentive rebates.

If approving the three projects recommended by staff and maintaining the base amount currently established in the funding model, the budget reserve to fund CIP projects would drop to a negative reserve scenario in the year 2025 and three years before existing approvals under the 2004 CIP are complete.

In order to maintain an adequate base amount in the funding model to sustain funding of projects approved under the 2004 CIP and the three projects recommended under the 2015CIP, it would require an additional allocation of \$75,000 to the base amount beginning in 2017 and carried over into future budgets.

Appendix 8 identifies the implications of approving the three recommended projects under the 2015CIP without increasing the base amount of the funding model and also with an increase of \$75,000 to the base amount of the funding model beginning in 2017.

## **Relationship to Strategic Plan**

The recommendations of this report support Strategic Plan Goal 1 to attract private investment and directly relate to Action 1.2, 1.3 and 1.4: to prioritize redevelopment initiatives consistent with provincial planning legislation and the City's Official Plan to intensify mixed-use residential developments and ultimately enhance the property tax base and support job creation; to focus on the redevelopment of the former GM lands and Hotel Dieu site on Ontario Street; and to develop funding formula for the Community Improvement Program and brownfield improvement programs that support the goal of community redevelopment with the ability for the City to manage financial impacts of the funding program on an annual basis.

This report also relates to Strategic Plan Goal 2, Action 2.5 in addressing potential long term financial commitments and multi-year budgeting scenarios, and Strategic Plan Goal 5, Action 5.1 and 5.2 supporting connectivity between people, places and neighbourhoods, and redevelopment of properties to enhance the livability of neighbourhoods.

The recommendations of this report support the provision of municipal financial incentives to support redevelopment projects, and given the significant value of proposed incentives, may compromise Strategic Plan Goal 2, Action 2.6 to work towards achieving a budgetary tax rate increase at or below the rate of inflation by 2018.

## **Conclusion**

The 2004 CIP is seen as a great success in stimulating private sector investment in support of municipal community renewal objectives and strategies. Funding committed under the 2004 CIP has resulted in over 900 new residential dwelling units created and an estimated increase in property tax assessment of \$150,000,000.

Recommended projects for approval under the 2015CIP include the redevelopment of 155 Ontario Street and 4, 6 and 10 Adams Street, a significant property for Downtown and community renewal; the soil remediation of lands at 282-285 Ontario Street and 10 Pleasant Avenue, the largest brownfield site in the municipality; and the continued redevelopment of the former brownfield site at 271 Merritt Street, representing continued renewal at the Merritt Street / Glendale Avenue node. Combined, these projects represent the generation of 604 new residential dwelling units, the creation of approximately 125 new permanent job opportunities, an estimated increase of \$152,181,908 in property tax assessment, and \$951,400 in annual property taxes paid to the City upon the completion of the projects.

The approval of these projects requires an additional budget allocation of \$75,000 to the base amount of the CIP funding model, beginning in 2017 and in subsequent future budgets.

## **Notification**

It is in order to notify each of the applicants of the outcome of this Council decision.

### **Prepared by:**

Bruce Bellows, Policy Planner

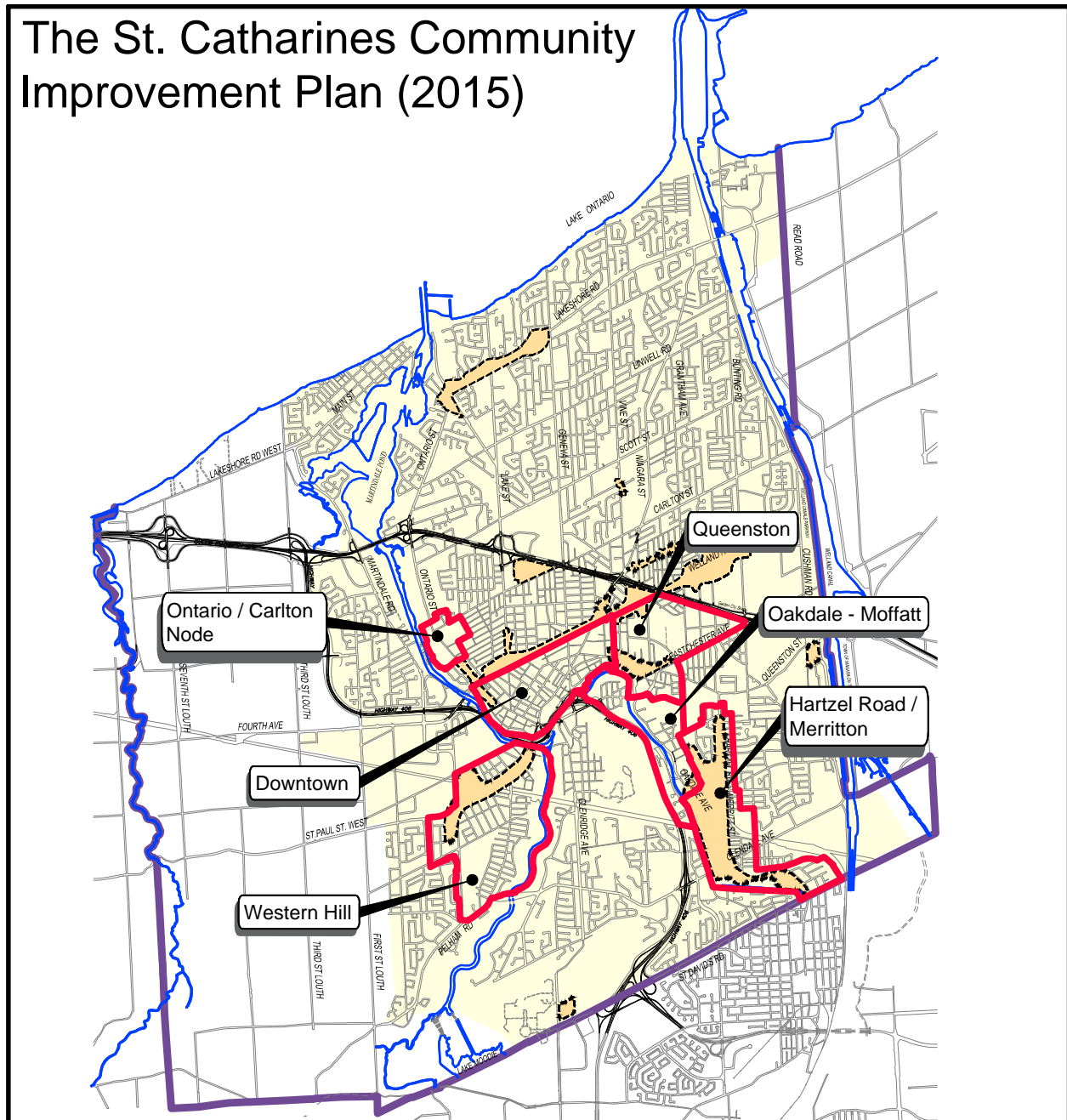
### **Submitted and Approved by:**

James N. Riddell, M.P.L., MCIP, RPP  
Director of Planning and Building Services

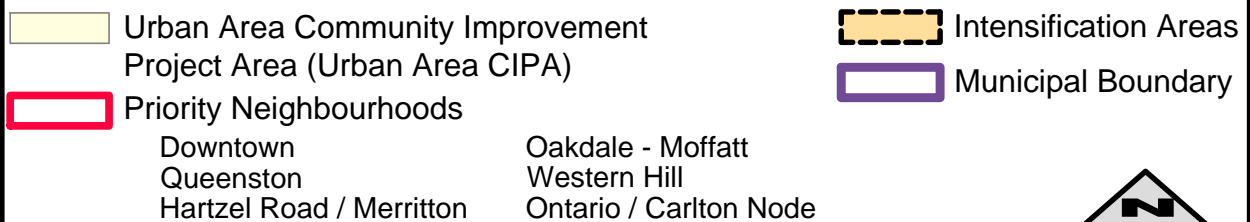
### TIF Application Priority Evaluation Criteria

VALUATION RANKING SYSTEM	Weight (points)
<b>1. Redevelopment Projects</b>	20
<b>2. Redevelopment Projects involving Remediation</b>	
- estimated cost of <i>remediation</i> in relation to other projects:	
- highest	30
- 2 <sup>nd</sup> highest	25
- 3 <sup>rd</sup> highest	20
<b>3. Lot Size</b> - 1 hectare or less	2
- greater than 1 hectare	4
<b>4. Project Location</b>	
- within the Downtown Priority Neighbourhood	15
- within other Priority Neighbourhoods	10
- within an Intensification Area outside a Priority Neighbourhood	5
<b>5. Financial Impact</b>	
- net benefit on weighted assessment in relation to other projects	
- highest	5
- 2 <sup>nd</sup> highest	3
- 3 <sup>rd</sup> highest	1
<b>6. Density Generation</b> (people and/or jobs per hectare) in relation to other projects	
- highest	10
- 2 <sup>nd</sup> highest	6
- 3 <sup>rd</sup> highest	3
<b>7. Value Added</b>	
- urban design features (façade, landscaping, public realm, etc)	2.5
- sustainability (LEEDS, energy efficiency, etc.)	2.5
- accessibility ( universal access, barrier free) in accordance with Facility Accessibility Design Standards (FADS)	2.5
- heritage restoration/preservation	2.5
<b>** For criteria 1 to 6, points are awarded on an all or nothing basis. For criteria 7, points may be awarded on a sliding scale up to a maximum of 10. **</b>	

# The St. Catharines Community Improvement Plan (2015)



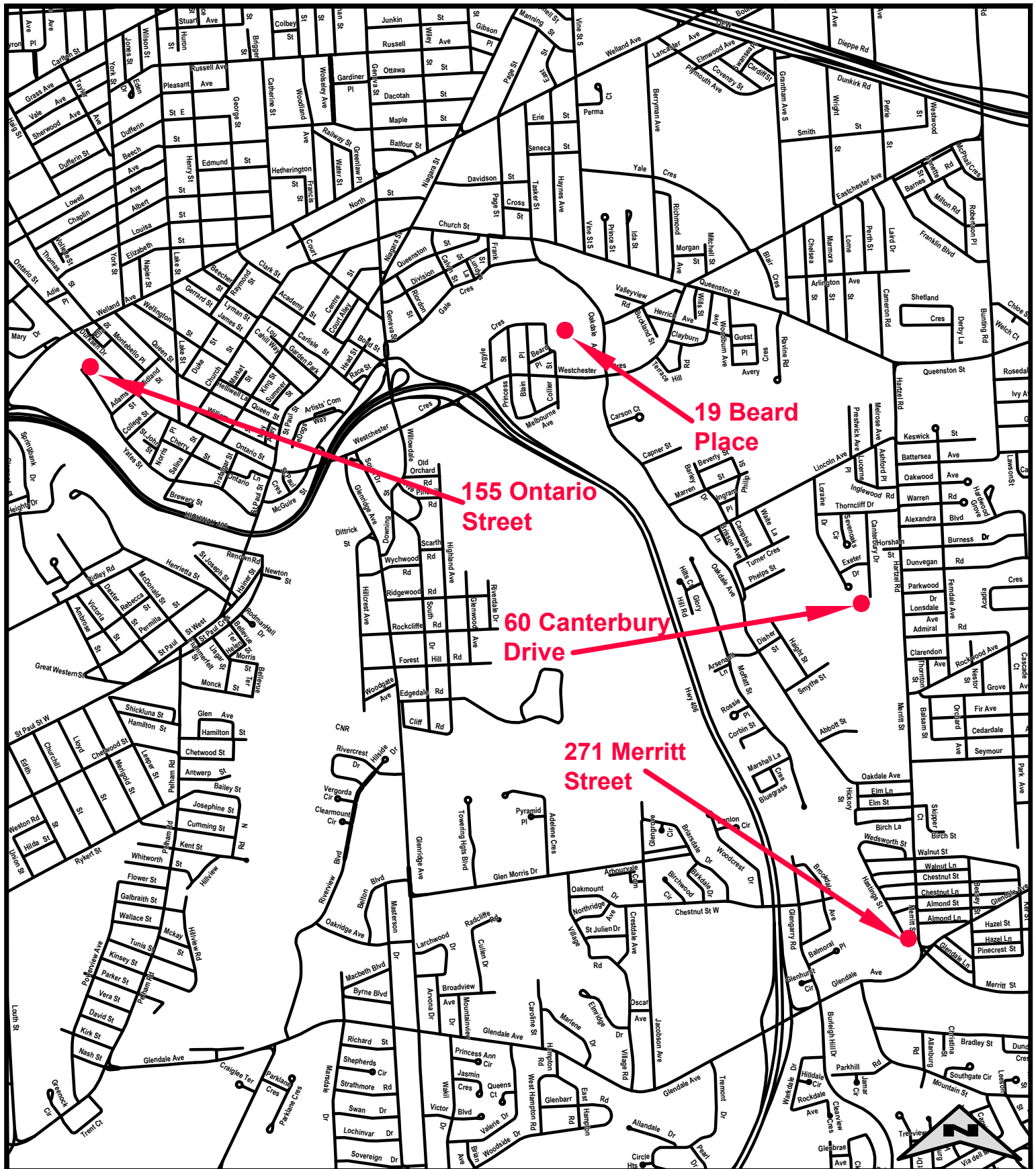
## Community Improvement Plan (2015)



City of St. Catharines  
Planning and Development Services

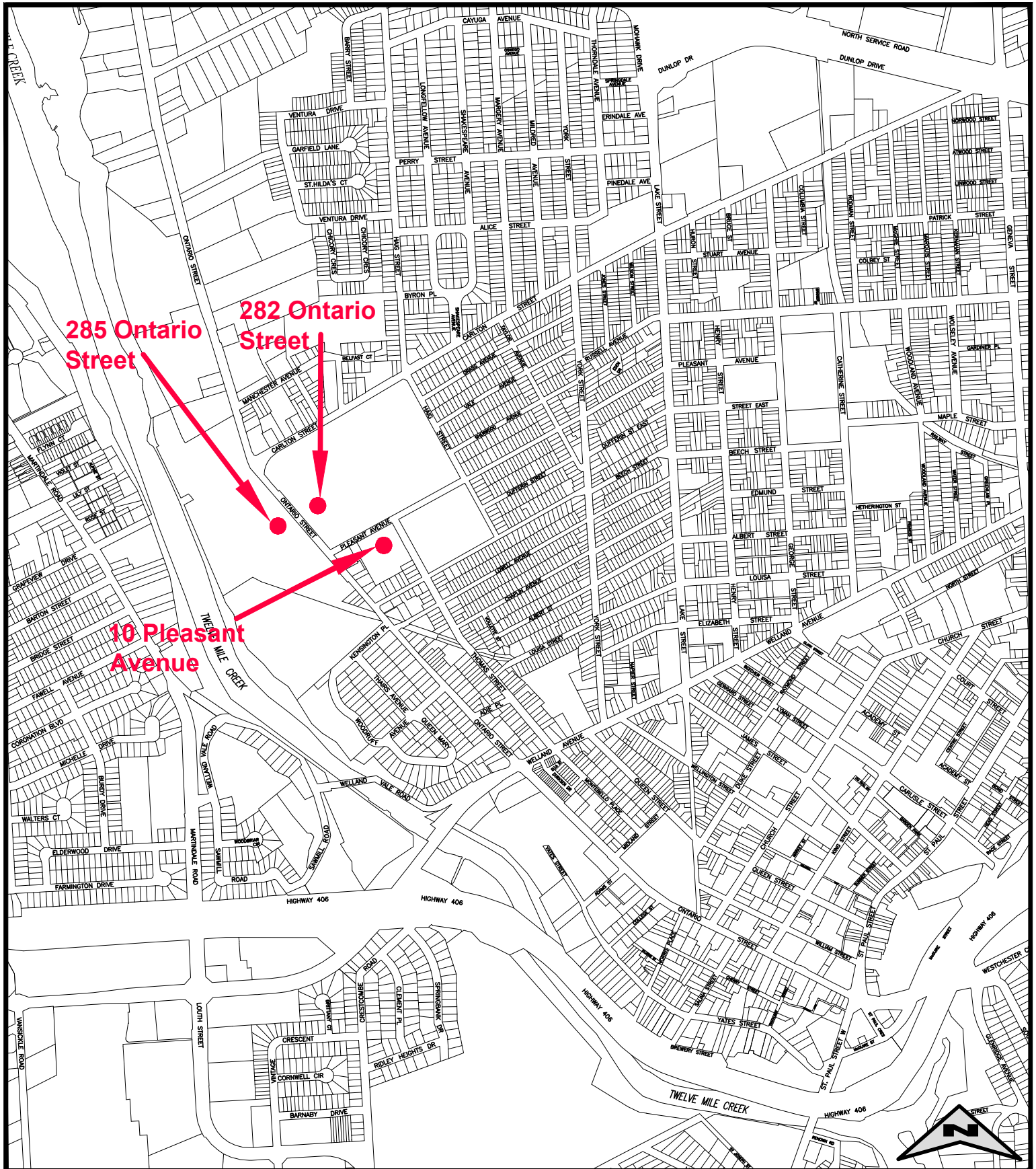


# Applications Submitted for the Tax Increment Finance (TIF) Program





# Applications Submitted for the Brownfield Tax Assistance (BTA) Program



Application Location	Program Type	Property Size	Project Details	Estimated Project Costs	Existing Assessment	Estimated Assessment Increase	Estimated Annual City Tax Increase	Eligible Incentive (45% of annual tax)	Total Incentive Value (over 10 years)
155 Ontario Street (former Hotel Dieu property)	TIF	4.1 ha	560 unit retirement complex (140 unit seniors home, two 200 unit apartment buildings, 20 townhomes)	\$145,000,000	\$5,978,092	\$143,421,908	\$890,000	\$400,000	\$4,000,000
Evaluation									
	Yes	No	Comments						
Complete Application	X								
Priority Neighbourhood	X		Downtown						
Intensification Area	X								
Density Generation	X		Density - 170 units/hectare						
Job Creation	X		100 new permanent jobs						
People (jobs per ha) Density			370						
Redevelopment	X								
Remediation	X		Estimated Value \$300,000						
Financial Benefit (Rank)	X		1 of 4						
Value Added			Barrier Free Components						
Evaluation Score (Based on weighted ranking system)	74								
COMMENTS:	A significant opportunity to support Downtown community renewal, revitalization goals/objectives, and downtown growth strategy; Proposed density exceeds Provincial Places to Grow minimum density target for Urban Growth Centre by over 100%; Supports Corporate Strategic Plan Goal No. 1, Action 1.2, 1.3, 1.4; Goal 5, Action 5.1, 5.2; Approval should be conditional on submission of detailed project cost estimates; Estimated project costs greater than potential incentive value.								
Total Incentive Value	\$4,000,000								
Annual Payment Incentive	\$400,000								
*Application was made for a BTIF (80% rebate). Given that only 0.2% of estimated project costs are related to soil remediation (\$300,000), it is recommended that only a TIF (45% rebate) be considered.									

Application Location	Program Type	Property Size	Project Details	Estimated Project Costs	Existing Assessment	Estimated Assessment Increase	Estimated Annual City Tax Increase	Eligible Incentive (45% of annual tax)	Total Incentive Value (over 10 years)
271 Merritt Street (former Lybster Mill (Domtar) Site) 271 Merritt Street	TIF	0.2 ha	6 storey 44 unit apartment condominium building with ground floor commercial 1207 m <sup>2</sup>	\$14,910,250	\$5,406,000	\$8,760,000	\$61,400	\$27,600	\$276,000
Evaluation									
	Yes	No	Comments						
Complete Application	X								
Priority Neighbourhood	X		Hartzel Road/Merritton						
Intensification Area	X								
Density Generation	X		Density - 244 units/hectare						
Job Creation	X		25						
People (jobs per ha) Density			630						
Redevelopment	X								
Remediation		X							
Financial Benefit (Rank)			2 of 4						
Value Added									
Evaluation Score (Based on weighted ranking system)	43								
COMMENTS:	Project is an addition to existing development, and represents the continued redevelopment of former brownfield lands and community renewal at the Merritt St./Glendale Ave. node; Supports Corporate Strategic Plan Goal 1, Action 1.2, 1.4, Goal 5, Action 5.1, 5.2; Density calculated on portion of site to be developed; Approval should be conditional on submission of detailed project cost estimates; Estimated project costs greater than potential incentive value.								
Total Incentive Value	\$276,000								
Annual Payment Incentive	\$27,600								

Application Location	Program Type	Property Size	Project Details	Estimated Project Costs	Existing Assessment	Estimated Assessment Increase	Estimated Annual City Tax Increase	Eligible Incentive (45% of annual tax)	Total Incentive Value (over 10 years)
19 Beard Place	TIF	1.4 ha	5 storey 41 unit apartment condominium building	\$9,470,000	\$569,000	\$9,006,000	\$56,000	\$25,200	\$252,000
Evaluation									
	Yes	No	Comments						
Complete Application	X								
Priority Neighbourhood	X		Oakdale-Moffatt						
Intensification Area		X							
Density Generation	X		Density - 100 units/hectare						
Job Creation		X							
People (jobs per ha) Density			200						
Redevelopment	X								
Remediation		X							
Financial Benefit (Rank)			3 of 4						
Value Added									
Evaluation Score (Based on weighted ranking system)	41.5								
COMMENTS:	Supports Corporate Strategic Plan Goal 1, Action 1.4, Goal 5.1, 5.2; Estimated project costs greater than potential incentive value.								
Total Incentive Value	\$252,000								
Annual Payment Incentive	\$25,200								

Application Location	Program Type	Property Size	Project Details	Estimated Project Costs	Existing Assessment	Estimated Assessment Increase	Estimated Annual City Tax Increase	Eligible Incentive (45% of annual tax)	Total Incentive Value (over 10 years)
60 Canterbury Drive	TIF	1.1 ha	29 unit townhouse development	\$5,335,500	\$301,750	\$7,410,000	\$46,100	\$20,745	\$207,450
Evaluation									
	Yes	No	Comments						
Complete Application	X								
Priority Neighbourhood	X		Hartzel Road/Merritton						
Intensification Area		X							
Density Generation	X		Density - 26 units/hectare						
Job Creation		X							
People (jobs per ha) Density			58						
Redevelopment	X								
Remediation		X							
Financial Benefit (Rank)			4 of 4						
Value Added									
Evaluation Score (Based on weighted ranking system)	36.5								
COMMENTS:	Supports Corporate Strategic Plan Goal 1, Action 1.4, Goal 5, Action 5.1, 5.2; Estimated project costs greater than potential incentive value.								
Total Incentive Value	\$207,450								
Annual Payment Incentive	\$20,745								

Application Location	Program Type	Property Size	Project Details	Estimated Project Costs	Existing Annual City Tax	Annual Eligible Incentive	Total Incentive Value (over 3 years)
282 Ontario Street ( former General Motors site)	BTA	10.5 ha	soil remediation	\$1,190,000	\$55,400	\$55,400	\$166,000
Evaluation							
	Yes	No	Comments				
Complete Application	X						
Priority Neighbourhood	X		Ontario/Carlton Node				
Intensification Area		X					
COMMENTS:	Former GM lands represents largest brownfield remediation opportunity in the municipality in key central location; Represents remediation to a mixed use commercial/residential standard, supporting future large scale redevelopment opportunities with close proximity to Downtown; Supports Corporate Strategic Plan Goal 1, Action 1.2, 1.3, 1.4, Goal 5, Action 5.1, 5.2; Estimated project costs greater than potential incentive value.						
Total Incentive Value	\$166,000						
Annual Payment Incentive	\$55,000						

Application Location	Program Type	Property Size	Project Details	Estimated Project Costs	Existing Annual City Tax	Annual Eligible Incentive	Total Incentive Value (over 3 years)
285 Ontario Street ( former General Motors site)	BTA	10.2 ha	soil remediation	\$1,100,000	\$59,000	\$59,000	\$177,000
Evaluation							
	Yes	No	Comments				
Complete Application	X						
Priority Neighbourhood	X		Ontario/Carlton Node				
Intensification Area		X					
COMMENTS:	In combination with other former GM lands represents largest brownfield remediation opportunity in the municipality in key central location; Represents remediation to a mixed use commercial/residential standard, supporting future large scale redevelopment opportunities with close proximity to Downtown; Supports Corporate Strategic Plan Goal 1, Action 1.2, 1.3, 1.4, Goal 5, Action 5.1, 5.2; Estimated project costs greater than potential incentive value.						
Total Incentive Value	\$177,000						
Annual Payment Incentive	\$59,000						

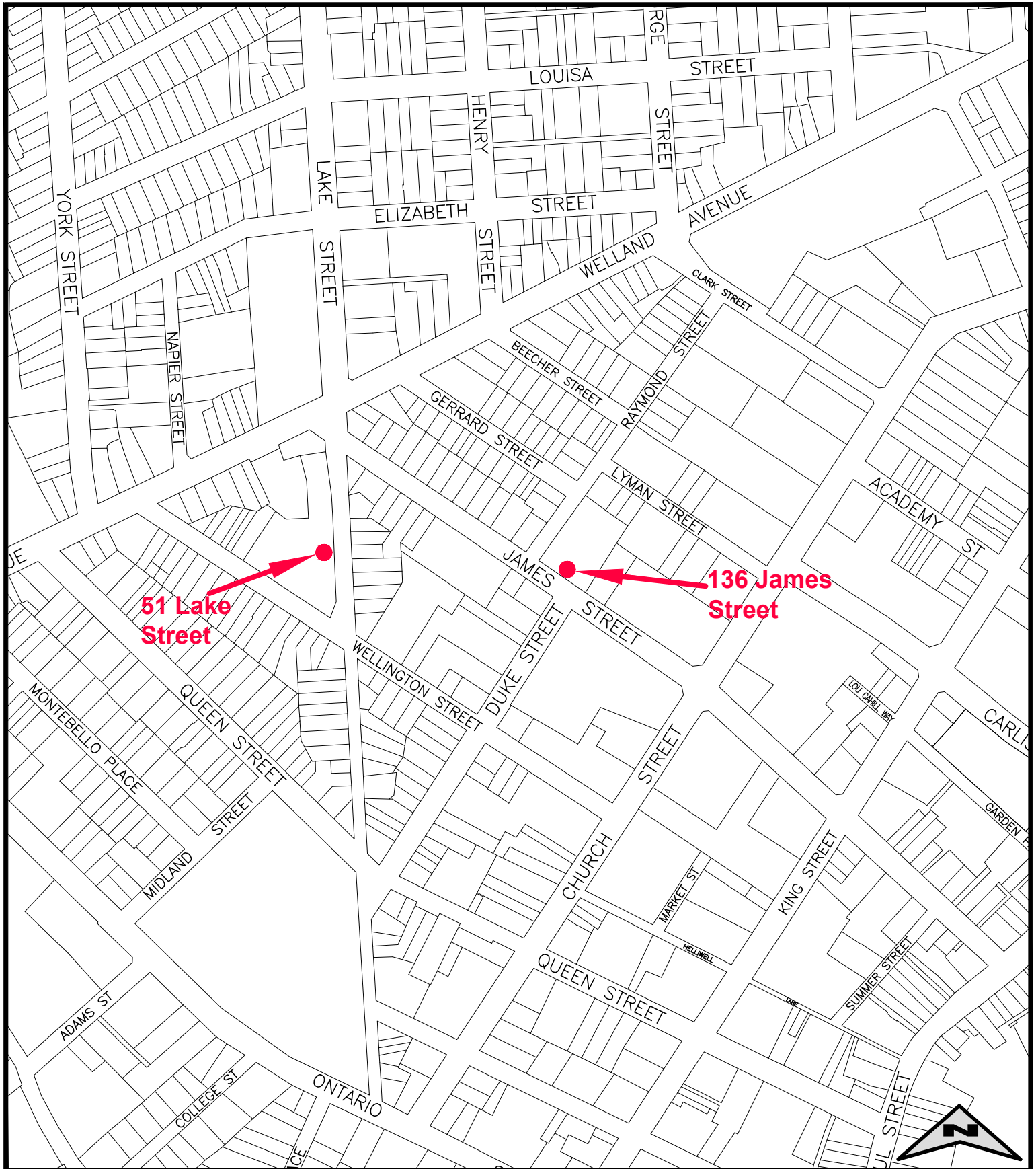
Application Location	Program Type	Property Size	Project Details	Estimated Project Costs	Existing Annual City Tax	Annual Eligible Incentive	Total Incentive Value (over 3 years)
10 Pleasant Ave. (former General Motors site)	BTA	1.16 ha	soil remediation	\$120,000	\$2,890	\$2,890	\$8,670
Evaluation							
	Yes	No	Comments				
Complete Application	X						
Priority Neighbourhood	X		Ontario/Carlton Node				
Intensification Area		X					
COMMENTS:	Former GM lands represents largest brownfield remediation opportunity in the municipality in key central location; Represents remediation to a mixed use commercial/residential standard, supporting future large scale redevelopment opportunities with close proximity to Downtown; Supports Corporate Strategic Plan Goal 1, Action 1.2, 1.3, 1.4, Goal 5, Action 5.1, 5.2; Estimated project costs greater than potential incentive value.						
Total Incentive Value	\$8,670						
Annual Payment Incentive	\$2,890						



**Estimated Value of Tax Rebate Incentives Requested**

Project	Tax Rebate Incentive (\$)			Meets Program Evaluation For Approval (\$)	
	Annual For 3 years	Annual For 10 years	TOTAL	Yes	No
<b>TIF APPLICATIONS</b>					
155 Ontario Street		400,000	4,000,000	4,000,000	
19 Beard Place		25,200	252,000	252,000	
271 Merritt Street		27,600	276,000	276,000	
60 Canterbury Drive		20,745	207,450	207,450	
<b>total</b>		<b>473,545</b>	<b>4,735,450</b>	<b>4,735,450</b>	
<b>BTA APPLICATIONS</b>					
282 Ontario Street	55,400		166,200	166,200	
285 Ontario Street	59,000		177,000	177,000	
10 Pleasant Avenue	2,890		8,670	8,670	
<b>total</b>	<b>117,290</b>		<b>351,870</b>	<b>351,870</b>	
<b>2004 CIP REQUEST</b>					
51 Lake Street	3,686	18,457	195,630		195,630
136 James Street	2,707	16,374	171,870		171,870
<b>total</b>	<b>6,393</b>	<b>33,681</b>	<b>367,500</b>		<b>367,500</b>
<b>TOTAL</b>	<b>123,683</b>	<b>507,226</b>	<b>5,454,820</b>	<b>5,087,320</b>	<b>367,500</b>

# Properties Subject to Request for Expanded Incentive Approval under the 2004 CIP



## City of St. Catharines Funding Proposal - CIP Reserve

Costing Scenario: **Staff Recommended Projects with no adjustment to Funding Model**

Financial Implications: The Financial Model is insufficient and the Reserve is depleted in 2025.  
The depletion of the reserve occurs three years before the existing approvals are completed

Year	Opening Reserve Balance	Annual Funding			Annual Payments	Ending Reserve Balance
		Base Amount	Growth Amount	Total Annual Budget		
2016	3,898,048	825,000	63,408	888,408	1,102,135	3,684,321
2017	3,684,321	825,000	104,047	929,047	1,155,574	3,457,794
2018	3,457,794	825,000	111,813	936,813	1,495,565	2,899,042
2019	2,899,042	825,000	127,300	952,300	1,260,511	2,590,831
2020	2,590,831	825,000	139,614	964,614	1,307,803	2,247,642
2021	2,247,642	825,000	235,053	1,060,053	1,610,674	1,697,021
2022	1,697,021	825,000	241,297	1,066,297	1,566,948	1,196,370
2023	1,196,370	825,000	240,448	1,065,448	1,522,581	739,237
2024	739,237	825,000	247,918	1,072,918	1,544,766	267,389
2025	267,389	825,000	228,245	1,053,245	1,566,951	(246,317)
2026	(246,317)	825,000	214,745	1,039,745	1,413,044	(619,616)
2027	(619,616)	825,000	170,390	995,390	1,096,377	(720,603)
2028	(720,603)	825,000	177,861	1,002,861	1,156,140	(873,882)
2029	(873,882)	825,000	162,373	987,373	965,997	(852,506)
2030	(852,506)	825,000	148,763	973,763	878,604	(757,347)
2031	(757,347)	825,000	52,293	877,293	418,341	(298,395)
2032	(298,395)	825,000	44,822	869,822	358,578	212,849
2033	212,849	825,000	37,352	862,352	298,815	776,386

2025 - projected year when base funding is not sufficient to provide for financial obligations of the program

2028 - projected last year of payments relating to existing (2004 CIP) approvals

## City of St. Catharines Funding Proposal - CIP Reserve

Costing Scenario: **Staff recommended projects and Amend Funding Model**

Financial Implications: An Increase to the Base Funding of \$75,000 annually is sufficient to fund the approvals

Year	Opening Reserve Balance	Annual Funding			Annual Payments	Ending Reserve Balance
		Base Amount	Growth Amount	Total Annual Budget		
2016	3,898,048	825,000	63,408	888,408	1,102,135	3,684,321
2017	3,684,321	900,000	104,047	1,004,047	1,155,574	3,532,794
2018	3,532,794	900,000	111,813	1,011,813	1,495,565	3,049,042
2019	3,049,042	900,000	127,300	1,027,300	1,260,511	2,815,831
2020	2,815,831	900,000	139,614	1,039,614	1,307,803	2,547,642
2021	2,547,642	900,000	235,053	1,135,053	1,610,674	2,072,021
2022	2,072,021	900,000	241,297	1,141,297	1,566,948	1,646,370
2023	1,646,370	900,000	240,448	1,140,448	1,522,581	1,264,237
2024	1,264,237	900,000	247,918	1,147,918	1,544,766	867,389
2025	867,389	900,000	228,245	1,128,245	1,566,951	428,683
2026	428,683	900,000	214,745	1,114,745	1,413,044	130,384
2027	130,384	900,000	170,390	1,070,390	1,096,377	104,397
2028	104,397	900,000	177,861	1,077,861	1,156,140	26,118
2029	26,118	900,000	162,373	1,062,373	965,997	122,494
2030	122,494	900,000	148,763	1,048,763	878,604	292,653
2031	292,653	900,000	52,293	952,293	418,341	826,605
2032	826,605	900,000	44,822	944,822	358,578	1,412,849
2033	1,412,849	900,000	37,352	937,352	298,815	2,051,386

2028 - projected last year of payments relating to existing (2004 CIP) approvals



The Corporation of the City of St. Catharines  
**REGULAR COUNCIL MINUTES**  
Monday, March 07, 2016  
(2016 Operating Budget)

**Present:** Mayor Walter Sendzik  
Councillors Sandie Bellows, Mike Britton, N. Carlos Garcia,  
Matt Harris, David A. Haywood, Joseph Kushner, Bill Phillips,  
Mathew Siscoe, Sal Sorrento, Jennifer Stevens, and Bruce Williamson

**Absent:** Councillor Mark Elliott

**Officials Present:** Dan Carnegie, Chief Administrative Officer  
Shelley Chemnitz, Commissioner of Corporate Services  
Bryan Shynal, Commissioner of Operations  
Nicole Auty, Director of Legal and Clerks Services/City Solicitor  
Jim Riddell, Director of Planning and Building Services  
Kristine Douglas, Director of Financial Management Services  
Jeanette Pillitteri, Director of Corporate Support Services  
Dan Dillon, Director of Transportation and Environmental Services  
David Oakes, Director of Recreation and Community Services  
David Wood, Director of Fire and Emergency Management Services  
Steve Solski, Executive Director of FirstOntario Performing Arts Centre  
Bonnie Nistico-Dunk, City Clerk  
Rebecca Alfieri, Council and Committee Coordinator

Mayor Sendzik took the chair and called the meeting to order in Council Chambers at 6:31 p.m.

**1. Presentations**

There were none this evening.

**2. Public Meetings Pursuant to Planning Act**

There were none this evening.

**3. Mayor's Report**

Mayor Sendzik presented a verbal report on matters of community interest.

The Mayor reviewed the process for the 2016 Operating Budget meeting this evening, and for tomorrow, if necessary.

#### **4. Adoption of the Agendas**

Moved By: Councillor Phillips  
Seconded By: Councillor Williamson

That Council adopt the agenda for the meeting of March 7, 2016, as presented.

**Carried**

#### **5. Declarations of Interest**

There were none declared.

#### **6. Adoption of the Minutes (Council and General Committee)**

##### **6.1. Regular Meeting of Council, [February 22, 2016](#)**

Moved By: Councillor Phillips  
Seconded By: Councillor Siscoe

That Council adopt the minutes of the Regular meeting of Council held on Monday, February 22, 2016.

**Carried**

##### **6.2. General Committee Meeting, [February 22, 2016](#)**

Moved By: Councillor Phillips  
Seconded By: Councillor Siscoe

That Council adopt the minutes of the General Committee meeting held on Monday, February 22, 2016.

**Carried**

#### **7. Delegations**

##### **7.1. Public Meeting (Pursuant to Notice By-law No. 2007-310, as Amended) 2016 Operating Budget (see [General Committee Agenda, March 7, 2016, Item 3.1](#))**

The Mayor advised that public notice had been published in accordance with the City's Notice By-law to consider the 2016 Operating Budget.

Shelley Chemnitz, Commissioner of Corporate Services, presented the 2016 Operating Budget.

Councillor Siscoe, Budget Standing Committee Chair, addressed Council to present the draft operating budget for 2016 as approved by the Budget Standing Committee.

The Mayor advised that those who had registered with the City Clerk in advance of the public meeting would be heard first. George Darte, Adam Bradley, and Kim Bauer registered to be heard. Their comments are summarized below:

- George Darte addressed Council with regards to reducing waste, relative to city services. Mr. Darte agreed to participate in budget meetings for next year.

- Adam Bradley addressed Council regarding his concern regarding the Fire Fighter's budget and the issues with the arbitration process. Mayor Sendzik encouraged Mr. Bradley to send his concerns to Council.
- Kim Bauer addressed Council to state that he feels the Budget Standing Committee is an excellent addition to the process. Mr. Bauer also provided input as it relates to reductions.

The Mayor asked if anyone else present this evening would like to speak. No one else wished to speak to the matter.

Ms. Chemnitz made closing comments.

*The public meeting was closed.*

Moved By: Councillor Stevens

Seconded By: Councillor Siscoe

That Council receive the presentation regarding the 2016 Operating Budget, and refer it to General Committee, Item No. 3.1, for consideration later in the evening.

**Motion to Refer Carried**

## **8. Call for Notices of Motion**

- 8.1. Request for Reconsideration of a Previously Decided Motion  
Community Improvement Plan - Evaluation of New Applications and Municipal  
Budget Implications  
Re: 51 Lake Street and 136 James Street

Moved By: Councillor Stevens

That Council approve the reconsideration of the motion in the report from Planning and Building Services, Planning Services, respecting the Community Improvement Plan - Evaluation of New Applications and Municipal Budget Implications, dated January 18, 2016, Item 3.7 of the General Committee Minutes of February 29, 2015, being:

That the request to shift CIP incentive under the 2004 CIP pertaining to 51 Lake Street and 136 James Street not be approved unless CIP funding is increased by Council accordingly.

...

## **Suspension of the Rules**

Moved By: Councillor Stevens

Seconded By: Councillor Kushner

That Council suspend the rules in accordance with the Procedural By-law 2015-170, article A4, Suspension of Rules, to allow the motion to reconsider a previously decided motion to be considered at the Regular meeting of March 7, 2016.

**Motion to Suspend Rules Carried**

Council now voted on the request to reconsider the previously decided motion regarding the CIP incentive

pertaining to 51 Lake Street and 136 James Street.

**Motion to Reconsider Carried**

*Council now voted on the original motion.*

**Original Motion to not approve CIP Incentive**

That the request to shift CIP incentive under the 2004 CIP pertaining to 51 Lake Street and 136 James Street not be approved unless CIP funding is increased by Council accordingly.

Yeas: Councillors Haywood, and Williamson

Nays: Councillors Bellows, Britton, Garcia, Harris, Kushner, Phillips, Siscoe, Sorrento, Stevens, and Mayor Sendzik

**Lost**

Moved By: Councillor Stevens

Seconded By: Councillor Sorrento

That Council move In-Camera for advice that is subject to solicitor-client privilege regarding questions pertaining to 51 Lake Street, and 136 James Street.

**Carried**

*Council recessed to In-Camera at 8:01 p.m. and reconvened at 8:08 p.m.*

*Following the In-Camera session, the new motion regarding approval of CIP Incentive pertaining to 51 Lake Street, and 136 James Street was now voted on.*

**New Motion regarding CIP Incentive pertaining to 51 Lake Street, and 136 James Street**

That the request to shift CIP incentive under the 2004 CIP pertaining to 51 Lake Street and 136 James Street be approved.

Yeas: Councillor Bellows, Britton, Garcia, Harris, Kushner, Phillips, Siscoe, Sorrento, Stevens, and Mayor Sendzik

Nays: Councillors Haywood, and Williamson

**Carried**

**8.2. Request for Reconsideration of a Previously Decided Motion  
Corporate Insurance Coverage - April 1, 2016 to July 1, 2017**

*Mayor Sendzik declared a Conflict of Interest (Pecuniary), as he has personal business with one of the insurance companies in the RFP, and left the Chair.  
Councillor Phillips took the chair.*

Councillor Kushner requested reconsideration of the motion regarding Item 3.3, and asked to go In-Camera.

Moved By: Councillor Kushner

Seconded By: Councillor Stevens

That Council move In-Camera for advice that is subject to solicitor-client privilege regarding questions pertaining to Item 3.3.

**Carried**

*Council recessed to In-Camera at 8:19 p.m. and reconvened at 8:34 p.m.*

*Following the In-Camera session, Councillor Kushner requested a motion to Suspend the Rules.*

**Suspension of the Rules**

Moved By: Councillor Kushner

That Council suspend the rules in accordance with the Procedural By-law 2015-170, article A4, Suspension of Rules, to allow the motion to reconsider a previously decided motion to be considered at the Regular meeting of March 7, 2016.

**Motion to Suspend Rules Carried**

Moved By: Councillor Sorrento

That Council reconsider the previously decided motion regarding Report Number FMS-059-2016, Corporate Insurance Coverage - April 1, 2016 to July 1, 2017, that was considered at the City Council meeting of February 29, 2016.

*Councillor Harris requested a recorded vote.*

Yeas: Councillors Bellows, Britton, Harris, Siscoe, and Sorrento

Nays: Councillors Garcia, Haywood, Kushner, Phillips, Stevens, and Williamson

**Motion to Reconsider Lost**

- 8.3. Request for Reconsideration of a Previously Decided Motion  
Community Improvement Plan - Evaluation of New Applications and Municipal Budget Implications  
Re: 19 Beard Place

*Councillor Siscoe declared a Conflict, as it relates to a business interest.*

Moved By: Councillor Bellows

That Council approve reconsideration of the motion in the report from Planning and Building Services, Planning Services, respecting Community Improvement Plan - Evaluation of New Applications and Municipal Budget Implications, dated January 18, 2016, Item 3.7 of the General Committee Minutes of February 29, 2015, being:

That applications for Tax Increment Finance under the 2015CIP pertaining to 19 Beard Place not be approved.

...

**Suspension of the Rules**



Moved By: Councillor Bellows

That Council suspend the rules in accordance with Procedural By-law 2015-170, article A4, Suspension of Rules, to allow the motion to reconsider a previously decided motion to be put at the Regular meeting of March 7, 2016.

**Motion to Suspend Rules Lost**

**9. Motions**

There were none this evening.

**10. Resolve into General Committee**

Council recessed at 8:39 p.m. and General Committee convened. General Committee adjourned at 10:38 p.m.

**10.1. Adjournment of Meeting - March 7, 2016**

Moved By: Councillor Bellows

Seconded By: Councillor Harris

That this meeting of March 7, 2016, be adjourned and reconvened on Tuesday, March 8, 2016, at 6:30 p.m. in Council Chambers to complete the remainder of the items on the agenda.

**Carried**



The Corporation of the City of St. Catharines

REGULAR COUNCIL MINUTES

Tuesday, March 08, 2016

(2016 Operating Budget)

**10.2. Reconvene Meeting - March 8, 2016**

General Committee reconvened on Tuesday, March 8, 2016 at 6:31 p.m., and adjourned at 9:27 p.m. and City Council reconvene.

**Present:** Mayor Sendzik

Councillors Sandie Bellows, Mike Britton, N. Carlos Garcia, Matt Harris, David A. Haywood, Joseph Kushner, Bill Phillips, Mathew Siscoe, Sal Sorrento, Jennifer Stevens, and Bruce Williamson (arrived at 6:36 p.m.)

**Absent:** Councillor Mark Elliott

**Officials** Dan Carnegie, Chief Administrative Officer

**Present:** Shelley Chemnitz, Commissioner of Corporate Services  
Bryan Shynal, Commissioner of Operations  
Nicole Auty, Director of Legal and Clerks Services/City Solicitor  
Jim Riddell, Director of Planning and Building Services  
Kristine Douglas, Director of Financial Management Services  
Jeanette Pillitteri, Director of Corporate Support Services  
Dan Dillon, Director of Transportation and Environmental Services  
David Oakes, Director of Recreation and Community Services  
Dave Wood, Director of Fire and Emergency Management Services  
Steve Solski, Executive Director of FirstOntario Performing Arts Centre  
Bonnie Nistico-Dunk, City Clerk  
Rebecca Alfieri, Council and Committee Coordinator

**11. Motion Arising from In-Camera Session**

There was no scheduled In-Camera session this evening.

**12. Motion to Ratify Forthwith Recommendations**

Moved By: Councillor Siscoe

Seconded By: Councillor Phillips

That Council adopt those items approved FORTHWITH by the General Committee on Monday, March 7, 2016 and Tuesday, March 8, 2016.

**Carried**

**13. By-laws**

**13.1. Reading of the By-laws**

Moved By: Councillor Harris

Seconded By: Councillor Garcia

That the following by-laws be read a first time, considered and passed; and

That they be signed and executed by the Mayor and the City Clerk.

By-law 2016-40 A By-law to confirm the proceedings and decisions of the Council of The Corporation of the City of St. Catharines at its meeting held on the 7th and 8th day of March, 2016. (One reading – with respect to ratification and adoption of City Council Minutes of March 7 & 8, 2016 and General Committee Minutes of March 7 & 8, 2016.) File No: 10.12.1

**Carried**

**13.2. Reading of Additional By-laws**

Moved By: Councillor Garcia

Seconded By: Councillor Harris

That the following additional by-laws be read a first time, considered and passed; and

That they be signed and executed by the Mayor and the City Clerk.

By-law 2016-41 A By-law to authorize an Agreement with BFL Canada Risk and Insurance Services Inc.

(One reading – with respect to 2016 -2017 insurance program for the Corporation of the City of St. Catharines. General Committee, February 29, 2016, Item No. 3.3.) File No: 10.53.1

**Carried**

**14. Agencies, Boards, Committee Reports**

There were none this evening.

**15. Adjournment and Reconvene**

Moved By: Councillor Bellows  
Seconded By: Councillor Harris

There being no further items of business, the meeting of March 8, 2016 was adjourned at 9:29 p.m.

**Carried**

Certified Correct:

Confirmed by:

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Mayor

### Estimated Grant Costs for 51 Lake and 136 James Streets

Note: Table excludes Municipal Planning Fee Rebate as there is no Regional matching program.

Grants	2014 TIG (45% over 10 years)		2016 Brownfield TIG (80% over 10 years)	
<b>51 Lake Street</b>	<b>City Funding</b>	<b>Regional Funding</b>	<b>City Funding</b>	<b>Regional Funding</b>
Tax Increment Grant (TIG)	\$284,364	\$293,564	\$432,936	\$521,892
BTA	0	0	\$11,058	\$12,137
Residential Grant	\$125,000	\$125,000	\$125,000	\$125,000
<b>TOTAL</b>	<b>\$409,364</b>	<b>\$418,564</b>	<b>\$568,994</b>	<b>\$659,029</b>
<b>136 James Street</b>	<b>City Funding</b>	<b>Regional Funding</b>	<b>City Funding</b>	<b>Regional Funding</b>
Tax Increment Grant (TIG)	\$201,747	\$221,333	\$365,496	\$393,482
BTA	0	0	\$8,121	\$8,913
Residential Grant	\$125,000	\$125,000	\$125,000	\$125,000
<b>TOTAL</b>	<b>\$326,747</b>	<b>\$346,333</b>	<b>\$498,617</b>	<b>\$527,395</b>
<b>TOTAL (both properties)</b>	<b>\$736,111</b>	<b>\$764,897</b>	<b>\$1,067,611</b>	<b>\$1,186,424</b>
	<b>City</b>	<b>Region</b>		
<b>TOTAL FUNDING DIFFERENCE</b>		\$331,500	\$421,527	

**Development Charge exemptions and rebates:** Total exemption for both properties provided at issuance of building permits in 2015 was \$268,800. Total rebate for meeting Smart Growth in 2018 was \$268,800. Total of all development charge reductions/exemptions is \$537,600.