



THE REGIONAL MUNICIPALITY OF NIAGARA
COUNCIL ORDER OF BUSINESS

CL 18-2019

Thursday, October 17, 2019

6:30 p.m.

Council Chamber

Niagara Region Headquarters, Campbell West

1815 Sir Isaac Brock Way, Thorold, ON

			Pages
1.	<u>CALL TO ORDER</u>		
2.	<u>LAND ACKNOWLEDGMENT STATEMENT</u>	Huson	
3.	<u>MOMENT OF REFLECTION</u>	Diodati	
4.	<u>SINGING OF 'O CANADA'</u>		
5.	<u>ADOPTION OF AGENDA</u>		
5.1	<u>Addition of Items</u>		
5.2	<u>Changes in Order of Items</u>		
6.	<u>DISCLOSURES OF PECUNIARY INTEREST</u>		
7.	<u>PRESENTATIONS</u>		
8.	<u>CHAIR'S REPORTS, ANNOUNCEMENTS, REMARKS</u>		
9.	<u>DELEGATIONS</u>		
9.1	<u>Proposed Provincial Cuts to Legal Aid Ontario Budget (Agenda Item 14.1)</u>		
9.1.1	Aidan Johnson, Niagara Community Legal Clinic The delegation submission is attached to this agenda item as CL-C 69-2019.		5 - 19

10. ADOPTION OF MINUTES

10.1	<u>Council Minutes CL 16-2019</u> Thursday, September 19, 2019	Fertich	20 - 37
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11. CORRESPONDENCE

11.1 Receive and/or Refer
None.

11.2 For Consideration

11.2.1	CL-C 70-2019 Standing Committee Appointment	Huson	38
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11.2.2	CL-C 67-2019	Foster	39 - 58
	Advice to Council regarding Joint and Several Liability Reform		

12. COMMITTEE REPORTS - OPEN SESSION

12.1	<u>Committee of the Whole</u>	Gibson	59 - 133
	Minutes COTW 8-2019, Thursday, October 3, 2019		

12.2	<u>Public Works Committee</u> Minutes PWC 10-2019, Tuesday, October 8, 2019	Rigby	134 - 164
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12.3	<u>Public Health and Social Services Committee</u> Minutes PHSSC 10-2019, Tuesday, October 8, 2019	Chiocchio	165 - 265
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12.4	<u>Corporate Services Committee</u> Minutes CSC 10-2019, Wednesday, October 9, 2019	Foster	266 - 290
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12.5	<u>Planning and Economic Development Committee</u> Minutes PEDC 10-2019, Wednesday, October 9, 2019	Huson	291 - 568
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12.6 Budget Review Committee of the Whole Zalepa 569 - 609
Minutes BRCOTW 7-2019, Thursday, October 10, 2019

13. CHIEF ADMINISTRATIVE OFFICER'S REPORT(S)

None.

14. MOTIONS

- 14.1 Proposed Provincial Cuts to Legal Aid Ontario Budget Ip 610 - 611
In accordance with the notice and submission deadline requirements of Sections 18.1(b) and 11.3, respectively, of Niagara Region's Procedural By-law, the Regional Clerk received from Councillor Ip a motion to be brought forward for consideration at the October 17, 2019 Council meeting respecting Proposed Provincial Cuts to Legal Aid Ontario Budget.

15. NOTICES OF MOTION

16. OTHER BUSINESS

17. CLOSED SESSION

- 17.1 Council Minutes - Closed Session (None)

- 17.2 Committee Minutes - Closed Session

- 17.2.1 Public Works Committee (October 8, 2019)
Closed Session Minutes PWC 10-2019, Tuesday, October 8, 2019

- 17.2.2 Corporate Services Committee (October 9, 2019)
Closed Session Minutes CSC 10-2019, Wednesday, October 9, 2019

- 17.3 Confidential Reports Submitted Directly to Council

- 17.3.1 *Confidential CL-C 68-2019*
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 – Application for Judicial Review – Niagara Home Builders' Association

18. REPORT FROM CLOSED SESSION

19. BY-LAWS

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- | | | |
|------|--|-----------|
| 19.1 | <u>Bill 2019-76</u>
A by-law to approve the submission of an application to Ontario Infrastructure and Lands Corporation (“OILC”) for the long-term financing of certain capital work(s) of The Corporation of the Town of Niagara-on-the-Lake and The Corporation of the Town of Lincoln through the issue of debentures by The Regional Municipality of Niagara (the “upper-tier municipality”); and to authorize the entering into of rate offer letter agreements pursuant to which the upper-tier municipality will issue debentures on behalf of each such lower-tier municipality to OILC. | 612 - 621 |
| 19.2 | <u>Bill 2019-77</u>
A by-law to provide for the adoption of amendment 13 to the Official Plan for the Niagara planning area to update the transportation policies and mapping. | 622 - 644 |
| 19.3 | <u>Bill 2019-78</u>
A by-law to approve the submission of an application to Ontario Infrastructure and Lands Corporation (“OILC”) for the long-term financing of certain capital work(s) of The Regional Municipality of Niagara (the “municipality”); and to authorize the entering into of a rate offer letter agreement pursuant to which the municipality will issue debentures to OILC. | 645 - 654 |
| 19.4 | <u>Bill 2019-79</u>
A by-law to define budget planning requirements for The Regional Municipality of Niagara. | 655 - 662 |
| 19.5 | <u>Bill 2019-80</u>
A by-law to adopt, ratify and confirm the actions of Regional Council at its meeting held on October 17, 2019. | 663 |

20. 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 (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, October 04, 2019 11:10:58 AM

From: Niagara Region Website
Sent: Friday, 04 October 2019 11:10:49 (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

Aidan Johnson

Address

15 Bugar Street

City

Welland

Postal

L3B 2S6

Phone

9056826635

Email

johnsona@lao.on.ca

Organization

Niagara Community Legal Clinic

standing committee

Regional Council

Presentation Topic

Motion regarding Legal Aid and Niagara Community Legal Clinic

Presentation includes slides

Yes

Previously presented topic

No

Presentation Details

Video Consent

Yes



Niagara Community Legal Clinic / Clinique juridique communautaire de Niagara

Providing access to justice for low-income people in Niagara since 1978





In brief:



We're a non-profit community legal clinic serving low income residents of Niagara. In addition to providing 'traditional' poverty law services including legal advice and referrals and legal representation, the clinic provides public legal education, and is mandated to serve in community development and law reform.

We only serve financially eligible (i.e. low-income) clients. Our services are free.

Amalgamation !

Justice Niagara (“the Welland clinic”) amalgamated with Niagara North Community Legal Assistance (“the Saint Catharines clinic”) on January 1, 2019.



Total Cases Handled by Niagara North in 2018:
1875

Total Cases Handled by Justice Niagara in 2018:
1565

Total Cases Handled by NCLC in 2019 so far (to
May 14, 2019):
1299

Total Staff: 17 full-time, plus 1 shared lawyer and
2 shared Indigenous Justice workers

What we do (Part I):

Tenant Rights

Migrant Worker Law

Workers' Compensation (WSIB)

Ontario Works (OW) / Ontario Disability
Support Program (ODSP)

Canada Pension Plan (Disability CPPD)



What we do (Part II):

Employment Law and Employment Insurance (EI)

Human Rights

Consumer Protection

Affidavits and Notary Services

Wills



Indigenous Justice:

Satellite service at Niagara Region Native
Centre / Fort Erie Native Friendship Centre

Gladue Advocacy and Gladue Writer Project

Regular consultation with Legal Clinic
Indigenous Advisory Circle

Assistance at Sixties Scoop Litigants
Information Day in Saint Catharines



Where we advocate (Part I):

The Landlord and Tenant Board

Social Benefits Tribunal

The Workplace Safety & Insurance
Board and Appeals Tribunal



Where we advocate (Part II):

Superior Court of Justice

The Board of Referees and Umpire
(employment insurance appeals)

The Review Tribunal and Pension
Appeals Board (for CPP)

Criminal Injuries Compensation
Board *



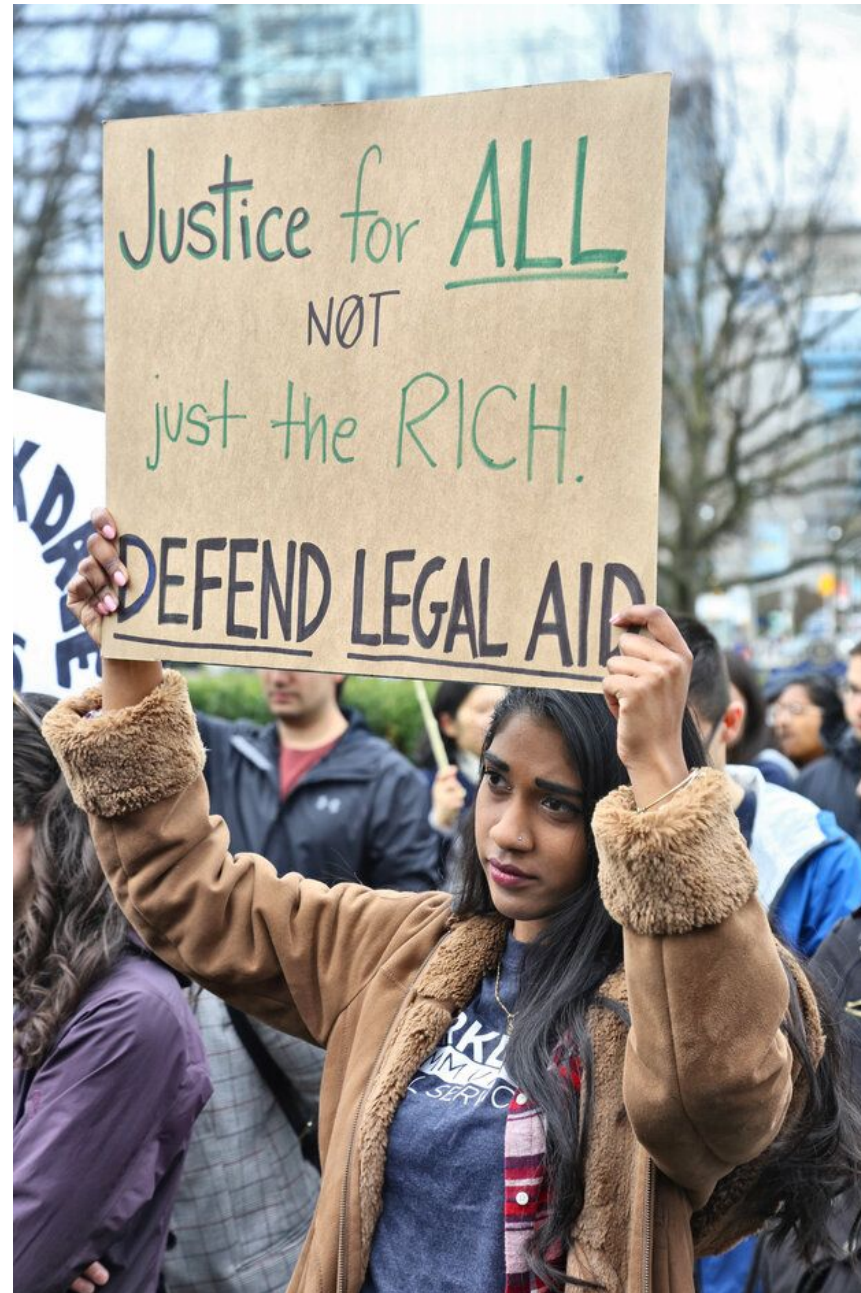
Clinic Service Locations:

WELLAND
ST. CATHARINES
PORT COLBORNE
THOROLD
FORT ERIE
WAINFLEET
CRYSTAL BEACH
NIAGARA FALLS
GRIMSBY
BEAMSVILLE



Partnership!





Thank You! / Merci !

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

**CL 16-2019
Thursday, September 19, 2019
Council Chamber
Niagara Region Headquarters, Campbell West
1815 Sir Isaac Brock Way, Thorold, ON**

Council: Bradley (Regional Chair), Butters, Campion, Chiocchio, Darte, Diodati, Disero, Easton, Edgar, Fertich, Foster, Gale, Greenwood, Heit, Huson, Insinna, Ip, Jordan, Nicholson, Redekop, Rigby, Sendzik, Steele, Ugulini, Villella, Whalen

Absent/Regrets: Bellows, Bylsma, Gibson, Junkin, Witteveen, Zalepa

Staff: F. Crocco, Economic Development Strategic Marketing Manager, Dr. A. Feller, Associate Medical Officer of Health, D. Gibbs, Director, Legal & Court Services, T. Harrison, Commissioner/Treasurer, Corporate Services, Dr. M. Hirji, Acting Medical Officer of Health, A. Jugley, Commissioner, Community Services, V. Kuhns, Acting Director, Economic Development, B. Menage, Director, Procurement & Strategic Acquisitions, R. Mostacci, Commissioner, Planning & Development Services, A.-M. Norio, Regional Clerk, C. Ogunniyi, Strategic Health Equity Coordinator, M. Trennum, Deputy Regional Clerk, R. Tripp, Acting Chief Administrative Officer

1. CALL TO ORDER

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

2. LAND ACKNOWLEDGMENT STATEMENT

Councillor Villella read the Land Acknowledgment Statement.

3. MOMENT OF REFLECTION

Councillor Darte read the moment of reflection.

4. SINGING OF 'O CANADA'

Regional Chair Bradley asked all in attendance to stand for the singing of 'O Canada'.

5. **ADOPTION OF AGENDA**

5.1 **Addition of Items**

Moved by Councillor Sendzik
Seconded by Councillor Fertich

That Emily Kovacs, Executive Director/CEO, Niagara Folk Arts Multicultural Centre, **BE PERMITTED** to appear before Council as a delegate respecting the Actions & Resources to Join the Coalition of Inclusive Municipalities.

Carried

Moved by Councillor Butters
Seconded by Councillor Greenwood

That Correspondence Item CL-C 64-2019, being a letter from N. Regehr, Chair, Women in Niagara Council, with respect to the motion regarding the Establishment of a Women's Advisory Committee, **BE ADDED** to this meeting's agenda under Agenda Item 11.1 – Correspondence to Receive and/or Refer.

Carried

5.2 **Changes in Order of Items**

Moved by Councillor Ip
Seconded by Councillor Campion

That the order of the Agenda **BE AMENDED** to move consideration of Report CAO 14-2019, respecting Actions & Resources to Join the Coalition of Inclusive Municipalities (Agenda Item 13.1) immediately following the delegation on this matter.

Carried

Moved by Councillor Huson
Seconded by Councillor Ip

That the order of the Agenda **BE AMENDED** to consider the Motion respecting Establishment of a Women's Advisory Committee (Agenda Item 14.1) immediately following Report CAO 14-2019 respecting Actions & Resources to Join the Coalition of Inclusive Municipalities (Agenda Item 13.1).

Carried

Moved by Councillor Foster
Seconded by Councillor Insinna

That Council Agenda CL 16-2019, **BE ADOPTED**, as amended.

Carried

6. DISCLOSURES OF PECUNIARY INTEREST

Councillor Edgar declared an indirect pecuniary interest with respect to the portion of the Public Health and Social Services Committee minutes PHSSC 9-2019 (Agenda Item 12.4) concerning Report COM 34-2019 respecting Approval of 2018 Child Care Services Schedule of Revenues and Expenses (Minute Item 5.1) as his wife is the Director of Children's Services.

7. PRESENTATIONS

There were no presentations.

8. CHAIR'S REPORTS, ANNOUNCEMENTS, REMARKS

The Regional Chair made various announcements related to activities and events he attended throughout the Region.

9. DELEGATIONS

9.1 Actions & Resources to Join the Coalition of Inclusive Municipalities (CAO 14-2019 (Agenda Item 13.1))

9.1.1 Hugo Chesshire, Greater Niagara Chamber of Commerce

Hugo Chesshire, Director of Policy and Government Relations, Greater Niagara Chamber of Commerce, appeared before Council to express support for Report CAO 14-2019 respecting Actions & Resources to Join the Coalition of Inclusive Municipalities (Agenda Item 13.1).

9.1.2 Brian Scriver, OUTniagara

Brian Scriver, Chair, OUTNiagara Board of Directors, appeared before Council to express support for Report CAO 14-2019 respecting Actions & Resources to Join the Coalition of Inclusive Municipalities (Agenda Item 13.1).

The speaking notes are attached to these minutes as CL-C 65-2019.

9.1.3 Rashmi Biswas, Gender Equity Task Force Niagara

Rashmi Biswas and Elizabeth Zimmerman, Gender Equity Task Force Niagara, appeared before Council in support of the recommendations in Report CAO 14-2019 respecting Actions & Resources to Join the Coalition of Inclusive Municipalities (Agenda Item 13.1) and requested that Niagara Region apply a gender lens to policy development and implementation using evidence based decision making.

9.1.4 Saleh Waziruddin, Niagara Region Anti-Racism Association

Saleh Waziruddin, Niagara Region Anti-Racism Association, appeared before Council support of the recommendations in Report CAO 14-2019 respecting Actions & Resources to Join the Coalition of Inclusive Municipalities (Agenda Item 13.1).

The speaking notes are attached to these minutes as CL-C 66-2019.

9.1.5 Kim Radersma, Resident, City of St. Catharines

Kim Radersma, Resident, City of St. Catharines, appeared before Council to share her and her family's personal experience with racism in Niagara and to express support for Report CAO 14-2019 respecting Actions & Resources to Join the Coalition of Inclusive Municipalities (Agenda Item 13.1).

9.1.6 Emily Kovacs, Executive Director/CEO, Niagara Folk Arts Multicultural Centre

Emily Kovacs, Executive Director/CEO, Niagara Folk Arts Multicultural Centre, appeared before Council to express support for Report CAO 14-2019 respecting Actions & Resources to Join the Coalition of Inclusive Municipalities (Agenda Item 13.1).

13. CHIEF ADMINISTRATIVE OFFICER'S REPORT(S)

13.1 CAO 14-2019

Actions & Resources to Join the Coalition of Inclusive Municipalities

Moved by Councillor Ip

Seconded by Councillor Sendzik

That Report CAO 14-2019, dated September 19, 2019, respecting Actions & Resources to Join the Coalition of Inclusive Municipalities, **BE RECEIVED** and the following recommendations **BE APPROVED**:

1. That Council **RESOLVE** to join the Coalition of Inclusive Municipalities (CIM), formerly known as Canadian Coalition for Municipalities Against Racism and Discrimination (CCMARD) and **SIGN** a declaration to support the ten CIM commitments; and
2. That staff **BE DIRECTED** to create supporting governance structures with internal and external stakeholders to advise on internal diversity, equity, and inclusion issues and support the creation of a Diversity, Equity, and Inclusion Action Plan; and
3. That the dedicated resources required for developing the Diversity, Equity, and Inclusion Action Plan **BE REFERRED** for consideration as part of the 2020 budget process.

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

4. ***That Report CAO 14-2019 BE CIRCULATED to all municipalities in the Coalition of Inclusive Municipalities and the local area municipalities.***

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

4. That Report CAO 14-2019 **BE CIRCULATED** to all municipalities in the Coalition of Inclusive Municipalities, ~~and the local area municipalities~~ **and the Association of Municipalities of Ontario (AMO).**

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

That Report CAO 14-2019, dated September 19, 2019, respecting Actions & Resources to Join the Coalition of Inclusive Municipalities, **BE RECEIVED** and the following recommendations **BE APPROVED**:

1. That Council **RESOLVE** to join the Coalition of Inclusive Municipalities (CIM), formerly known as Canadian Coalition for Municipalities Against Racism and Discrimination (CCMARD) and **SIGN** a declaration to support the ten CIM commitments;

2. That staff **BE DIRECTED** to create supporting governance structures with internal and external stakeholders to advise on internal diversity, equity, and inclusion issues and support the creation of a Diversity, Equity, and Inclusion Action Plan;
3. That the dedicated resources required for developing the Diversity, Equity, and Inclusion Action Plan **BE REFERRED** for consideration as part of the 2020 budget process; and
4. That Report CAO 14-2019 **BE CIRCULATED** to all municipalities in the Coalition of Inclusive Municipalities, the local area municipalities and the Association of Municipalities of Ontario (AMO).

Recorded Vote:

Yes (25): Butters, Campion, Chiocchio, Darte, Diodati, Disero, Easton, Edgar, Fertich, Foster, Gale, Greenwood, Heit, Huson, Insinna, Ip, Jordan, Nicholson, Redekop, Rigby, Sendzik, Steele, Ugulini, Villella, Whalen.

No (0).

Carried

Councillor Information Request(s):

Include information respecting the creation of a permanent full-time equivalent position and long-term planning in the business case for dedicated resources required for developing the Diversity, Equity and Inclusion Action Plan. Councillor Sendzik.

14. MOTIONS

14.1 Establishment of a Women's Advisory Committee

Establishment of a Women's Advisory Committee

Moved by Councillor Huson

Seconded by Councillor Rigby

Whereas women have traditionally been underrepresented in public office, on corporate boards and in leadership positions;

Whereas women have unique economic, social and cultural experiences that are directly impacted by public policy decisions;

Whereas gender-based policy can have a direct and positive impact on economic diversification, income equality and other positive development outcomes; and

Whereas Women's Advisory committees have been established in the municipalities of Vancouver, Edmonton and Hamilton.

NOW THEREFORE BE IT RESOLVED:

1. That Regional Council **ENDORSE** the establishment of a Women's Advisory Committee to:
 - a. advocate for gender-based issue resolutions and opportunities related to Regional policies, priorities and decisions;
 - b. promote leadership development that empowers women in Niagara to fully participate in civic life;
 - c. research and provide information and resources about women's gender-based issues to Niagara; and
2. That staff **BE DIRECTED** to prepare a report respecting a draft Terms of Reference and membership requirements for a Women's Advisory Committee for consideration at the Corporate Services Committee meeting being held on November 6, 2019.

Recorded Vote:

Yes (25): Butters, Campion, Chiocchio, Darte, Diodati, Disero, Easton, Edgar, Fertich, Foster, Gale, Greenwood, Heit, Huson, Insinna, Ip, Jordan, Nicholson, Redekop, Rigby, Sendzik, Steele, Ugulini, Villella, Whalen.

No (0).

Carried

10. ADOPTION OF MINUTES

10.1 Council Minutes CL 15-2019

Thursday, August 15, 2019

Moved by Councillor Redekop
Seconded by Councillor Easton

That Minutes CL 15-2019 being the Open Session minutes of the Regional Council meeting held on Thursday, August 15, 2019, **BE ADOPTED.**

Carried

11. CORRESPONDENCE

11.1 Receive and/or Refer

Moved by Councillor Whalen
Seconded by Councillor Disero

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

CL-C 54-2019 respecting Appointment of Deputy Clerks for the purposes of the *Commissioners for taking Affidavits Act*, **BE RECEIVED**;

CL-C 61-2019 respecting joining the Coalition for Inclusive Municipalities (CAO 14-2019 (Agenda Item 13.1)), **BE RECEIVED**;

CL-C 63-2019 respecting Niagara Region Integrity Commissioner Annual Report August 17, 2018 - August 16, 2019, **BE RECEIVED**; and

CL-C 64-2019 respecting the motion to Establish a Women's Advisory Committee, **BE RECEIVED**.

Carried

11.2 For Consideration

11.2.1 CL-C 55-2019

Standing Committee Appointment

Moved by Councillor Greenwood
Seconded by Councillor Butters

That Correspondence Item CL-C 55-2019, being a memorandum from A.-M. Norio, Regional Clerk, dated September 19, 2019, respecting Standing Committee Appointment, **BE RECEIVED** and the following recommendation **BE APPROVED**:

1. That Councillor Witteveen **BE APPOINTED** to the Public Health and Social Services Committee, effective immediately.

Carried

12. **COMMITTEE REPORTS - OPEN SESSION**

12.1 **Committee of the Whole**

Minutes COTW 7-2019, Thursday, September 5, 2019

Moved by Councillor Steele

Seconded by Councillor Ugolini

That Report COTW 7-2019, being the Open Session minutes of the Committee of the Whole meeting held on Thursday, September 5, 2019, **BE RECEIVED** and the recommendations contained therein **BE APPROVED**.

12.1.1 Minute Item 5.1 respecting Grants and Incentives Review

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

That Report PDS 34-2019, dated September 5, 2019, respecting Grants and Incentives Review, **BE RECEIVED** and the following recommendations **BE APPROVED**:

1. That staff **BE DIRECTED** to develop incentive programs under the categories:
 - affordable/rental housing;
 - brownfield remediation;
 - employment growth in key sectors; and
 - quality of life/public realm;
2. That staff **BE DIRECTED** to advise Local Area Municipalities on the direction of the incentive programs prior to bringing recommendations back to Regional Council; and
3. That Report PDS 34-2019 **BE CIRCULATED** to Local Area Municipalities.

Moved by Councillor Nicholson
Seconded by Councillor Gale

That clause 1 of the motion be amended as follows:

1. That staff **BE DIRECTED** to develop incentive programs under the categories:
 - affordable/rental housing (*single and mixed use*);
 - brownfield remediation;
 - employment growth in key sectors; and
 - quality of life/public realm;

Carried

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

That Report PDS 34-2019, dated September 5, 2019, respecting Grants and Incentives Review, **BE RECEIVED** and the following recommendations **BE APPROVED**:

1. That staff **BE DIRECTED** to develop incentive programs under the categories:
 - affordable/rental housing (single and mixed use);
 - brownfield remediation;
 - employment growth in key sectors; and
 - quality of life/public realm;
4. That staff **BE DIRECTED** to advise Local Area Municipalities on the direction of the incentive programs prior to bringing recommendations back to Regional Council; and
5. That Report PDS 34-2019 **BE CIRCULATED** to Local Area Municipalities.

Carried

12.1.2 Balance of the recommendations from Committee of the Whole

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

Carried

12.2 Audit Committee

Minutes AC 5-2019, Monday, September 9, 2019

Moved by Councillor Rigby
Seconded by Councillor Foster

That Report AC 5-2019 being the Open Session minutes of the Audit Committee meeting held on Monday, September 9, 2019, **BE RECEIVED** and the recommendations contained therein **BE APPROVED**.

Carried

12.3 Public Works Committee

Minutes PWC 9-2019, Tuesday, September 10, 2019

Moved by Councillor Rigby
Seconded by Councillor Edgar

That Report PWC 9-2019 being the Open and Closed Session minutes of the Public Works Committee meeting held on Tuesday, September 10, 2019, **BE RECEIVED** and the recommendations contained therein **BE APPROVED**.

Carried

12.4 Public Health and Social Services Committee

Minutes PHSSC 9-2019, Tuesday, September 10, 2019

Moved by Councillor Chiochio
Seconded by Councillor Villella

That Report PHSSC 9-2019 being the Open Session minutes of the Public Health & Social Services Committee meeting held on Tuesday, September 10, 2019, **BE RECEIVED** and the recommendations contained therein **BE APPROVED**.

Carried

12.5 Corporate Services Committee

Minutes CSC 9-2019, Wednesday, September 11, 2019

Moved by Councillor Foster
Seconded by Councillor Edgar

That Report CSC 9-2019 being the Open Session minutes of the Corporate Services Committee meeting held on Wednesday, September 11, 2019, **BE RECEIVED** and the recommendations contained therein **BE APPROVED**.

12.5.1 Minute Item 5.6 respecting 2020 Legislative Schedule of Regular Meetings

The recommendation contained in Minute Item 5.6 was considered separately as follows:

That Report CLK 13-2019, dated September 11, 2019, respecting 2020 Legislative Schedule of Regular Meetings, **BE RECEIVED** and the following recommendation **BE APPROVED**:

1. That the 2020 Legislative Schedule of Regular Meetings, attached as Appendix 1 to Report CLK 13-2019, **BE ADOPTED**.

Moved by Councillor Heit
Seconded by Councillor Insinna

That the 2020 Legislative Schedule of Regular Meetings (Appendix 1 to Report CLK 13-2019) **BE AMENDED** to hold Public Health and Social Services Committee meetings on Tuesdays at 1:00 p.m.

Carried

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

That Report CLK 13-2019, dated September 11, 2019, respecting 2020 Legislative Schedule of Regular Meetings, **BE RECEIVED** and the following recommendation **BE APPROVED**:

1. That the 2020 Legislative Schedule of Regular Meetings, attached as Appendix 1 to Report CLK 13-2019, **BE ADOPTED**, as amended.

Carried

12.5.2 Minute Item 5.3 respecting Airport Project Update - Terms of Transfer Negotiations

The recommendation contained in Minute Item 5.3 was considered separately as follows:

That Report CSD 62-2019, dated September 11, 2019, respecting Airport Project Update – Terms of Transfer Negotiations, **BE RECEIVED** and the following recommendations **BE APPROVED**:

1. That Regional Council **APPROVE** the transition to sole ownership of Niagara District Airport (NDA) based on the Terms of Transfer in Appendix 1 of Report CSD 62-2019, to be amended to include governance structure, master plans and a proposed transfer date of January 1, 2021 with consideration of Regional staff additions, and subject to 2021 budget approval;
2. That Regional Council **APPROVE** the transition to sole ownership of Niagara Central Dorothy Rungeling Airport (NCDRA) based on the Terms of Transfer in Appendix 1 of Report CSD 62-2019, to be amended to include governance structure, master plans and a proposed transfer date of January 1, 2021 with consideration of Regional staff additions, and subject to 2021 budget approval;
3. That Airport Operations **BE REFERRED** for consideration as part of the 2021 budget process; and
4. That, pending approval of recommendations 1 and 2, staff will conduct the necessary due diligence to inform a formal transfer of assets and the results will **BE REFERRED** to Council for information.

Recorded Vote:

Yes (15): Butters, Campion, Chiocchio, Darte, Diodati, Disero, Easton, Edgar, Foster, Huson, Nicholson, Rigby, Sendzik, Steele, Villella.

No (10): Fertich, Gale, Greenwood, Heit, Insinna, Ip, Jordan, Redekop, Ugulini, Whalen.

Carried

12.5.3 Balance of the recommendations from Corporate Services Committee

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

Carried

12.6 Planning and Economic Development Committee

Minutes PEDC 9-2019, Wednesday, September 11, 2019

Moved by Councillor Huson
Seconded by Councillor Fertich

That Report PEDC 9-2019 being the Open Session minutes of the Planning & Economic Development Committee meeting held on Wednesday, September 11, 2019, **BE RECEIVED** and the recommendations contained therein **BE APPROVED**.

Carried

15. **NOTICES OF MOTION**

There were no notices of motion.

16. **OTHER BUSINESS**

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

17. **CLOSED SESSION**

Council did not resolve into closed session.

18. **REPORT FROM CLOSED SESSION**

Council did not resolve into closed session.

19. **BY-LAWS**

Moved by Councillor Ugulini
Seconded by Councillor Steele

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

Bill 2019-67 - A by-law to accept, assume and dedicate Part of Lot 32, Concession 2, in the City of Port Colborne as part of Regional Road No. 5 (Killaly Street West).

Bill 2019-68 - A by-law to provide for the regulation of traffic on Regional Highways (Regional Road 56, Collier Road, Parking Prohibition), City of Thorold.

Bill 2019-69 - A by-law to appoint municipal law enforcement officers for the purpose of enforcing various Regional by-laws for The Regional Municipality of Niagara.

Bill 2019-70 - A by-law to exempt local Official Plan Amendments (LOPAs) from Regional approval and to repeal By-law Nos. 129-2001 and 43-2002.

Bill 2019-71 - A by-law to appoint Deputy Regional Clerks for the purposes of the Commissioners for Taking Affidavits Act and to amend By-law No. 2017-44.

Bill 2019-72 - A by-law to authorize long-term financing (1-30 years) in the amount of \$21,000,000; Niagara Region Capital Project.

Bill 2019-73 - A by-law to provide for the adoption of Amendment 15 to the Official Plan for the Niagara Planning Area to implement the revised exemption policies affecting all local municipalities.

Bill 2019-74 - A by-law to adopt, ratify and confirm the actions of Regional Council at its meeting held on September 19, 2019.

Carried

20. ADJOURNMENT

There being no further business, the meeting adjourned at 9:19 p.m.

Jim Bradley
Regional Chair

Matthew Trennum
Deputy Regional Clerk

Ann-Marie Norio
Regional Clerk

Statement from OUT Niagara, Brian Scrivers
Thursday, Sept. 19, 2019

Good evening Chair Bradley, members of regional council and staff. My name is Brian Scrivers, and I'm the Chair of OUTniagara, an umbrella organization that seeks to represent the interests of hundreds of members of Niagara's sexual- and genderdiverse community.

Our network includes not only individuals, but many established and newly formed organizations that serve the diverse 2SLGBTQ+ community. You'll notice I started the initialism with 2S. This recognizes the Two-Spirit individuals of First Nations, Metis and Inuit peoples, the original peoples and caretakers of this land, and is one small, symbolic way that OUTniagara attempts to live truth, and support reconciliation.

With that in mind, I am here tonight to add OUTniagara's support to the Region's consideration to join the 77 other Canadian municipalities who have allied with the Coalition of Inclusive Municipalities, formerly the Canadian Coalition Against Racism and Discrimination.

OUTniagara's values and mission closely align with the goals of the Coalition of Inclusive Municipalities. The opening statement of the coalition says "This network brings together municipalities that want to improve their policies against racism, discrimination, exclusion and intolerance. Its strength lies in the shared experiences of its members. Together, the municipalities undertake initiatives to eliminate all forms of discrimination with a view to building open and inclusive societies."

OUTniagara's goals are the same, except our focus is on Niagara's often-marginalized sexual- and gender-diverse community. We believe that diversity is key to the health of a community and must be nurtured and protected from racism, discrimination, exclusion and intolerance.

In the same way that we honour the first peoples of Canada, OUTniagara also recognizes that the region has a growing population of newcomers, many of whom have fled their home countries because of discrimination and violence based on their sexual or gender identity. Niagara needs to be seen as, and be a safe, inclusive and accepting place where newcomers can settle, begin new lives, and feel welcome.

As with any other human population, Niagara's 2SLGBTQ members have complex lives. Not only are they sometimes dealing with overt discrimination, they also experience intersecting issues like race, disability, poverty, age, and access to healthcare, to name but a few.

I was born in St. Catharines and attended Niagara schools from the earliest grades through to university. I am, however, part of a lost generation. Every single TwoSpirited, gay, lesbian, bisexual, trans, queer and questioning person I knew through my high school and university years left Niagara. Every single one- including me. Where are they now? Montreal. Vancouver. And mostly, Toronto. Why? Because these cities all have a vibrant sexual- and gender-diverse community that they help to nurture and support.

A region that respects diversity, and backs it up with resources, will encourage young people and seniors to stay and to help build the communities in which we live. The 2SLGBTQ community represents a significant portion of what urban studies theorist Richard Florida would call the "Creative Class." He believes, in part, that this is a segment of the community that will attract the economy and the jobs of the future.

Niagara is a part of the Golden Horseshoe which is one of the fastest growing regions in North America, generating nearly 25% of Canada's GOP. We are "the economic engine of Ontario". We are leaders. What we do here tonight matters.

Joining the Coalition of Inclusive Municipalities is a powerful, motivational and aspirational symbol of good faith, just as are rainbow crosswalks, the newly established Diversity and Inclusion and Anti-Racism Committees by the City of St. Catharines, and the 2019 raising of the rainbow flags at the District School Board of Niagara, Niagara Regional Police headquarters and most, if not all. Niagara municipalities, including here at Regional headquarters. Joining the coalition is also a concrete action toward building up a community that accepts all of its citizens, so they can feel welcome and safe in their own community and want to stay.

Those of us who enjoy privilege and positions of power must ensure that our most vulnerable citizens are included, and have a place at the table when these kinds of initiatives are discussed.

We respectfully call upon Niagara Region to join the coalition and to find ways to ensure the future of Niagara will be a vibrant place for the creative class to live, work, grow, raise a family, and retire.

Thank you for including OUTniagara at your table tonight.

Niagara Region Anti-Racism Association Delegation: Saleh Waziruddin Remarks to Niagara Regional Council

September 19, 2019

My name is Saleh Waziruddin from St. Catharines and I am representing the Niagara Region Anti-Racism Association. I am glad to see Regional government taking action to catch our region up in an area we should have been doing so much more in. To make our commitment translate into reality and to come up with a serious plan, we do need the spending commitment recommended by staff. We need a real commitment with funding to make the kind of plan that worth following-through and funding for real change.

If we don't have a real improvement in equity in this region, including employment equity starting right here with municipal governments, we'll continue seeing a brain drain of racialized and 2SLGBTQ+ youth, including from Brock University, who don't see themselves represented in the few good jobs here. We need leadership from the Region and other governments so that the private sector can then follow.

Lastly I do need to express my disappointment for the Canadian Coalition of Municipalities Against Racism and Discrimination dropping the term "Against Racism" in favor of "Inclusive", which I realize is something outside of your control. There is an elected official here who has pointed out very correctly that he is the first Polish-Canadian to be elected to his position. That may be "inclusive" but it is definitely not anti-Racism. St Catharines recently added dedicated advisory committees for Anti-Racism and 2SLGBTQ+ issues and I urge the Region to do the same when the time comes, as one over-arching committee cannot adequately address these issues when we look at what we need to do to catch up where we've fallen so far behind.

MEMORANDUM

CL-C 70-2019

Subject: Standing Committee Appointment

Date: October 17, 2019

To: Regional Council

From: Ann-Marie Norio, Regional Clerk

On Thursday, September 19, 2019, the Clerk's Office received a request from Councillor Fertich asking to be appointed to the Planning and Economic Development Committee.

In accordance with By-law 35-2014, a by-law to establish Standing Committees, a member of Regional Council shall be appointed to a Standing Committee by resolution of Council.

The following motion is before Council for consideration.

That Councillor Fertich **BE APPOINTED** to the Planning and Economic Development Committee, effective immediately.

Respectfully submitted and signed by

Ann-Marie Norio
Regional Clerk

MEMORANDUM

CL-C 67-2019

Subject: AMO Submission regarding Joint and Several Liability Reform

Date: October 17, 2019

To: Regional Council

From: Donna Pasto, Risk Management Program Manager

The purpose of this Memo is to advise Council of a request from the Association of Municipalities of Ontario (AMO) encouraging Municipal Councils to endorse their October 1, 2019 report and recommendations to the Attorney General for Ontario for joint and several liability reform.

Background Information

In July of 2019, a letter from the Attorney General for Ontario (Attorney General) was circulated inviting municipalities to make submissions as part of a consultation regarding joint and several liability.

Joint and several liability, in its current form, creates additional costs and financial risk to municipalities, which include increased liability payouts and insurance premium costs.

A letter was submitted by the Region's Legal Services division supporting a review and reform of the joint and several framework in collaboration with our insurer and other municipalities.

Subsequently, AMO submitted an October 1, 2019 report and recommendations to the Attorney General entitled "A Reasonable Balance: Addressing growing municipal liability and insurance costs (a copy of the report is attached as **Appendix 1** or the link to the report is https://www.amo.on.ca/AMO-PDFs/Reports/2019/Towards-a-Reasonable-Balance-Addressing-growing-mu.aspx?_zs=p1U9N1&_zl=kHvN1).

AMO is encouraging Municipal Councils to endorse their report and recommendations. The Attorney General has agreed to accept municipal resolutions up until November 1, 2019.

AMO's report outlines the significant negative impact that joint and several liability has on municipalities and the need for change. As mentioned in the report on page 5 at paragraph 6,

"Joint and several liability is problematic not only because of the disproportioned burden on municipalities that are awarded by courts. It is also the immeasurable impact of propelling municipalities to settle out of court to avoid protracted and expensive litigation for amounts that may be excessive, or certainly represent a greater percentage than their degree of fault."

The report (commencing at page 9) includes a summary of a number of court decisions which highlight the consequences of joint and several liability for municipalities.

AMO (at page 7 of their report) recommends seven measures to address the issues posed by joint and several liability that may be summarized as follows:

1. Adopt a model of full proportionate liability to replace joint and several liability
2. Implement enhancements to the existing limitations period including the applicability of the existing 10-day rule on slip and fall cases and whether a 1-year limitation period may be beneficial
3. Implement a cap for economic loss awards
4. Increase the catastrophic impairment default benefit limit as well as the third-party liability coverage to \$2M in government regulated auto insurance plans
5. Assess and implement additional measures which would support lower premiums or alternatives to the provisions of insurance by other entities such as non-profit insurance reciprocals
6. Compel the insurance industry to supply all necessary financial evidence which support arguments as to the fiscal impact of joint and several liability
7. Establish a provincial and municipal working group to consider the above and put forward recommendations to the Attorney General

Staff are supportive of AMO's report and recommendations and recommend that Council provide its endorsement as requested by AMO. If it is Council's wish to endorse AMO's report, the following resolution can be approved by Council and forwarded by way of letter to the Attorney General, The Honourable Doug Downey:

"The Regional Municipality of Niagara hereby **ENDORSES** the submission of the Association of Municipalities Ontario to the Attorney General of Ontario entitled "Towards a Reasonable Balance: Addressing growing municipal liability and insurance costs" dated October 1, 2019; and,

That Staff **BE DIRECTED** to forward the approved resolution to the Ministry of the Attorney General prior to November 1, 2019."

Respectfully submitted and signed by

Donna Pasto
Risk Management Program Manager

APPENDICES

Appendix 1 "Towards a Reasonable Balance: Addressing growing municipal liability and insurance costs" AMO submission dated October 1, 2019



Towards a Reasonable Balance:

Addressing growing municipal liability and insurance costs

Submission to the Attorney General of Ontario

October 1, 2019



Towards a Reasonable Balance: Addressing growing municipal liability and insurance costs

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Office of the President

Sent via email to: doug.downeyco@pc.ola.org
magpolicy@ontario.ca

October 1, 2019

The Honourable Doug Downey
Attorney General of Ontario
McMurtry-Scott Building, 11th Floor
720 Bay Street
Toronto, Ontario
M7A 2S9

Dear Attorney General Downey,

Municipal governments accept the responsibility to pay their fair share of a loss. Always. Making it right and paying a fair share are the cornerstones of our legal system. Citizens expect nothing less of their local governments.

But what is a challenge for municipalities and property taxpayers alike, is being asked to assume someone else's responsibility for someone else's mistake. Municipal governments should not be the insurer of last resort. For municipalities in Ontario, however, the principle of joint and several liability ensures that they are just that.

Joint and several liability means higher insurance costs. It diverts property tax dollars from delivering public services. It has transformed municipalities into litigation targets while others escape responsibility. It forces municipal government to settle out-of-court for excessive amounts when responsibility is as low as 1%.

There must be a better way. There must be a better way to help ensure those who suffer losses are made whole again without asking municipalities to bear that burden alone. There must be a better way to be fair, reasonable, and responsible.

AMO welcomes the government's commitment to review joint and several liability. It is a complex issue that has many dimensions. Issues of fairness, legal principles, "liability chill", insurance failures and high insurance costs are all intertwined. Many other jurisdictions have offered additional protection for municipalities and AMO calls on the Ontario government to do the same.

What follows is a starting point for that discussion. Our paper reasserts key issues from AMO's 2010 paper, AMO's 2011 insurance cost survey, provides more recent examples, and details some possible solutions of which there are many options.

Municipalities are in the business of delivering public services. Municipal governments exist to connect people and to advance the development of a community. It is time to find a reasonable balance to prevent the further scaling back of public services owing to joint and several liability, "liability chill", or excessive insurance costs.



Towards a Reasonable Balance: Addressing growing municipal liability and insurance costs

Together with the provincial government, I am confident we can find a better way.

Sincerely,

A handwritten signature in green ink, appearing to read 'J. McGarvey', with a long horizontal stroke extending to the right.

Jamie McGarvey
AMO President



Executive Summary

AMO's advocacy efforts on joint and several liability in no way intends for aggrieved parties to be denied justice or damages through the courts. Rather, municipal governments seek to highlight the inequity of how much "deep pocket" defendants like municipalities are forced to pay, for both in and out of court settlements.

It is entirely unfair to ask property taxpayers to carry the lion's share of a damage award when a municipality is found at minimal fault or to assume responsibility for someone else's mistake.

Municipal governments cannot afford to be the insurer of last resort. The principle of joint and several liability is costing municipalities and taxpayers dearly, in the form of rising insurance premiums, service reductions and fewer choices. The *Negligence Act* was never intended to place the burden of insurer of last resort on municipalities.

As public organizations with taxation power and "deep pockets," municipalities have become focal points for litigation when other defendants do not have the means to pay. At the same time, catastrophic claim awards in Ontario have increased considerably. In part, joint and several liability is fueling exorbitant increases in municipal insurance premiums.

The heavy insurance burden and legal environment is unsustainable for Ontario's communities. Despite enormous improvements to safety, including new standards for playgrounds, pool safety, and better risk management practices, municipal insurance premiums and liability claims continue to increase. All municipalities have risk management policies to one degree or another and most large municipalities now employ risk managers precisely to increase health and safety and limit liability exposure in the design of facilities, programs, and insurance coverage. Liability is a top of mind consideration for all municipal councils.

Joint and several liability is problematic not only because of the disproportioned burden on municipalities that are awarded by courts. It is also the immeasurable impact of propelling municipalities to settle out of court to avoid protracted and expensive litigation for amounts that may be excessive, or certainly represent a greater percentage than their degree of fault.

Various forms of proportionate liability have now been enacted by all of Ontario's competing Great Lakes states. In total, 38 other states south of the border have adopted proportionate liability in specific circumstances to the benefit of municipalities. Many common law jurisdictions around the world have adopted legal reforms to limit the exposure and restore balance. With other Commonwealth jurisdictions and the majority of state governments in the United States having modified the rule of joint and several liability in favour of some form of proportionate liability, it is time for Ontario to consider various options.

There is precedence in Ontario for joint and several liability reform. The car leasing lobby highlighted a particularly expensive court award made in November of 2004 against a car leasing company by the victim of a drunk driver. The August 1997 accident occurred when the car skidded off a county road near Peterborough, Ontario. It exposed the inequity of joint and several liability for car leasing companies. The leasing companies argued to the government that the settlement had put them at a competitive disadvantage to lenders. They also warned that such liability conditions would likely drive some leasing and rental companies to reduce their business in Ontario. As a result, Bill 18 amended the *Compulsory Automobile Insurance Act*, the *Highway Traffic*



Towards a Reasonable Balance: Addressing growing municipal liability and insurance costs

Act and the Ontario *Insurance Act* to make renters and lessees vicariously liable for the negligence of automobile drivers and capped the maximum liability of owners of rental and leased cars at \$1 million. While Bill 18 has eliminated the owners of leased and rented cars as “deep pocket” defendants, no such restrictions have been enacted to assist municipalities.

A 2011 survey conducted by AMO reveals that since 2007, liability premiums have increased by 22.2% and are among the fastest growing municipal costs. Total 2011 Ontario municipal insurance costs were \$155.2 million. Liability premiums made up the majority of these expenses at \$85.5 million. Property taxpayers are paying this price.

These trends are continuing. In August of 2019, it was reported the Town of Bradford West Gwillimbury faces a 59% insurance cost increase for 2019. This is just one example. AMO encourages the municipal insurance industry to provide the government with more recent data and trends to support the industry’s own arguments regarding the impact joint and several has on premiums.

Insurance costs disproportionately affect small municipalities. For 2011, the per capita insurance costs for communities with populations under 10,000 were \$37.56. By comparison, per capita costs in large communities with populations over 75,000 were \$7.71. Property taxpayers in one northern community are spending more on insurance than their library. In one southern county, for every \$2 spent on snowplowing roads, another \$1 is spent on insurance.

In 2016, the Ontario Municipal Insurance Exchange (OMEX), a not-for-profit insurer, announced that it was suspending reciprocal underwriting operations. The organization cited, a “low pricing environment, combined with the impact of joint and several liability on municipal claim settlements” as reasons for the decision. Fewer choices fuels premium increases.

Learning from other jurisdictions is important for Ontario. The Province of Saskatchewan has implemented liability reforms to support its municipalities. As a municipal lawyer at the time, Neil Robertson, QC was instrumental in laying out the arguments in support of these changes. Now a Justice of the Court of Queen’s Bench for Saskatchewan, AMO was pleased to have Neil Robertson prepare a paper and address AMO conference delegates in 2013. Much of the Saskatchewan municipal experience (which led to reforms) is applicable to the Ontario and the Canadian municipal context. Summarised below and throughout this paper are some of Robertson’s key findings.

Robertson found that, regardless of the cause, over the years municipalities in Canada have experienced an accelerating rate of litigation and an increase in amounts of damage awards. He noted these developments challenge municipalities and raise financial, operational and policy issues in the provision of public services.

Robertson describes the current Canadian legal climate as having placed municipalities in the role of involuntary insurer. Courts have assigned municipal liability where liability was traditionally denied and apportioned fault to municipal defendants out of proportion to municipal involvement in the actual wrong.

This increased exposure to liability has had serious ramifications for municipalities, both as a deterrent to providing public services which may give rise to claims and in raising the cost and reducing the availability of insurance. The cost of claims has caused insurers to reconsider not only



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what to charge for premiums, but whether to continue offering insurance coverage to municipal clients.

Robertson also makes the key point that it is reasonable for municipal leaders to seek appropriate statutory protections. He wrote:

“Since municipalities exist to improve the quality of life for their citizens, the possibility of causing harm to those same citizens is contrary to its fundamental mission. Careful management and wise stewardship of public resources by municipal leaders will reduce the likelihood of such harm, including adherence to good risk management practices in municipal operations. But wise stewardship also involves avoiding the risk of unwarranted costs arising from inevitable claims.”

And, of course, a key consideration is the reality that insurance premiums, self-insurance costs, and legal fees divert municipal funds from other essential municipal services and responsibilities.

It is in this context that AMO appreciated the commitments made by the Premier and the Attorney General to review the principle of joint and several liability, the impact it has on insurance costs, and the influence “liability chill” has on the delivery of public services. Now is the time to deliver provincial public policy solutions which address these issues.

Recommendations

AMO recommends the following measures to address these issues:

1. The provincial government adopt a model of full proportionate liability to replace joint and several liability.
2. Implement enhancements to the existing limitations period including the continued applicability of the existing 10-day rule on slip and fall cases given recent judicial interpretations, and whether a 1-year limitation period may be beneficial.
3. Implement a cap for economic loss awards.
4. Increase the catastrophic impairment default benefit limit to \$2 million and increase the third-party liability coverage to \$2 million in government regulated automobile insurance plans.
5. Assess and implement additional measures which would support lower premiums or alternatives to the provision of insurance services by other entities such as non-profit insurance reciprocals.
6. Compel the insurance industry to supply all necessary financial evidence including premiums, claims, and deductible limit changes which support its, and municipal arguments as to the fiscal impact of joint and several liability.
7. Establish a provincial and municipal working group to consider the above and put forward recommendations to the Attorney General.



Insurance Cost Examples

The government has requested detailed information from municipalities regarding their insurance costs, coverage, deductibles, claims history, and out-of-court settlements. Municipalities have been busy responding to a long list of provincial consultations on a wide range of topics. Some of the information being sought is more easily supplied by the insurance industry. AMO's 2011 survey of insurance costs produced a sample size of 122 municipalities and assessed insurance cost increases over a five-year period. The survey revealed an average premium increase which exceeded 20% over that period.

All of the same forces remain at play in 2019 just as they were in 2011. Below are some key examples.

Ear Falls - The Township of Ear Falls reports that its insurance premiums have increased 30% over five years to \$81,686. With a population of only 995 residents (2016), this represents a per capita cost of \$82.09. This amount is a significant increase from AMO's 2011 Insurance Survey result. At that time, the average per capita insurance cost for a community with a population under 10,000 was \$37.56. While the Township has not been the subject of a liability claim, a claim in a community of this size could have significant and long-lasting financial and service implications. The Township has also had to impose stricter insurance requirements on groups that rent municipal facilities. This has had a negative impact on the clubs and volunteers' groups and as a consequence, many have cut back on the service these groups provide to the community.

Central Huron - For many years the municipality of Central Huron had a deductible of \$5,000. In 2014, the deductible was increased to \$15,000 to help reduce insurance costs. The municipality also increased its liability coverage in 2014 and added cyber security coverage in 2018. The combined impact of these changes represents a premium cost of \$224,774 in 2019, up from \$141,331 in 2010. Per capita costs for insurance alone are now \$29.67.

Huntsville - Since 2010, the Town of Huntsville reports an insurance premium increase of 67%. In 2019 this represented about 3.75% of the town's property tax levy. At the same time, Huntsville's deductible has increased from \$10,000 to \$25,000. The town also reports a reluctance to hold its own events for fear of any claims which may affect its main policy. Additional coverage is purchased for these events and these costs are not included above.

Ottawa - In August 2018, the City began working with its insurance broker, Aon Risk Solutions ("Aon"), to prepare for the anticipated renewal of the Integrated Insurance Program in April 2019. As the cost of the City's insurance premiums had risen by approximately 25% between 2017 and 2018, this early work was intended to ensure that any further increase could be properly accounted for through the 2019 budget process. Early indications of a possible further 10% premium increase prompted the City and Aon in late 2018 to explore options for a revised Program, and to approach alternative markets for the supply of insurance.

On January 11, 2019, an OC Transpo bus collided with a section of the Westboro Station transit shelter, resulting in three fatalities and numerous serious injuries. This was the second major incident involving the City's bus fleet, following approximately five years after the OC Transpo - VIA train collision in September 2013.



Towards a Reasonable Balance: Addressing growing municipal liability and insurance costs

The January 2019 incident prompted insurance providers to re-evaluate their willingness to participate in the City Program. Despite Aon's work to secure an alternative provider, only Frank Cowan Company ("Cowan"), the City's existing insurer, was prepared to offer the City an Integrated Insurance Program. Cowan's offer to renew the City's Program was conditional on revised terms and limits and at a significant premium increase of approximately 84%, or nearly \$2.1 million per year. According to Cowan, these changes and increases were attributable to seven principle factors, including Joint and Several Liability:

1. Escalating Costs of Natural Global Disasters;
2. Joint and Several Liability;
3. Claims Trends (in the municipal sector);
4. Increasing Damage Awards;
5. Class Action Lawsuits;
6. New and/or Adverse Claims Development; and,
7. Transit Exposure.

Cowan also indicated that the primary policy limits for the 2019-2020 renewal would be lowered from \$25 million to \$10 million per occurrence, thereby raising the likelihood of increased costs for the City's excess liability policies.

Joint and Several in Action - Recent Examples

The following examples highlight joint and several in action. The following examples have occurred in recent years.

GTA Municipality – A homeowner rented out three separate apartments in a home despite being zoned as a single-family dwelling. After a complaint was received, bylaw inspectors and Fire Prevention Officers visited the property. The landlord was cautioned to undertake renovations to restore the building into a single-family dwelling. After several months of non-compliance, charges under the fire code were laid. The owner was convicted and fined. A subsequent visit by Fire Prevention Officers noted that the required renovations had not taken place. Tragically, a fire occurred which resulted in three fatalities. Despite having undertaken corrective action against the homeowner, joint and several liability loomed large. It compelled the municipality to make a payment of \$504,000 given the 1% rule.

City of Ottawa - A serious motor vehicle accident occurred between one of the City's buses and an SUV. The collision occurred at an intersection when the inebriated driver of the SUV failed to stop at a red light and was struck by the City bus. This collision resulted in the deaths of the SUV driver and two other occupants, and also seriously injured the primary Plaintiff, the third passenger in the SUV. The secondary action was brought by the family of one of the deceased passengers.

The Court ultimately concluded that the City was 20% liable for the collision, while the SUV driver was 80% at fault. Despite the 80/20 allocation of fault, the City was required to pay all of the approximately \$2.1 million in damages awarded in the primary case and the \$200,000 awarded in the secondary case, bringing the amount paid by the City to a total that was not proportionate to its actual liability. This was due to the application of the principle of joint and several liability, as well as the interplay between the various automobile insurance policies held by the SUV owner and



Towards a Reasonable Balance: Addressing growing municipal liability and insurance costs

passengers, which is further explained below. Although the City appealed this case, the Ontario Court of Appeal agreed with the findings of the trial judge and dismissed it.

This case was notable for the implications of various factors on the insurance policies held by the respective parties. While most automobile insurance policies in Ontario provide for \$1 million in third party liability coverage, the insurance for the SUV was reduced to the statutory minimum of \$200,000 by virtue of the fact that the driver at the time of the collision had a blood alcohol level nearly three times the legal limit for a fully licensed driver. This was contrary to the requirements of his G2 license, which prohibit driving after the consumption of any alcohol. Further, while the Plaintiff passengers' own respective insurance provided \$1 million in coverage for underinsured motorists (as the SUV driver was at the time), this type of coverage is triggered only where no other party is in any way liable for the accident. As a result, the primary Plaintiff could only effectively recover the full \$2.1 million in damages if the Court attributed even a small measure of fault to another party with sufficient resources to pay the claim.

In determining that the City was at least partially responsible for the collision, the Court held that the speed of the bus – which according to GPS recordings was approximately 6.5 km/h over the posted limit of 60 kilometres an hour – and momentary inattention were contributing factors to the collision.

To shorten the length of the trial by approximately one week and accordingly reduce the legal costs involved, the parties had earlier reached an agreement on damages and that the findings regarding the primary Plaintiff would apply equally to the other. The amount of the agreement-upon damages took into account any contributory negligence on the part of the respective Plaintiffs, attributable to such things as not wearing a seat belt.

City of Ottawa, 2nd example – A Plaintiff was catastrophically injured when, after disembarking a City bus, he was struck by a third-party motor vehicle. The Plaintiff's injuries included a brain injury while his impairments included incomplete quadriplegia.

As a result of his accident, the Plaintiff brought a claim for damages for an amount in excess of \$7 million against the City and against the owner and driver of the third-party vehicle that struck him. Against the City, the Plaintiff alleged that the roadway was not properly designed and that the bus stop was placed at an unsafe location as it required passengers to cross the road mid-block and not at a controlled intersection.

Following the completion of examinations for discovery, the Plaintiff's claim against the Co-Defendant (the driver of the vehicle which struck the plaintiff) was resolved for \$1,120,000 comprising \$970,000 for damages and \$120,000 for costs. The Co-Defendant's policy limit was \$1 million. The claim against the City was in effect, a "1% rule" case where the City had been added to the case largely because the Co-Defendant's insurance was capped at \$1 million, which was well below the value of the Plaintiff's claim.

On the issue of liability, the pre-trial judge was of the view that the City was exposed to a finding of some liability against it on the theory that, because of the proximity of the bus stop to a home for adults with mental health issues, the City knew or should have known that bus passengers with cognitive and/or physical disabilities would be crossing mid-block at an unmarked crossing. This, according to the judge, could have resulted in a finding being made at trial that the City should



either have removed the bus stop or alternatively, should have installed a pedestrian crossing at this location.

The judge assessed the Plaintiff's damages at \$7,241,000 exclusive of costs and disbursements which he then reduced to \$4,602,930 exclusive of costs and disbursements after applying a reduction of 27.5% for contributory negligence and subtracting the \$970,000 payment made by the Co-Defendant's insurer.

Settlement discussions took place and the judge recommended that the matter be resolved for \$3,825,000 plus costs of \$554,750 plus HST plus disbursements.

Joint and Several Liability in Action - Other notable cases

Deering v Scugog - A 19-year-old driver was driving at night in a hurry to make the start time of a movie. She was travelling on a Class 4 rural road that had no centerline markings. The Ontario Traffic Manual does not require this type of road to have such a marking. The driver thought that a vehicle travelling in the opposite direction was headed directly at her. She swerved, over-corrected and ended up in a rock culvert. The Court found the Township of Scugog 66.7% liable. The at-fault driver only carried a \$1M auto insurance policy.

Ferguson v County of Brant - An inexperienced 17-year-old male driver was speeding on a road when he failed to navigate a curve which resulted in him crossing the lane into oncoming traffic, leaving the roadway, and striking a tree. The municipality was found to have posted a winding road sign rather than a sharp curve sign. The municipality was found 55% liable.

Safranyos et al v City of Hamilton - The plaintiff was leaving a drive-in movie theatre with four children in her vehicle at approximately 1 AM. She approached a stop sign with the intention of turning right onto a highway. Although she saw oncoming headlights she entered the intersection where she was struck by a vehicle driven 15 km/h over the posted speed limit by a man who had just left a party and was determined by toxicologists to be impaired. The children in the plaintiff's vehicle suffered significant injuries. The City was determined to be 25% liable because a stop line had not been painted on the road at the intersection.

Mortimer v Cameron - Two men were engaged in horseplay on a stairway and one of them fell backward through an open door at the bottom of a landing. The other man attempted to break the first man's fall and together they fell into an exterior wall that gave way. Both men fell 10 feet onto the ground below, one of whom was left quadriplegic. The trial judge determined both men were negligent, but that their conduct did not correspond to the extent of the plaintiff's injuries. No liability was attached to either man. The building owner was determined to be 20% and the City of London was found to be 80% liable. The Court awarded the plaintiff \$5 M in damages. On appeal, the City's liability was reduced to 40% and building owner was determined to be 60% liable. The City still ended up paying 80% of the overall claim.

2011 Review of Joint and Several Liability – Law Commission of Ontario

In February 2011 the Law Commission of Ontario released a report entitled, *"Joint and Several Liability Under the Ontario Business Corporations Act"*. This review examined the application of



Towards a Reasonable Balance: Addressing growing municipal liability and insurance costs

joint and several liability to corporate law and more specifically the relationship between the corporation and its directors, officers, shareholders and stakeholders.

Prior to the report's release, AMO made a submission to the Law Commission of Ontario to seek to expand its review to include municipal implications. The Law Commission did not proceed with a broader review at that time, but the context of its narrower scope remains applicable to municipalities. In fact, many of the same arguments which support reform in the realm of the *Business Corporations Act*, are the same arguments which apply to municipal governments.

Of note, the Law Commission's¹ report highlighted the following in favour of reforms:

Fairness: "it is argued that it is unfair for a defendant, whose degree of fault is minor when compared to that of other defendants, to have to fully compensate a plaintiff should the other defendants be insolvent or unavailable."

Deep Pocket Syndrome: "Joint and several liability encourages plaintiffs to unfairly target defendants who are known or perceived to be insured or solvent."

Rising Costs of Litigation, Insurance, and Damage Awards: "Opponents of the joint and several liability regime are concerned about the rising costs of litigation, insurance, and damage awards."

Provision of Services: "The Association of Municipalities of Ontario identifies another negative externality of joint and several liability: municipalities are having to delay or otherwise cut back services to limit exposure to liability."

The Law Commission found that the principle of joint and several liability should remain in place although it did not explicitly review the municipal situation.

2014 Resolution by the Ontario Legislature and Review by the Attorney General

Over 200 municipalities supported a motion introduced by Randy Pettapiece, MPP for Perth-Wellington which called for the implementation a comprehensive, long-term solution in 2014. That year, MPPs from all parties supported the Pettapiece motion calling for a reform joint and several liability.

Later that year the Ministry of the Attorney General consulted on three options of possible reform:

1. The Saskatchewan Model of Modified Proportionate Liability

Saskatchewan has adopted a modified version of proportionate liability that applies in cases where a plaintiff is contributorily negligent. Under the Saskatchewan rule, where a plaintiff is contributorily negligent and there is an unfunded liability, the cost of the unfunded liability is split among the remaining defendants and the plaintiff in proportion to their fault.

¹ Law Commission of Ontario. "Joint and Several Liability Under the Ontario *Business Corporations Act*." Final Report, February 2011 Pages 22-25.



2. Peripheral Wrongdoer Rule for Road Authorities

Under this rule, a municipality would never be liable for more than two times its proportion of damages, even if it results in the plaintiff being unable to recover full damages.

3. A combination of both of the above

Ultimately, the government decided not to pursue any of the incremental policy options ostensibly because of uncertainty that insurance cost reductions would result. This was a disappointing result for municipalities.

While these reviews did not produce results in Ontario, many other common law jurisdictions have enacted protections for municipalities. What follows are some of the options for a different legal framework.

Options for Reform – The Legal Framework

To gain a full appreciation of the various liability frameworks that could be considered, for comparison, below is a description of the current joint and several liability framework here in Ontario. This description will help to reader to understand the further options which follow.

This description and the alternatives that follow are taken from the Law Commission of Ontario's February 2011 Report entitled, *"Joint and Several Liability Under the Ontario Business Corporations Act"* as referenced above.²

Understanding the Status Quo and Comparing it to the Alternatives

Where three different defendants are found to have caused a plaintiff's loss, the plaintiff is entitled to seek full payment (100%) from any one of the defendants. The defendant who fully satisfies the judgment has a right of contribution from the other liable parties based on the extent of their responsibility for the plaintiff's loss.

For example, a court may find defendants 1 (D1), 2 (D2) and 3 (D3) responsible for 70%, 20%, and 10% of the plaintiff's \$100,000 loss, respectively. The plaintiff may seek to recover 100% of the loss from D2, who may then seek contribution from D1 and D3 for their 70% and 10% shares of the loss. If D1 and/or D3 is unable to compensate D2 for the amount each owes for whatever reason, such as insolvency or unavailability, D2 will bear the full \$100,000 loss. The plaintiff will be fully compensated for \$100,000, and it is the responsibility of the defendants to apportion the loss fairly between them.

The descriptions that follow are abridged from pages 9-11 of the Law Commission of Ontario's report. These are some of the key alternatives to the status quo.

² Ibid. Page 7.



1. Proportionate Liability

a) Full Proportionate Liability

A system of full proportionate liability limits the liability of each co-defendant to the proportion of the loss for which he or she was found to be responsible. Per the above example, (in which Defendant 1 (D1) is responsible for 70% of loss, Defendant 2 (D2) for 20% and Defendant 3 (D3) for 10%), under this system, D2 will only be responsible for \$20,000 of the \$100,000 total judgement: equal to 20% of their share of the liability. Likewise, D1 and D3 will be responsible for \$70,000 and \$10,000. If D1 and D3 are unable to pay, the plaintiff will only recover \$20,000 from D2.

b) Proportionate Liability where Plaintiff is Contributorily Negligent

This option retains joint and several liability when a blameless plaintiff is involved. This option would cancel or adjust the rule where the plaintiff contributed to their loss. As in the first example, suppose the plaintiff (P) contributed to 20% of their \$100,000 loss. D1, D2 and D3 were responsible for 50%, 20% and 10% of the \$100,000. If D1 and D3 are unavailable, P and D2 will each be responsible for their \$20,000 shares. The plaintiff will remain responsible for the \$60,000 shortfall as a result of the absent co-defendants' non-payment (D1 and D3).

c) Proportionate Liability where Plaintiff is Contributorily Negligent with a Proportionate Reallocation of an Insolvent, Financially Limited or Unavailable Defendant's Share

In this option of proportionate liability, the plaintiff and remaining co-defendants share the risk of a defendant's non-payment. The plaintiff (P) and co-defendants are responsible for any shortfall in proportion to their respective degrees of fault.

Using the above example of the \$100,000 total judgement, with a shortfall payment of \$50,000 from D1 and a shortfall payment \$10,000 from D3, P and D2 must pay for the missing \$60,000. P and D2 have equally-apportioned liability, which causes them to be responsible for half of each shortfall - \$25,000 and \$5,000 from each non-paying defendant. The burden is shared between the plaintiff (if determined to be responsible) and the remaining defendants.

d) Proportionate Liability with a Peripheral Wrongdoer

Under this option, a defendant will be proportionately liable only if their share of the liability falls below a specified percentage, meaning that liability would be joint and several. Using the above example, if the threshold amount of liability is set at 25%, D2 and D3 would only be responsible for 20% and 10%, regardless of whether they are the only available or named defendants. However, D1 may be liable for 100% if it is the only available or named defendant. This system tends to favour defendants responsible for a small portion of the loss, but the determination of the threshold amount between joint and several liability and proportionate liability is arbitrary.

e) Proportionate Liability with a Reallocation of Some or All of an Insolvent or Unavailable Defendant's Share

This option reallocates the liability of a non-paying defendant among the remaining defendants in proportion to their respective degrees of fault. The plaintiff's contributory negligence does not



impact the application of this reallocation. Joint and several liability would continue to apply in cases of fraud or where laws were knowingly violated.

f) Court Discretion

Similar to the fraud exception in the option above, this option includes giving the courts discretion to apply different forms of liability depending on the case.

For example, if a particular co-defendant's share of the fault was relatively minor the court would have discretion to limit that defendant's liability to an appropriate portion.

2. Legislative Cap on Liability

Liability concerns could be addressed by introducing a cap on the amount of damages available for claims for economic loss.

3. Hybrid

A number of jurisdictions provide a hybrid system of proportionate liability and caps on damages. Co-defendants are liable for their portion of the damages, but the maximum total amount payable by each co-defendant is capped to a certain limit.

The Saskatchewan Experience

As referenced earlier in this paper, the Province of Saskatchewan responded with a variety of legislative actions to assist municipalities in the early 2000s. Some of those key developments are listed below which are abridged from *"A Question of Balance: Legislative Responses to Judicial Expansion of Municipal Liability – the Saskatchewan Experience."* The paper was written by Neil Robertson, QC and was presented to the annual conference of the Association of Municipalities of Ontario in 2013. Two key reforms are noted below.

1. Reforming joint and several liability by introducing modified proportionate liability: "The Contributory Negligence Act" amendments

The *Contributory Negligence Act* retained joint and several liability, but made adjustments in cases where one or more of the defendants is unable to pay its share of the total amount (judgement). Each of the parties at fault, including the plaintiff if contributorily negligent, will still have to pay a share of the judgement based on their degree of fault. However, if one of the defendants is unable to pay, the other defendants who are able to pay are required to pay only their original share and an additional equivalent share of the defaulting party's share.

The change in law allows municipalities to reach out-of-court settlements, based on an estimate of their degree of fault. This allows municipalities to avoid the cost of protracted litigation.

Neil Robertson provided the following example to illustrate how this works in practise:

"...If the owner of a house sues the builder for negligent construction and the municipality, as building authority, for negligent inspection, and all three are found equally at fault, they would each be apportioned 1/3 or 33.3%. Assume the damages are \$100,000. If the builder has no funds, then the municipality would pay only its share (\$33,333) and a 1/3 share of the builder's defaulting share



Towards a Reasonable Balance: Addressing growing municipal liability and insurance costs

(1/3 of \$33,333 or \$11,111) for a total of \$44,444 (\$33,333 + \$11,111), instead of the \$66,666 (\$33,333 + \$33,333) it would pay under pure joint and several liability.”

This model will be familiar to municipal leaders in Ontario. In 2014, Ontario’s Attorney General presented this option (called the Saskatchewan Model of Modified Proportionate Liability) for consideration. At the time, over 200 municipal councils supported the adoption of this option along with the “Peripheral Wrongdoer Rule for Road Authorities” which would have seen a municipality never be liable for more than two times its proportion of damages, even if it results in the plaintiff being unable to recover full damages. These two measures, if enacted, would have represented a significant incremental step to address the impact of joint and several to Ontario municipalities.

2. Providing for uniform limitation periods while maintaining a separate limitation period for municipalities: “The Limitations Act”

This act established uniform limitation periods replacing many of the pre-existing limitation periods that had different time periods. The Municipal Acts in Saskatchewan provide a uniform one-year limitation period “from time when the damages were sustained” in absolute terms without a discovery principle which can prolong this period. This helps municipalities to resist “legacy” claims from many years beforehand. This act exempts municipalities from the uniform two-year discoverability limitation period.

Limitation periods set deadlines after which claims cannot be brought as lawsuits in the courts. The legislation intends to balance the opportunity for potential claimants to identify their claims and, if possible, negotiate a settlement out of court before starting legal action with the need for potential defendants to “close the books” on claims from the past.

The reasoning behind these limitations is that public authorities, including municipalities, should not be punished by the passage of time. Timely notice will promote the timely investigation and disposition of claims in the public interest. After the expiry of a limitation period, municipalities can consider themselves free of the threat of legal action, and continue with financial planning without hurting “the public taxpayer purse”. Municipalities are mandated to balance their budgets and must be able to plan accordingly. Thus, legacy claims can have a very adverse affect on municipal operations.

Here in Ontario, there is a uniform limitations period of two years. Municipalities also benefit from a 10-day notice period which is required for slip and fall cases. More recently, the applicability of this limitation deadline has become variable and subject to judicial discretion. Robertson’s paper notes that in Saskatchewan, courts have accepted the one-year limitations period. A further examination of limitations in Ontario may yield additional benefits and could include the one-year example in Saskatchewan and/or the applicability of the 10-day notice period for slip and fall cases.

Other Saskatchewan reforms

Saskatchewan has also implemented other reforms which include greater protections for building inspections, good faith immunity, duty of repair, no fault insurance, permitting class actions, and limiting nuisance actions. Some of these reforms are specific to Saskatchewan and some of these currently apply in Ontario.



Insurance Related Reforms

Government Regulated Insurance Limits

The April 2019 provincial budget included a commitment to increase the catastrophic impairment default benefit limit to \$2 million. Public consultations were led by the Ministry of Finance in September 2019. AMO wrote to the Ministry in support of increasing the limit to \$2 million to ensure more adequate support those who suffer catastrophic impairment.

In 2016, the government lowered this limit as well as third-party liability coverage to \$200,000 from \$1 million. This minimum should also be increased to \$2 million to reflect current actual costs. This significant deficiency needs to be addressed.

Insurance Industry Changes

In 1989 the Ontario Municipal Insurance Exchange (OMEX) was established as a non-profit reciprocal insurance provider for Ontario's municipalities. It ceased operations in 2016 citing, "[a] low pricing environment, combined with the impact of joint & several liability on municipal claim settlements has made it difficult to offer sustainable pricing while still addressing the municipalities' concern about retro assessments."³ (Retro assessments meant paying additional premiums for retroactive coverage for "long-tail claims" which made municipal budgeting more challenging.)

The demise of OMEX has changed the municipal insurance landscape in Ontario. That joint and several liability is one of the key reasons listed for the collapse of a key municipal insurer should be a cause for significant concern. Fewer choices fuels cost. While there are other successful municipal insurance pools in Ontario, the bulk of the insurance market is dominated by for-profit insurance companies.

Reciprocal non-profit insurers are well represented in other areas across Canada. Municipalities in Saskatchewan, Alberta, British Columbia are all insured by non-profit reciprocals.

The questions for policy makers in Ontario:

Are there any provincial requirements or regulations which could better support the non-profit reciprocal municipal insurance market?

What actions could be taken to better protect municipalities in Ontario in sourcing their insurance needs?

How can we drive down insurance costs to better serve the needs of municipal property taxpayers?

³ Canadian Underwriter, August 11, 2016 <https://www.canadianunderwriter.ca/insurance/ontario-municipal-insurance-exchange-suspends-underwriting-operations-1004098148/>



Conclusion

This AMO paper has endeavoured to refresh municipal arguments on the need to find a balance to the issues and challenges presented by joint and several liability. It has endeavoured to illustrate that options exist and offer the reassurance that they can be successfully implemented as other jurisdictions have done.

Finding solutions that work will require provincial and municipal commitment. Working together, we can find a better way that is fair, reasonable, and responsible. It is time to find a reasonable balance.

Minute Item No. 5.1
CSD 65-2019
Budget Planning By-law

That Report CSD 65-2019, dated October 3, 2019, respecting Budget Planning By-law, **BE RECEIVED** and the following recommendations **BE APPROVED**:

1. That the draft Budget Planning By-law attached as Appendix 1 to Report CSD 65-2019, **BE APPROVED** with section 5.2 and any other references to Municipal Price Index removed;
2. That policy C-F-002 Affordability Guidance Policy **BE REPEALED**; and
3. That the necessary by-law **BE PREPARED** and **PRESENTED** to Council for consideration

Minute Item No. 5.2
CSD 51-2019
Capital Financing Policy

That Report CSD 51-2019, dated October 3, 2019, respecting Capital Financing Policy, **BE RECEIVED** and the following recommendations **BE APPROVED**:

1. That the Capital Financing Policy, Appendix 1 to Report CSD 51-2019, **BE APPROVED**; and
2. That the Capital Asset Management Policy, C-F-024, Appendix 2 to Report CSD 51-2019, **BE AMENDED** to remove section 3.0 and 4.0.

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

**COTW 8-2019
Thursday, October 3, 2019
Council Chamber
Niagara Region Headquarters, Campbell West
1815 Sir Isaac Brock Way, Thorold, ON**

Committee: Bradley (Regional Chair), Bylsma, Chiocchio, Darte, Diodati, Easton, Edgar, Fertich, Foster, Gale, Gibson, Greenwood, Heit, Huson, Insinna, Ip, Nicholson, Redekop, Rigby, Sendzik, Steele, Ugolini, Whalen, Witteveen, Zalepa

Absent/Regrets: Bellows, Butters, Campion, Disero, Jordan, Junkin, Villella

Staff: H. Chamberlain, Director, Financial Management & Planning/Deputy Treasurer, R. Cheung, Senior Budget Analyst, Dr. A. Feller, Associate Medical Officer of Health, D. Giles, Director, Community & Long Range Planning, T. Harrison, Commissioner/Treasurer, Corporate Services, A. Jugley, Commissioner, Community Services, M. Murphy, Associate Director, Budget Planning and Strategy, A.-M. Norio, Regional Clerk, T. Potts, Senior Budget Analyst, R. Tripp, Acting Chief Administrative Officer

1. CALL TO ORDER

Regional Chair Bradley called the meeting to order at 6:34 p.m.

2. DISCLOSURES OF PECUNIARY INTEREST

There were no disclosures of pecuniary interest.

3. PRESENTATIONS

3.1 Budget Planning and Capital Financing

Margaret Murphy, Associate Director, Budget Planning and Strategy, provided information respecting Budget Planning and Capital Financing. Topics of the presentation included:

- Budget Planning By-law
- Indexing Options for Base Budget - Sustainable Budgeting
- Business Cases
- Capital Financing Policy

- Why do we need a Capital Financing Policy?
- What is Financial Sustainability?
- What challenges do we face?
- Capital Financing Strategy
 - Asset Management Plan Challenges
 - How do we finance our 10-year Capital Forecast?
 - Debt Management
 - Reserve Management
 - Development Charges
 - Other external sources
 - Equitable fiscal planning
 - Implementation Strategy

Councillor Information Requests):

Provide a list of the projects that have been deferred due to funding constraints. Councillor Easton.

Provide a contextualization of development charge rebates over the last ten years. Councillor Sendzik.

Provide a graph of comparable Regions with respect to capital financing. Councillor Nicholson.

Provide a graph illustrating reserve investments for the period 2010 to 2020. Councillor Sendzik.

Provide information respecting the rate of taxation and allocation to capital for the period 2010 to 2020. Councillor Sendzik.

Provide a graph of federal and provincial funding shifts over the last 30 years to illustrate the shifting burden to municipalities. Councillor Sendzik.

Provide context on the upward spike and drop off cliff of reserve balances Councillor Sendzik.

Provide a schedule of historical uploading from other governments and allocation/reserve. Councillor Sendzik

Provide the average interest rate of our historical debt and current rates. Councillor Whalen.

Provide information respecting debt retirement charges. Councillor Whalen.

Provide an inventory of current real estate assets. Councillor Bylsma.

4. **DELEGATIONS**

There were no delegations.

5. **ITEMS FOR CONSIDERATION**

5.1 **CSD 65-2019**

Budget Planning By-law

Moved by Councillor Sendzik

Seconded by Councillor Zalepa

That Report CSD 65-2019, dated October 3, 2019, respecting Budget Planning By-law, **BE RECEIVED** and the following recommendations **BE APPROVED**:

1. That the draft Budget Planning By-law attached as Appendix 1 to Report CSD 65-2019, **BE APPROVED** with section 5.2 and any other references to Municipal Price Index removed;
2. That policy C-F-002 Affordability Guidance Policy **BE REPEALED**; and
3. That the necessary by-law **BE PREPARED** and **PRESENTED** to Council for consideration.

Clause 1 was considered separately as follows:

1. That the draft Budget Planning By-law attached as Appendix 1 to Report CSD 65-2019, **BE APPROVED** with section 5.2 and any other references to Municipal Price Index removed.

Recorded Vote:

Yes (19): Bylsma, Chiocchio, Darte, Diodati, Fertich, Foster, Gale, Gibson, Greenwood, Heit, Huson, Insinna, Nicholson, Redekop, Sendzik, Steele, Ugulini, Whalen, Witteveen.

No (4): Easton, Edgar, Ip, Zalepa.

Carried

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

Carried

5.2 CSD 51-2019

Capital Financing Policy

Moved by Councillor Ugolini

Seconded by Councillor Steele

That Report CSD 51-2019, dated October 3, 2019, respecting Capital Financing Policy, **BE RECEIVED** and the following recommendations **BE APPROVED**:

1. That the Capital Financing Policy, Appendix 1 to Report CSD 51-2019, **BE APPROVED**; and
2. That the Capital Asset Management Policy, C-F-024, Appendix 2 to Report CSD 51-2019, **BE AMENDED** to remove section 3.0 and 4.0.

Carried

6. **CONSENT ITEMS FOR INFORMATION**

There were no consent items for information.

7. **OTHER BUSINESS**

7.1 Community, Culture and Recreation Infrastructure Funding

Councillor Steele advised members of the invitation to a webinar respecting the funding recently announced for community, culture and recreation infrastructure projects. The Community, Culture and Recreation stream will support community infrastructure priorities across the province, improving access to and / or quality of community, cultural, and recreation priority infrastructure projects.

8. **NEXT MEETING**

The next meeting is scheduled for Thursday, October 31, 2019 at 6:30 p.m. in the Council Chamber.

9. **ADJOURNMENT**

There being no further business, the meeting adjourned at 8:05 p.m.

Jim Bradley
Regional Chair

Ann-Marie Norio
Regional Clerk

NIAGARA REGION BUDGET

2020

BUDGET PLANNING & CAPITAL FINANCING

October 3rd, 2019

By-law and Policy

What we're going to cover:

- Budget Planning By-law
- Capital Financing Policy



Budget Planning By-law

Building the Budget

- Four budget components (recap of CSD 41-2019 Budget Planning Policy Review)
 - Base Budget Development
 - Capital Financing
 - New or Enhanced Programs
 - Assessment Growth
- Formalized principles and rules
 - Scheduling budget approval
 - Indexing options for base budget
 - When business cases are required

Indexing Options for Base Budget

Sustainable Budgeting

- Base budget increases annually due to rising prices
- An appropriate index should be applied
 - Supports sustainability
 - Council knows what to expect
- Both CPI and MPI are options
 - Staff advocate for MPI
 - MPI is a more accurate measure for municipal spending

CPI



Goods purchased by a household

- Focus on groceries, clothing, health/personal care, etc.

MPI



Services purchased by municipality

- Focus on service delivery (labour-related costs and purchased services)

Business Cases

Transparent Budgeting

- Business cases included in budget detail:
 - Departmental sections
 - Corporate summary
- Prepared for items that meet the following criteria
 - New permanent FTEs
 - New programs and services
- Additional information on budget drivers
 - Greater detail on base budget pressures and mitigations

Capital Financing Policy

Budget Planning By-law

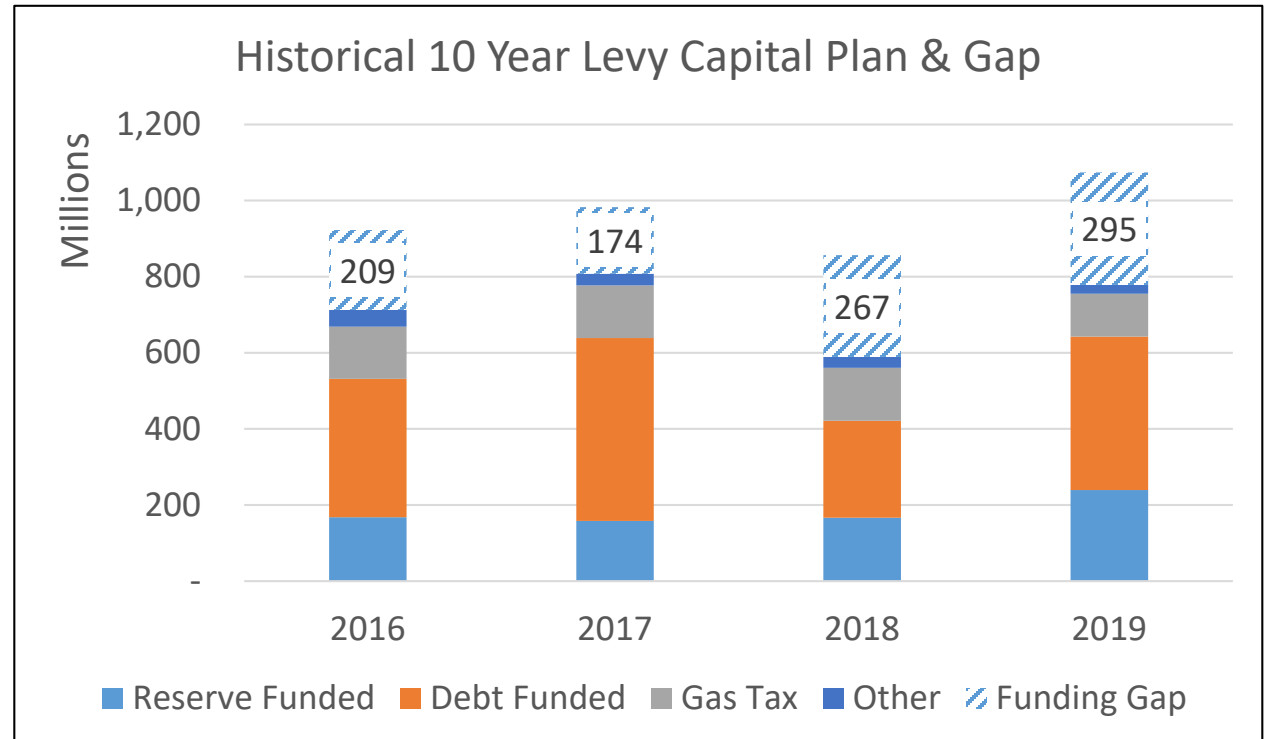
Building the Budget

- Four budget components (recap of CSD 41-2019 Budget Planning Policy Review)
 - Base Budget Development
 - Capital Financing
 - New or Enhanced Programs
 - Assessment Growth
- Formalized principles and rules
 - Scheduling budget approval
 - Indexing options for base budget
 - When business cases are prepared

Introduction and Purpose

Why do we need a Capital Financing Policy?

- SHAPE Strategic Plan Implementation
 - Capital Financing Strategy
- Levy Capital funding gap continues to increase
 - Increase from \$209M to **\$295M**
- Strive for financial sustainability



Introduction and Purpose

What is Financial Sustainability?

- Financial Sustainability means ...
 - Infrastructure can be kept in state of good repair & replaced at the right time
 - Financial responsibility is fairly shared between current and future residents (inter-generational equity)
 - Growth can be accommodated without unacceptable tax levy or debt increases
 - Service levels can be maintained in the face of changes in economic conditions

Introduction and Purpose

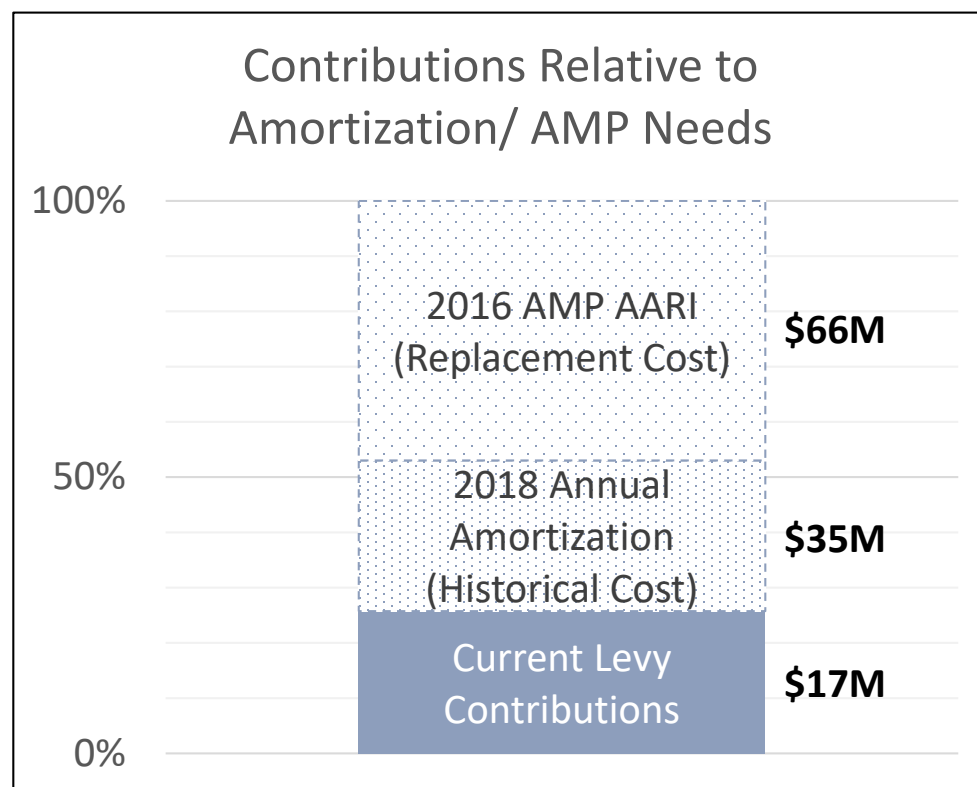
What challenges do we face?

- Key challenges
 - Future cost of infrastructure investments
 - Mismatch between level of service decisions and fiscal capacity
 - Unforeseen shocks to revenue or spending
 - Development charges rebates/grants put additional pressure on operating budget
 - Lack of levy supported capital reserves

Capital Financing Strategy

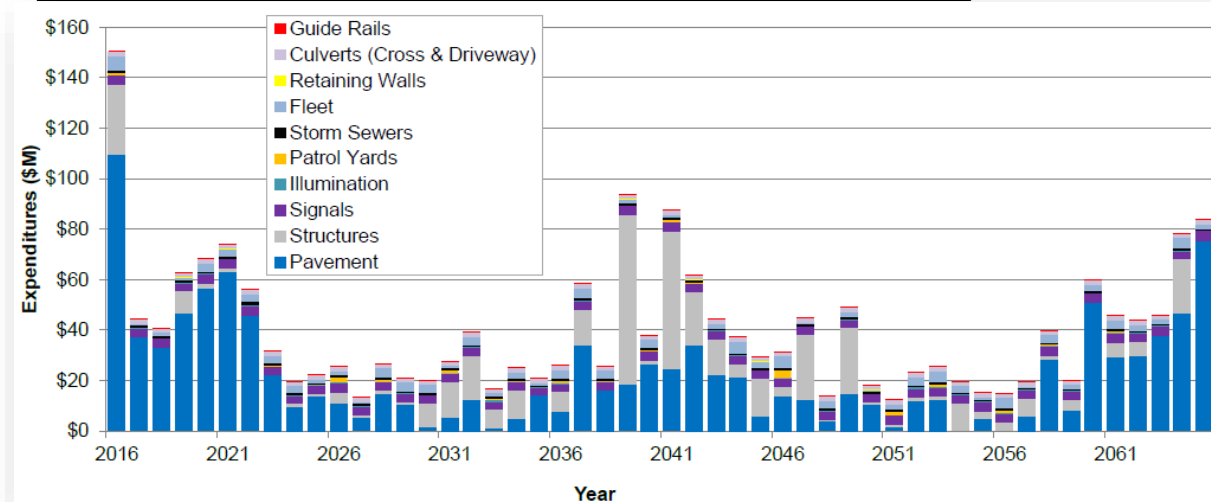
Asset Management Plan Challenges

Current contributions insufficient



Smooth tax impact of spikes

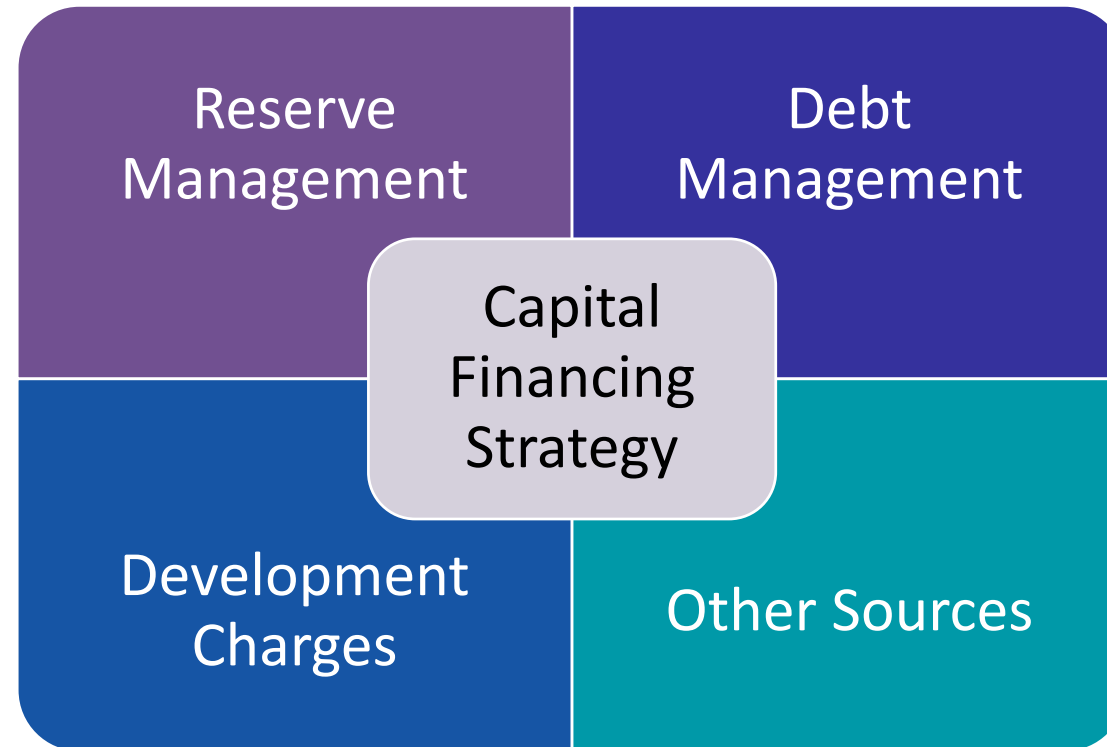
Transportation – 50-year Capital Plan



Capital Financing Strategy

How do we finance our 10-year Capital Forecast?

- 4 Main Sources of Funding



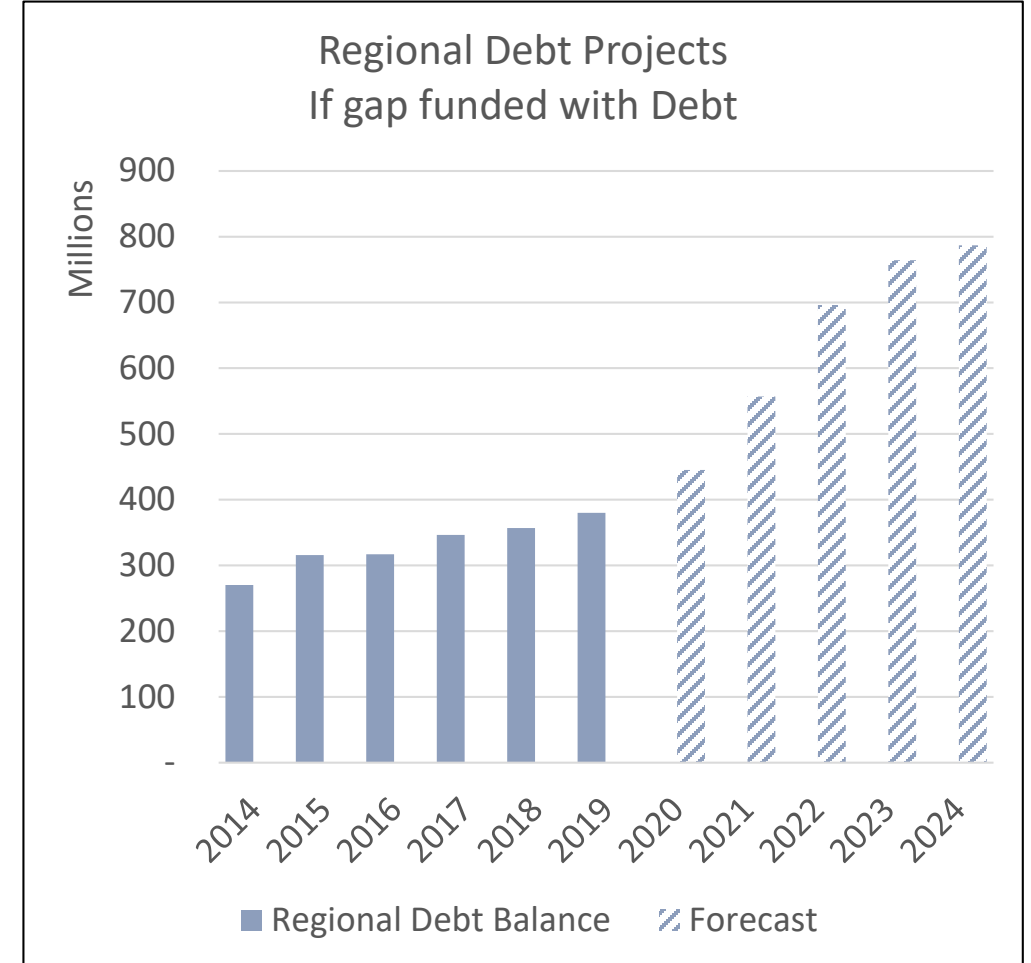
Capital Financing Strategy

Debt Management

- Most expensive option
- When used to fund existing assets, future taxpayers are paying for infrastructure being used today
- Pressure on S&P ratio in 2024 which may impact credit rating

Conclusion: Strategic Investment Projects

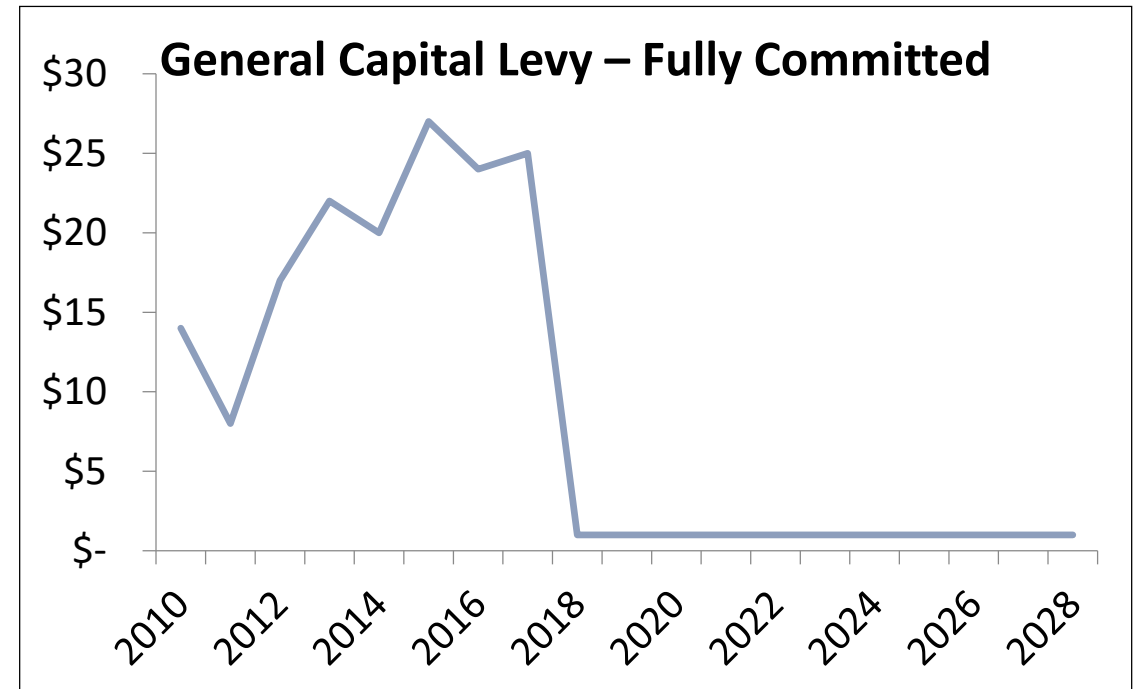
- New level of service
Eg. Niagara Regional Transit
- Align timing to subsidies/grants
Eg. Long Term Care Redevelopment



Capital Financing Strategy

Reserve Management

- Current taxpayers funding for replacement of asset as consumed (Pay as you go)
- Historically underfunded
- Greater flexibility than debt
- Interest savings from debt avoidance can fund other projects



Conclusion: Asset Management Projects

- Utilize for State of good repair/renewal
 - Eg. Roads Rehabilitation

Capital Financing Strategy

Development Charges

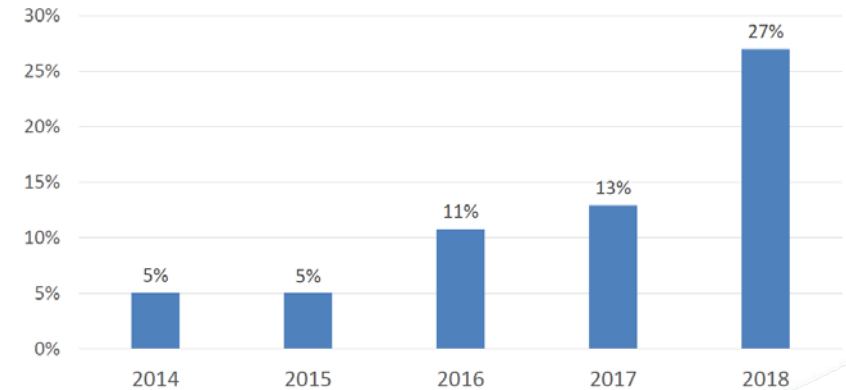
- Growth pays for growth
- No financial impact on tax base
- \$13M used for Rebates constrains funds for infrastructure
 - \$5M shortfall needed in base budget
 - Opportunities within the Incentives review

Conclusion: Growth Projects

- Growth Infrastructure per DC Study
Eg. Casablanca Boulevard, Thorold Stone Extension

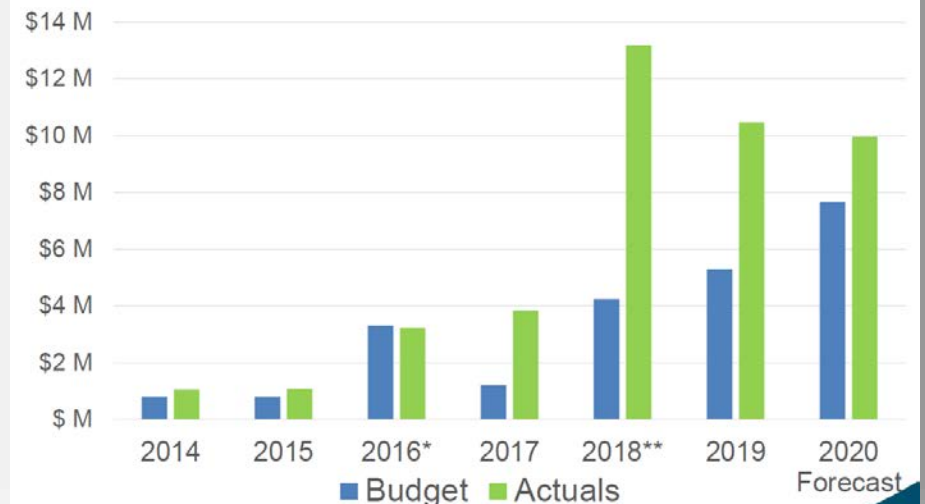
DEVELOPMENT CHARGE REBATES

As a percentage of
Development Charge
Revenues



DEVELOPMENT CHARGE REBATES

Budget vs. Actuals



Capital Financing Strategy

Other external sources

- Difficult to forecast
 - Federal Gas Tax has been consistent
- Allows for collaboration
 - Ontario Power Generation, Local Areas Municipalities
- No financial impact on tax base as funding is from 3rd parties

Conclusion: Various Projects

- Maximize usage based on funding agreements

Equitable Fiscal Planning

Niagara Region's Capital Plan

Project Type

Asset Management Plan

- Responsible Growth and Infrastructure Planning
- Current tax base maintaining existing level of service

Strategic Investments

- Debt required to support projects with future beneficiaries

Growth

- Business/Economic Growth
- Growth pays for growth

Funding Source

Other External Sources

- Grants, Subsidies, Local Area Municipal Cost Share etc.

Pay as you go (Reserves)

- Utilize funds set aside from Operating budgets

Federal Gas Tax

- Federal Funding to support local infrastructure priorities

Debt

- Funds raised from creditors for Capital projects
- Required to transition to the policy

Development Charges

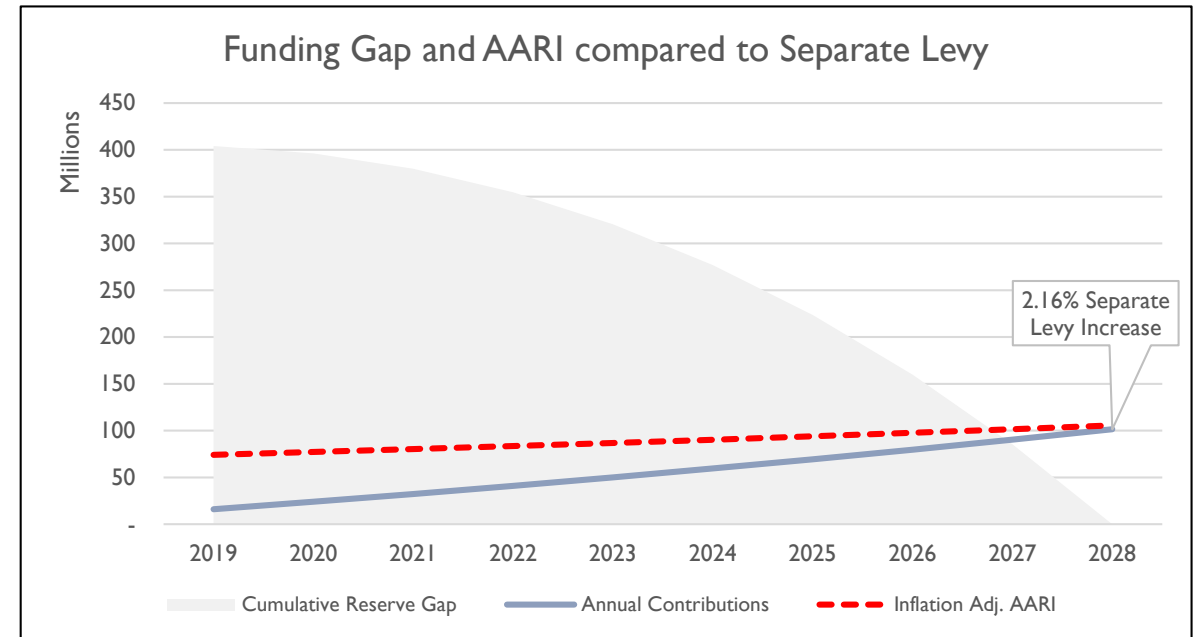
- Used for Growth projects based on DC study & receipts

Capital Financing Strategy

Implementation Strategy

- Annual separate levy increases of 2.16% over 10 years
 - Operating Contributions will align to AARI per 2016 AMP
 - Eliminates funding gap
 - At a minimum the Region requires \$86.5M by 2028

“The National Research Council recommends that a minimum of 2 percent of the value of assets should be spent on repairs and normal rehabilitation and 2 percent contributed to reserves each year”.



Summary

- A Fiscal Strategy updated every year
 - Reduces the Region reliance on debt
 - Increases savings for capital asset replacement
 - Ensures active management of the 10-year capital plan
- A Financial Sustainability Plan for Water and Wastewater
 - 5.15% was recommended in the Financial Plan for O.Reg 453/07
 - Of that amount 3.15% for Capital funding gap




Questions?



Subject: Budget Planning By-law

Report to: Committee of the Whole

Report date: Thursday, October 3, 2019

Recommendations

1. That the draft Budget Planning By-law attached as Appendix 1, **BE APPROVED**.
2. That policy C-F-002 Affordability Guidance Policy **BE REPEALED**.
3. That the necessary by-law **BE PREPARED and PRESENTED** to Council for consideration.

Key Facts

- The purpose of this report is to approve a new By-law that formalizes best practices and currently used principles for the preparation of the annual budgets.
- This report builds off of CSD 41-2019 Budget Planning Policy Review, which presented a review of the current Affordability Guidance Policy and identified areas for improvement; the direction from Council regarding that report has been taken into consideration during the preparation of the draft By-law in appendix 1.
- The Budget Planning By-law will replace policy C-F-002 Affordability Guidance (previously C3-004) approved June 21, 2012.
- The By-law addresses base budget requirements including flexibility in base services inflation metrics, financing for capital plan and new programs, use of assessment growth revenue and a number of guiding principles.

Financial Considerations

There are no direct financial impacts as a result of this report. Any use of the principles applied within the by-law will impact the preparation and approval of future budgets.

Analysis

As identified in CSD 41-2019 Budget Planning Policy Review, the current policy guiding the annual development of budgets focuses solely on the inflationary factor of core consumer price index target. It doesn't take into account the uniqueness of municipal spending, nor the additions of new programs and services. A budget should strive towards goals of sustainability and transparency and to act as the plan for providing current and new services in an environment of fluctuating costs and changes in revenues.

The strategies and principles being established affect the direction of budget planning, preparation and approval which are guided by decisions of Council, therefore a Council approved by-law is the methodology of ensuring rules and guiding principles are supported and formalized for both Council and staff understanding and application.

Formalized Existing Principles and Rules

Sections 1 through 3 of this By-law identify purposes, goals and objectives, provide definitions of commonly used terms, and addresses its scope.

Sections 4.1 to 4.3 address the schedule for the budget specifically the order in which budget components are presented to BRCOTW. The Capital Budget is recommended as the first to be presented to BRCOTW for the following reasons:

- Debentures, reserve funding and pay-as-you-go/capital levy financing for the capital program impacts the operating budget therefore should be understood in advance of the operating budget deliberation.
- Additional operating costs or savings associated with the construction or acquisition of capital projects, are included in, and funded by, the operating budgets.
- Capital budgets are largely influenced by long-term strategic documents, such as the Asset Management Plan and the master servicing plans which are already approved and established to enable the early preparation of the capital plan.

The approval order of the operating budgets is set to address the following:

- Waste Management, Water and Wastewater are completed after October to incorporate municipal water consumption/flow information up to September in accordance with the requisition by-law and before year end to allow new wholesale rates to be incorporated into local area municipal budgets as timely as possible for the January 1 effective date.
- Agencies Boards and Commissions (ABCs) are funded through the consolidated tax levy, and impact the Region's portion of taxes.
- The Consolidated Levy approval by year end allows tax policy decisions to be approved early in the new-year for incorporation into local municipal taxation information and billing cycles.

Section 6 formalizes the roles and responsibilities of Regional Council, Corporate Leadership Team, Financial Management and Planning, budget owners and project managers, and Agencies Boards and Commissions (to the extent allowed within their respective acts).

New Principles and Rules

Budgeting for base services is addressed in section 4.4 and section 5.1 and 5.2 provide options of CPI and MPI as inflationary factors for the development of the base budget. Staff will continue to advocate for MPI, as it is a more appropriate reflection of the purchases made by the Region. Concerns municipal peers raised about the MPI are the result of a lack of wide spread understanding on the part of the public, which could be addressed through education and communication. It is acknowledged that any number of drivers, be they economic, environmental, etc., may influence the preferred factor for any given budget year, subject to the approval of Council annually. The factor chosen will not be applied equally across all lines of business, instead it will be used as a frame of reference for the overall expenditure budget.

Capital funding gap is addressed in section 4.5. It has been noted through the Asset Management Plan, Safe Drinking Water Act Financial Plan, and recent capital budget reports, that the Niagara Region is facing an infrastructure funding gap. This section allows for the transparent disclosure and request for sustainable funding of the infrastructure gap. The draft Capital Financing Policy establishes additional guiding principles for the basis of the capital financing request in the operating budget.

New services are addressed in section 4.6. New services or enhancements to existing services must be considered to address changes in provincial funding methodologies, Council priorities, and the changing needs of the taxpayers. To offer these programs funding should be identified that doesn't erode funding of existing programs and needs. The nature of the funding should match the program. Use of reserves is not recommended to fund new programs but may be appropriate for a pilot, transitional period or where it is time limited. Any program that is on-going should have sustainable tax, user-fee, or funding from other levels of government.

Assessment Growth funding prioritization is addressed in section 4.7. Net assessment growth, is the tax increase from change in property assessment less the incremental cost of any tax increment grants (TIG) payable from the new assessment. Use of net assessment growth has been the Region's practice over the last several years as TIG use has expanded and increased, and will not be established in the policy. The net balance is applied first to operating growth costs and the development charge residual on growth capital projects (i.e. growth capital costs that are not eligible for development charge funding if necessary). Remaining assessment growth funding will help to fund the capital financing gap and new programs, with any residual aimed at driving new growth or other Council priorities. Treatment included in the prior policy involved allocating growth between the Region and NRPS, regardless of growth requirements. The changes implemented here support the idea of growth paying for growth.

Section 4.8 addresses the criteria for additional detailed information to be included in the annual budget information provided to Council for greater transparency and decision making. Business cases will be prepared for:

- All requests for new services not previously offered by the Region
- New permanent FTEs, in alignment with policy C-HR-005 Corporate Delegation of Authority.

A Budget Driver Summary will be provided for the following base budget changes:

- Any net departmental increase or decrease in excess of \$500,000 (excluding corporate compensation related increases). The amount of \$500,000 represents no more than 10% of any Regional Department's gross budget, excluding Governance.
- Any gross divisional change in excess of \$1 million. This threshold ties to that in By-law 2017-63 Budget Control, where Council has delegated authority to Commissioners to make existing service or funding changes in year up to \$1 million. Note that where a change of less than \$1 million that results in a net increase or decrease greater than \$500,000 or is across department will be captured in the business case criteria above.
- Compensation related increases are reported on corporately.

As the 2020 budget is well underway Budget Driver summaries that would be required under the new criteria will not be prepared for the 2020 budget detail, but will continue to form part of the narrative in the 2020 budget reports. Full implementation would occur for the 2021 budget process.

Alternatives Reviewed

Council could choose to continue with the use of policy C-F-002 Affordability Guidance. This is not recommended as the limit imposed of the Core Consumer Price Index target has not allowed staff to properly budget for the cost of base services, nor allowed for new services or the replacement of existing capital infrastructure.

Relationship to Council Strategic Priorities

The budget planning process supports the provision of existing services as well as incorporating new priority services.

Other Pertinent Reports

CSD 40-2019 2020 Budget Planning
CSD 41-2019 Budget Planning Policy Review

Prepared by:

Helen Chamberlain, CPA, CA
Director, Financial Management and
Planning, Deputy Treasurer
Corporate Services

Recommended by:

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Commissioner, Corporate Services,
Treasurer
Corporate Services

Submitted by:

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

This report was prepared in consultation with Tyler Potts, Senior Budget Analyst, and reviewed by Margaret Murphy, Associate Director, Budget Planning and Strategy.

Appendices

Appendix 1 Budget Planning By-law

THE REGIONAL MUNICIPALITY OF NIAGARA

BY-LAW NO. <>

A BY-LAW TO DEFINE BUDGET PLANNING
REQUIREMENTS FOR THE REGIONAL MUNICIPALITY
OF NIAGARA

WHEREAS Section 224(d) of the Municipal Act, 2001, S.O. 2001, c. 25, as amended, states that it is the role of council to ensure that administrative policies, practices and procedures and controllership policies, practices and procedures are in place to implement the decisions of council;

WHEREAS Section 289(1) of the Municipal Act, 2001, S.O. 2001, c. 25, as amended, requires that for each year, The Regional Municipality of Niagara, in the year or the immediately preceding year, prepare and adopt a Budget including estimates of all sums required during the year; and,

WHEREAS the Council of The Regional Municipality of Niagara has deemed it desirable to set out its policies with respect to the development of the Budgets in this By-law

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

1. PURPOSES, GOALS, AND OBJECTIVES

- 1.1. Establish the timing of annual budget approval as predictable and sufficient for obtaining Council approval.
- 1.2. Ensure sustainability of Niagara Region's level of service.
- 1.3. Ensure transparency in the communication of budget planning.
- 1.4. Ensure alignment with Regional Council's strategic priorities.
- 1.5. Establish expectations of staff for the development of the annual budget.
- 1.6. In order to achieve the preceding purposes, goals and objectives of this By-law it is important that all persons involved in Niagara Region Budget process abide by the requirements of this By-law

2. DEFINITIONS

- 2.1. For the purposes of this By-Law:
 - a) "AARI" means average annual renewal investment;

- b) "ABCs" means all agencies, boards, commissions and other legal entities that report to and/or are funded directly or indirectly by Niagara Region and as a result impact Niagara Region's Budget process;
- c) "Act" means Municipal Act, 2001, S.O. 2001, c. 25;
- d) "Base budget" means the budget to maintain current service levels;
- e) "BRCOTW" means the Niagara Region's Budget Review Committee of the Whole;
- f) "Capital Budget" means a multi-year plan based on the estimated expenditures and offsetting sources of financing for a Capital Project;
- g) "Capital Project" means a project during which expenditures are incurred that result in the creation of a tangible capital asset;
- h) "Council" means the Council of The Regional Municipality of Niagara;
- i) "Departmental budget" means the budget of an operating unit overseen by a Commissioner or equivalent;
- j) "FTE" means the equivalent of a full-time employee providing service throughout a Fiscal Year. Depending on the category of employee and nature of that employee's service, the fixed number of hours of work tied to an FTE may vary. As per existing union and employee contracts with Niagara Region, the following annual hours are currently considered to comprise an FTE for different categories of employees:
 - i. 35-hour work week X 52 weeks = 1820 hours = 1 FTE
 - ii. 40-hour work week X 52 weeks = 2080 hours = 1 FTE
 - iii. 37.5-hour work week X 52 weeks = 1951 hours = 1 FTE;
- k) "Levy" means the net cost of Niagara Region services that requires funding from the residents of the municipality through property taxation;
- l) "MPAC" means the Municipal Property Assessment Corporation;
- m) "Niagara Region" means The Regional Municipality of Niagara;
- n) "Operating Budget" means a financial plan of current operations that encompasses both estimated revenues and expenditures for a specific period, normally a Fiscal Year;
- o) "Reserve" means an allocation of accumulated net revenue that does not require the physical segregation of money or assets;

- p) "Tax Increment Grant" or "TIG" means a refund of taxes on assessment growth directly related to a development;

2.2. Any defined term herein may be referenced in the plural as the context requires;

3. SCOPE

3.1. This By-law applies to all of Niagara Region's departments and to Niagara Region's directions to the ABCs that report to, or form part of, the Budget approval process at Niagara Region.

4. RULES

4.1. That a meeting of BRCOTW for a new budget year involve the planning for the new budget year and that it be scheduled within the second quarter of the year preceding the new budget year.

4.2. That a schedule of BRCOTW meetings, which deliberate budget approvals, be presented to BRCOTW during the planning meeting identified in 4.1 whereas;

- a) The annual operating and capital budgets are scheduled to be approved in the year prior to the new budget year.

- b) That the exception to item 4.2.a) be where the new budget year immediately follows a year in which a municipal election is held, as allowed in the Act.

4.3. That the schedule in which the budgetary reports are presented to BRCOTW in the following order:

- a) Capital program

- b) Water, Wastewater, and Waste Management programs

- c) ABCs

- d) Consolidated levy programs

4.4. That the increase in budget to provide base services, excluding revenues and the costs of growth and capital, be prepared with reference to an appropriate inflationary factor as determined by Council at the planning meeting for the new budget year.

4.5. That the incremental operating budget requirements to support the capital asset plan be provided with a separate increase.

- 4.6. That any new programs and services to be considered be provided with a separate increase.
- 4.7. That net assessment growth revenue be prioritized in the following order:
- a) Incremental operating costs of growth
 - b) Costs to fund new and growth capital assets
 - c) Gaps in funding items in sections 4.5 and 4.6 of this By-law
 - d) Programs aimed at driving economic growth or other Council priorities

Other factors such as growth and strategic plans may be incorporated into the overall prioritization of assessment growth.

- 4.8. That a Business Case be prepared for Council information where any one of the following conditions are met:
- a) The request includes the addition of (a) permanent FTE(s)
 - b) The request adds (a) new service(s) not offered by the Niagara Region in the year prior to the new budget year
 - i. This excludes changes in delivery of (a) service(s) within a division
- 4.9. That a Budget Driver Summary be prepared for Council information where any one of the following conditions are met:
- a) The net request is in excess of \$500,000 increase or decrease to a departmental budget
 - i. This excludes increases or decreases for general labour-related costs (other than those in 4.8.a) as these general costs will be reported on corporately
 - b) The gross divisional change is in excess of \$1,000,000. A gross change less than \$1,000,000, with a net impact less than \$500,000 will be at the discretion of the Commissioner and/or Treasurer

5. PRINCIPLES

- 5.1. That a price index that may be used for an inflationary factor for section 4.4 is the core consumer price index (CPIX) as made available through StatsCan.

- 5.2. That a price index that may be used for an inflationary factor for section 4.4 is the municipal price index, calculated annually using the following equation:

$$MPI = K_1 \times (W_1/W) + K_2 \times (W_2/W) + \dots + K_n \times (W_n/W)$$

where:

K_n = Inflation factor for expenditure category n

W_n = Total expense of expenditure category n in the operating budget

n = The expenditure category as identified in appendix 1

W = Total expense of the Region's operating budget

W_n/W = Weight of expenditure category n in the Region's operating budget

- a) That the expenditure categories and inflation factors as outlined in appendix 1 may be amended from time to time to align with the categories of expenditures established in the budget planning process.
 - b) That separate municipal price indexes be calculated for each of the Rate programs and ABCs.
- 5.3. That the incremental operating budget impacts in section 4.5 of this By-law be in accordance with the funding required to close the capital funding gap as identified in the Asset Management Plan.
- 5.4. That assessment growth be treated as gross and net, whereas:
- a) Gross assessment growth is new assessment calculated as the change in weighted real property assessment as determined by MPAC.
 - b) And net assessment growth be calculated as gross assessment growth less any Tax Increment Grants related to new assessment.
- 5.5. That the base budget for staffing complement be based on the approved complement of the year prior to the new budget year including any adjustments approved in-year.
- 5.6. That approvals of operating programs or capital projects that will result in a future increase to the budget in subsequent years be budgeted with the full annual impact in the year of the program approval.

- a) That estimated incremental debt payments for a project be included in the operating budget in the year the capital project is approved as a placeholder for the payments that will be made. Where a surplus may occur due to timing, that placeholder will be used to fund pay-as-you-go capital.
 - b) That estimated incremental operating costs inclusive of annual labour-related costs for programs or projects be budgeted in the year of the program or project approval as a placeholder for the operating costs that will occur. Where a surplus may occur due to timing, that placeholder will be used to fund pay-as-you-go capital or otherwise as approved in the budget.
 - c) That a reduction in costs or increase in revenues be included in the budget year in which they are expected to be recognized.
- 5.7. That the exception to 5.6 be where a financial plan has identified a strategy to implement an initiative where the budget must be established over a period of time to support the principle of affordability.
- 5.8. That budget planning and preparation will include any relevant information as available to staff, including:
- a) The most recently completed year's actual audited financial position.
 - b) The most recently completed quarterly financial forecast.
 - c) Items forecasted in the multi-year's budget of the prior year.
 - d) Strategic documents developed for planning.
 - e) Newly identified pressures, risks, and opportunities for the budget year.
- 5.9. Where an operational surplus is identified in the financial results of the year prior to the new budget year, the surplus will inform the new budget year for potential cost savings or revenue increases.
- a) The use of a surplus will be directed by Niagara Region policies and the Act in the year prior to the new budget year.
 - b) Budget development will not include the year surplus as a funding source for the new budget year.
- 5.10. That operating programs that are time limited or one-time in nature may be funded by time limited or one-time sources, such as reserves.

- a) Time limited or one-time revenues will not be used to fund on-going programs.

6. RESPONSIBILITIES

6.1. The responsibility of Regional Council

- a) To approve an annual budget planning report and timetable. The approval of a budget planning report for a new budget year shall not limit Regional Council's ability to approve a budget or budgets equal to or less than the recommendations therein upon consideration of the annual budgets.
- b) To provide direction to staff on the services to include in the new budget year.

6.2. The responsibilities of members of the Corporate Leadership Team

- a) To recommend and support the budget submissions to Council.

6.3. The responsibilities of Financial Management and Planning Team

- a) To transparently consolidate and present budget considerations to Council.
- b) To direct staff on strategy to meet Council's expectations of the annual budgets.

6.4. The responsibilities of budget owners and project managers

- a) To use these rules in the preparation of the annual operating and capital budgets.

6.5. The responsibilities of ABCs

- a) To adhere to the schedule of budget approval meetings as approved annually by Council.

7. SEVERABILITY

- 7.1. If any Section or Sections of this By-law or parts thereof are found by an adjudicator of competent jurisdiction to be invalid or beyond the power of Council to enact, such Section or Sections or parts thereof shall be deemed to be severable and all other Sections or parts of the By-law shall be deemed to be separate and independent there from and shall continue in full force and effect unless and until similarly found invalid or beyond the power of Council to enact.

8. SHORT TITLE

8.1. The short title of this By-law is "Budget Planning By-law".

9. EFFECTIVE DATE

9.1. That this by-law shall come into force and effect on the day upon which it is passed.

THE REGIONAL MUNICIPALITY OF NIAGARA

James Bradley, Regional Chair

Ann-Marie Norio, Regional Clerk

Passed: <date>

Appendix 1

Municipal Price Index Inflation Factor Sources

Expenditure Category	Inflation Factor	Geographical Area	Source/ Publisher
Compensation	Average Weekly Wages, Public Administration	Canada	Conference Board of Canada (CBOC)
Professional & Contractual Services	Consumption Deflator, Services, Insurance, financial and legal services	Canada	CBOC
Telecommunications	Consumption Deflator, Services, Communication, Recreation and culture services	Canada	CBOC
Materials & Commodities	Consumer Price Index	St. Catharines-Niagara	CBOC
Asset Maintenance & Rental	Consumer Price Index	St. Catharines-Niagara	CBOC
Fuel, Oil, & Natural Gas	Consumption Expenditures, Non-durable goods, Motor fuels and lubricants	Canada	CBOC
Electricity & Water	Electricity Power Price Index	Canada	CBOC
Equipment, Vehicle, & Technology	Consumption Deflator, Durable Goods, Vehicles and parts	Canada	CBOC
Housing, Childcare & Other Benefits	Consumption Expenditures, Services, Education, health and other personal services	Canada	CBOC
Rebates & Grants	Consumer Price Index	St. Catharines-Niagara	CBOC
Other	Consumer Price Index	St. Catharines-Niagara	CBOC

Subject: Capital Financing Policy

Report to: Committee of the Whole

Report date: Thursday, October 3, 2019

Recommendations

1. That the Capital Financing Policy, Appendix 1 to Report CSD 51-2019, **BE APPROVED**; and
2. That the Capital Asset Management Policy, C-F-024, Appendix 2 to Report CSD 51-2019, **BE AMENDED** to remove section 3.0 and 4.0.

Key Facts

- The purpose of this report is to approve a Capital Financing Policy that establishes guiding principles for Council and staff to effectively plan for the appropriate financial resources to deliver the growing needs of the Region's Capital Program.
- Policy principles will be implemented over time to manage affordability associated with the transition period to financial sustainability. Risks of maintaining the status quo could result in continued project deferral, potential asset failure and reduced level of service.
- The policy incorporates regulatory requirements including those outlined in the Asset Management policy, maintenance of a strong credit rating and best practices relative to our municipal peers.
- This policy will require an amendment to remove sections 3.0 and 4.0 from the Capital Asset Management Policy (C-F-003) attached in Appendix 2 to avoid duplication between the two policies.
- A separate procedure document to carry out this policy is developed and will be presented for approval by the Corporate Leadership Team as is corporate practice for all policy procedures.

Financial Considerations

There are no direct financial impacts to the 2019 operations of the Region as a result of this report. However without implementation of a formalized policy, there are risks to the sustainability of the Region's capital assets. Consequences include continued deferral of projects, potential asset failure and reduced level of service. The policy will implement the guiding principles of a fiscal plan that will lead the Region towards sustainability.

Niagara Region maintains assets with an estimated replacement value in excess of \$7.4 billion (as per the 2016 Asset Management Plan (“AMP”)). The principles in this policy were applied to the Water and Wastewater assets totalling \$4.7 billion and resulted in the financial sustainability plan being approved by Council (PW 4-2019 *Financial Plan for O.Reg. 453/07*) which included an annual increase of 5.15% for 10 years. Of that amount, 3.15% is to be utilized for the Water and Wastewater capital funding gap. This Policy formalizes these principles for levy assets.

The financial strategy when applied to the Levy supported assets totalling \$2.7 billion would require an annual separate levy increase of 2.16% over the 2019 10-year forecast period in order to eliminate the funding gap.

Table 1 provides the variance in levy funding based on the principles of the Capital Financing Policy (“Policy”) being applied according to project types i.e. AMP, growth and strategic investment. The 2019 10-year capital forecast for Levy, excluding Rate supported programs and ABCs is \$1.27 billion. The result is a gap in reserves (pay as you go) of \$426 million over 10 years. Applying this policy allows for a reduction of the \$131 million of debt that would otherwise have been required.

Table 1: Proposed Expenditure vs Current Funding (\$millions)

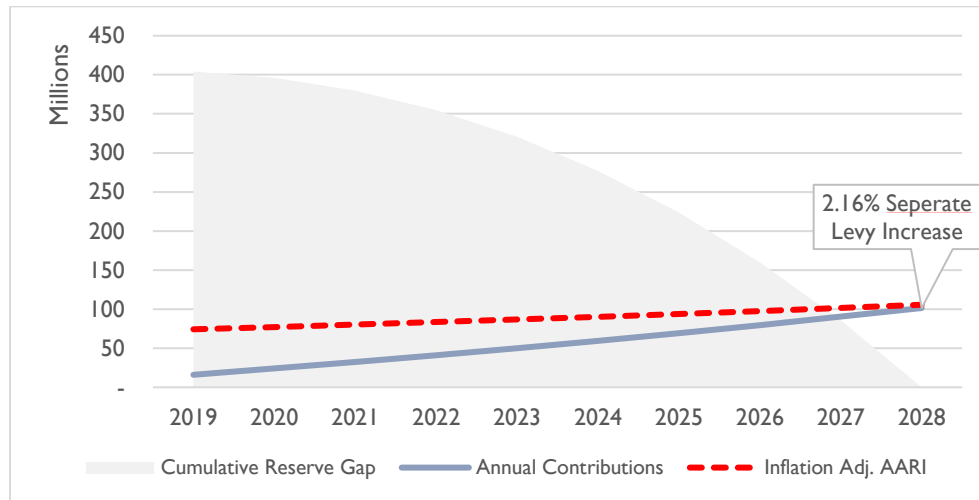
Funding Source	Proposed Expenditure based on Policy				Current Funding available	Funding Strategy realignment
	AMP	Growth	Strategic Investment	Total		
Reserves	668			668	242	426
Debt			271	271	402	(131)
DCs		203		203	203	
Other			23	23	23	
Gas Tax	80		32	112	112	
Total	748	203	326	1,277	982	295

The annual current contribution to Levy Capital reserves is \$17 million. This is not sufficient when compared to either the annual amortization (annual consumption of assets based on useful life and historical cost) of \$37 million or the Average Annual Renewal Investment (“AARI”) (annual investment needed to sustain existing assets based on replacement value) of \$66 million.

Chart 1 shows the elimination of the \$426 million reserve (pay as you go) gap over 10 years when we apply an annual 2.16% increase. Using this strategy the annual incremental capital levy contribution at the end of 10 years is \$85 million, which increases the annual contribution to \$102 million for asset sustainment. When compared to the 2016 Asset Management Plan 10-year Levy AARI of \$66 million indexed to 2028 using the Non-Residential Building Construction Index, the AARI

required to sustain existing infrastructure is \$106 million; which aligns to the capital reserve contribution at the end of the 10-year plan.

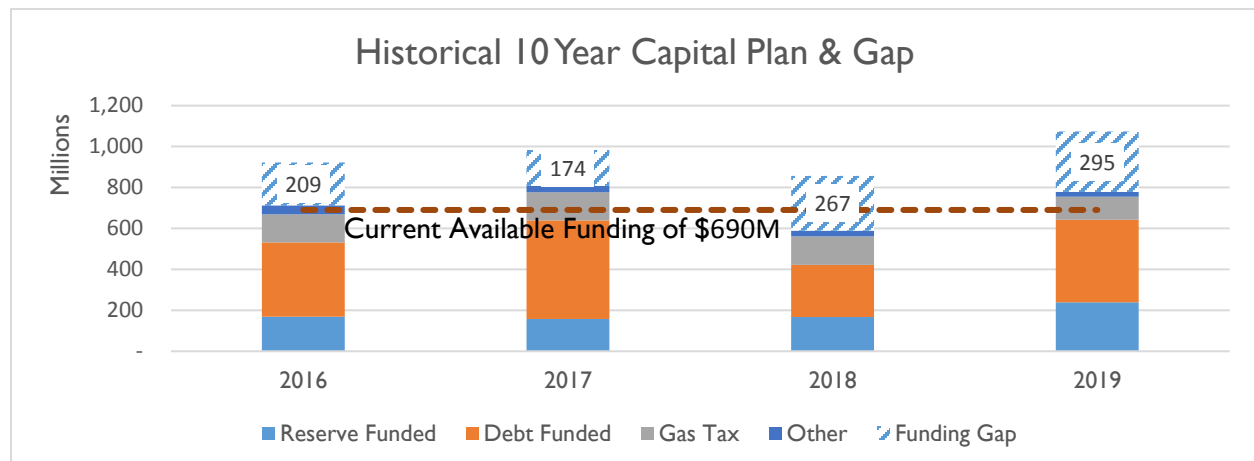
Chart 1: Funding Gap and AARI vs Separate Levy Increase



Analysis

As referenced within CSD 40-2019 “2020 Budget Planning”, staff noted a capital funding gap. This policy was developed as a strategy to close the gap. The required annual levy increase to close the 10-year capital funding gap was identified as 1% in 2012. Due to increasing capital costs and minimal increases in sustainable funding, the levy increase required had grown to 2.16% for the 2019 10-year forecast. As a result of past deferrals of projects and new assets since the 2016 Asset Management Plan, the Region’s 10-year capital forecast along with the funding gap continues to increase as seen in the Chart 2.

Chart 2: Historical 10 Year Levy Capital Plan & Gap (excluding DC's)



A Capital Financing Strategy is identified in Council's Strategic Priorities as per CAO 9-2019 and the implementation plan acknowledged a long-term commitment by Council. Staff are proposing the following principles to ensure a Capital Financing Policy with a flexible implementation strategy to address the funding gap that ensures the capital program provides the required level of service.

It is important to establish a clear link between revenue and expenditure decisions for sustainability. Different financing sources are appropriate to pay for different types of infrastructure. The four main sources of capital financing to fund the 10-year Capital program are as follows:

- A. Debt
- B. Reserves (pay as you go)
- C. Development Charges
- D. External Sources

An analysis of the funding sources and the proposed best use recommendation / project types are summarized below.

A. Debt

Definition: Funds raised through long-term borrowing from a creditor.							
Who Pays: The cost to borrow is spread and paid over the useful life of the capital asset. This cost is funded by the current and future tax base.							
<table> <tr> <th colspan="2">Pros and Cons of Debt</th></tr> <tr> <th>Pro</th><th>Con</th></tr> <tr> <td> <ul style="list-style-type: none"> • Ability to afford large project costs by spreading the cost of capital over time. • Cost of capital paid by future beneficiaries. • Interest rates are low. • Timing of certain grants and subsidies are structured to align to use of debt. (Eg. Provincial per diems) • Provincial imposed limit of total annual financing charges cannot exceed the 25% of own source revenues (ARL). The Region is currently at 7.09%. </td><td> <ul style="list-style-type: none"> • Debt has incremental operating budget impacts and may not be sustainable in the long run. • Debt will impact future taxpayers. Therefore when used for replacement of existing infrastructure, current and past taxpayers did not pay for use. • Expensive relative to reserves due to debt servicing costs. • May constrict future financial decisions. • Too much debt may lower the Regions credit rating resulting in an increase in future borrowing costs. </td></tr> </table>		Pros and Cons of Debt		Pro	Con	<ul style="list-style-type: none"> • Ability to afford large project costs by spreading the cost of capital over time. • Cost of capital paid by future beneficiaries. • Interest rates are low. • Timing of certain grants and subsidies are structured to align to use of debt. (Eg. Provincial per diems) • Provincial imposed limit of total annual financing charges cannot exceed the 25% of own source revenues (ARL). The Region is currently at 7.09%. 	<ul style="list-style-type: none"> • Debt has incremental operating budget impacts and may not be sustainable in the long run. • Debt will impact future taxpayers. Therefore when used for replacement of existing infrastructure, current and past taxpayers did not pay for use. • Expensive relative to reserves due to debt servicing costs. • May constrict future financial decisions. • Too much debt may lower the Regions credit rating resulting in an increase in future borrowing costs.
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Definition: Funds raised through long-term borrowing from a creditor.	
	Using debt exclusively to fund the gap would breach the S&P ratio by 2022.
Example of impact of tax base <ul style="list-style-type: none"> • \$1,000,000 debt financed requires \$1,740,000 tax dollars • \$58,000 annual operating cost is 0.02% of the levy • \$1,000,000 project with 30-year 4% debt will require \$58,000 annually from the tax base for 30 years resulting in gross cost of \$1,740,000 (interest of \$740,000). 	
Conclusion: The best use of debt funding is for Strategic Investment projects. Assets that provide a new or enhanced level of service should be funded by future beneficiaries as the asset is consumed and the debt paid through future operating budgets.	

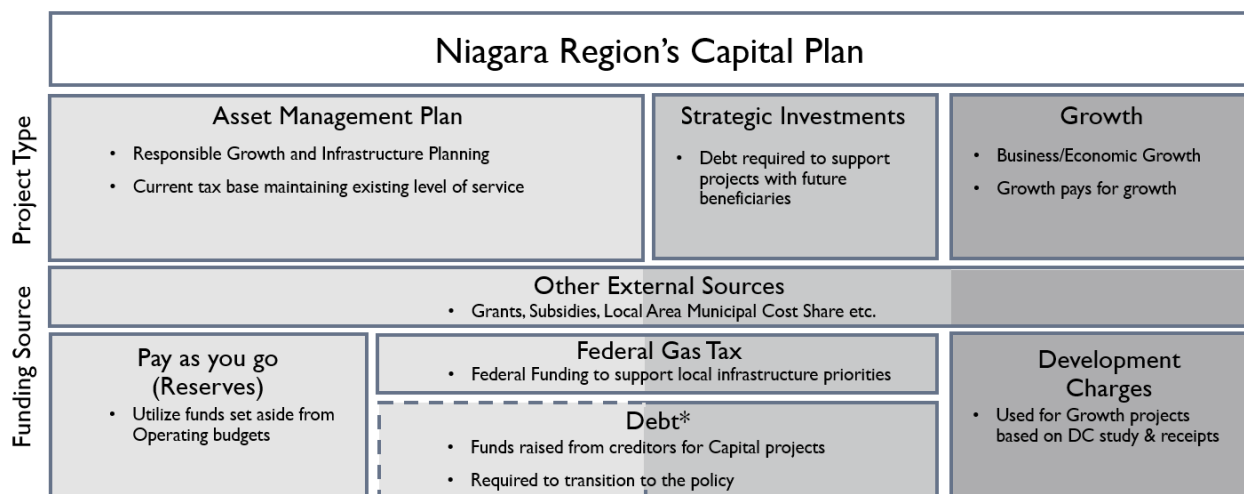
B. Reserves (Pay as you go)

Definition: Previous and current operating budget contributions to Capital Reserves.					
Who Pays: These funds come from the taxation levy on the current tax base and any funds set aside from the historical tax base.					
Pros and Cons of Reserves (Pay as you go) <table> <tr> <th>Pro</th><th>Con</th></tr> <tr> <td> <ul style="list-style-type: none"> • Users of the asset are funding for the replacement of the asset as it is being consumed. • Interest savings from debt avoidance can be put towards other projects. • Greater flexibility relative to debt which are tied up in long repayment terms. • Establishing an appropriate reserve allows the Region to smooth tax impacts of significant one-time "spikes" in the capital program </td><td> <ul style="list-style-type: none"> • Investment rate of return on reserves may not match inflation risk on project expenditure. • Establishing the appropriate reserve contribution level from current tax payers to match their use of the assets. • Contributions to Capital Reserves in the operating budget does not buy as much capital acquisitions as does the same operating budget funding for debt. </td></tr> </table>		Pro	Con	<ul style="list-style-type: none"> • Users of the asset are funding for the replacement of the asset as it is being consumed. • Interest savings from debt avoidance can be put towards other projects. • Greater flexibility relative to debt which are tied up in long repayment terms. • Establishing an appropriate reserve allows the Region to smooth tax impacts of significant one-time "spikes" in the capital program 	<ul style="list-style-type: none"> • Investment rate of return on reserves may not match inflation risk on project expenditure. • Establishing the appropriate reserve contribution level from current tax payers to match their use of the assets. • Contributions to Capital Reserves in the operating budget does not buy as much capital acquisitions as does the same operating budget funding for debt.
Pro	Con				
<ul style="list-style-type: none"> • Users of the asset are funding for the replacement of the asset as it is being consumed. • Interest savings from debt avoidance can be put towards other projects. • Greater flexibility relative to debt which are tied up in long repayment terms. • Establishing an appropriate reserve allows the Region to smooth tax impacts of significant one-time "spikes" in the capital program 	<ul style="list-style-type: none"> • Investment rate of return on reserves may not match inflation risk on project expenditure. • Establishing the appropriate reserve contribution level from current tax payers to match their use of the assets. • Contributions to Capital Reserves in the operating budget does not buy as much capital acquisitions as does the same operating budget funding for debt. 				
Example of impact of tax base <ul style="list-style-type: none"> • \$1,000,000 reserve financed requires \$1,000,000 tax dollars. 					

Definition: Gas Tax and 3 rd party contributions, subsidies and recoveries.	
Pros and Cons of External Sources	
Pro	Con
<ul style="list-style-type: none"> No financial impact to the existing tax base. Allows for coordination with funding partners. 	<ul style="list-style-type: none"> Funding may be restricted to specific projects. Difficult to forecast and dependant on 3rd parties.
Example of impact of tax base <ul style="list-style-type: none"> \$1,000,000 externally financed requires \$0 tax dollars. 	
Conclusion: The use of external funding will be project specific based on ownership of assets being constructed and compliance with the funding agreement. Gas tax should be prioritized for state of good repair projects until appropriate levels of funding are established.	

Based on the analysis above the following is a summary of the link between revenue and project expenditure type. Chart 3 illustrates Capital Financing Strategy based on the types of projects.

Chart 3: Capital Financing Strategy



As identified in the Financial Considerations section, upon applying the strategies to the 2019 10-year forecast, an annual separate levy increase of 2.16% is required over a 10 year period to eliminate the gap. Recognizing this will delay availability of funding to the appropriate level required; in the interim debt may be considered to bridge the gap but only with consideration of all Policy principles.

Other municipalities have faced similar fiscal challenges as the Region and have adopted similar funding strategies. Niagara Region currently has the lowest contribution to the capital reserves in dollars and as a percentage of tax supported assets relative to our comparator upper-tier municipalities below. Other municipal implementation strategies ranging from 0.5% - 2.0% annually are provided in Table 2.

Table 2: Comparable Municipal Peers (Levy Capital Program)

Upper Tier	Niagara	Halton	Peel	Waterloo	York	Durham (Roads /Bridge)
% Levy Increase for AMP	0% ⁴	0.5%	1.0%	0.85%	1.0% - 2.0%	Assessment growth funded.
2019 Annual Capital Contribution (A)	\$17.0M	\$49.8M	\$59.5M	>\$26.0M ²	\$163.0M	>\$31.5M ¹
Total Tax Supported Assets (B)	\$2.7B	>\$1.6B ³	\$5.0B	\$3.1B	\$6.0B	\$4.0B
Annual Capital Contribution as a % of Total Tax Supported Assets (A/B)	0.59%	3.12%	1.19%	0.84%	2.72%	0.79%
Strategy	Capital Financing Policy	Based on Asset Management Plan. Varying increases.	Forecasted 6 annual increases to close gap, 11 approved historically.	1% of previous year's tax levy for 2 years historically; or based on Asset Management Plan.	11 % of separate levy increases. Forecasted 3 annual increases for specific projects.	Based on Asset Management Plan.

¹Roads and bridge rehabilitation only, does not include all assets

²Referenced in 2018 Reserve Strategy

³\$1.6B book value; \$2.3B implied proration based on 2013 AMP (A/B = 2.16%)

⁴A one-time increase of 1% on the tax levy was approved in 2017

Based on above, principles have been established in the policy under the following headings.

1. Ensure long-term financial sustainability and flexibility

The appropriate level of funding will be recommended in the operating budget and the allocation of that funding to specific projects will be recommended based on the above.

2. Maintain a strong credit rating

Niagara Region's credit rating has a direct impact on the Region's cost of borrowing for capital projects. Therefore with a significant portion of our capital program being funded with debt it should be a priority to minimize the cost of borrowing by way of maintaining a strong credit rating. Niagara Region is currently rated "AA stable" as determined by the Region's credit rating agency, Standard and Poor's (S&P). Niagara has maintained this rating since 2001 which provides a positive message to stakeholders and investors.

3. Adherence to Statutory Requirements

Adherence to legislated requirements is mandatory and necessary to leverage funding from other levels of government, in particular the following need to be considered:

- Municipal Act, 2001 - The Act provides several legislative safeguards to ensure that fundamental activities and responsibilities are adhered to in the management of the budget and debt financing.
- O.Reg 588/17 Asset Management Planning for Municipal Infrastructure - A life cycle management and financial strategy will need to be approved by July 1, 2024. Without adequate funding the AMP levels of service will need to be modified to align to the funding available.

Alternatives Reviewed

The status quo entails proceeding without a capital financing strategy, however this is **NOT RECOMMENDED** as it has been identified as a Council strategic priority. Risks and consequences of maintaining the status quo are as follows:

- Continued deferral of projects.
- Asset degradation erodes service levels and user satisfaction.
- Increased maintenance costs due to asset failure may be required.
- Without a separate levy increase, the Region will continue to rely on debt

Relationship to Council Strategic Priorities

The recommendations in this report will support sustainable and engaging government.

Other Pertinent Reports

[CAO 9-2019 – Shape Niagara Corporate Implementation Plan](#)

[CSD 40-2019 – 2020 Budget Planning](#)

[CSD 65-2019 - Budget Planning By-Law](#)

[By-law 2017-63 - Budget Control By-Law](#)

[C-F-003 - Capital Asset Management Policy](#)

[PW 4-2019 - Financial Plan for O.Reg. 453/07](#)

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Appendices

Appendix 1 Capital Financing Policy

Appendix 2 Capital Asset Management Policy (C-F-003)

<i>Policy Category</i>	<i>Name of Policy</i>
<i>Financial</i>	<i>Capital Financing Policy</i>

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Policy Owner	Corporate Services, Financial Management and Planning
Approval Body	Council
Approval Date	
Effective Date	
Review by Date	

1. Policy

This policy establishes principles and practices for preparing Niagara Region's Capital Budget, operating impacts and multi-year capital forecast and the prudent use of funding. The Region recognizes the importance of creating a capital financing strategy. This strategy will utilize the following principles:

1.1. Ensure long-term financial sustainability and flexibility

- a. On an annual basis, the multiyear capital plan shall be analyzed for funding requirements.
 - i. Projects that are aligned to asset management should utilize reserves and any deficiencies shall be communicated and considered in the operating budget before utilizing debt.
 - ii. Projects that are supporting growth should be funded with development charges.
 - iii. Projects that are new strategic investments should be funded with debt.
 - iv. The cost of servicing the debt and operating impacts of capital will be requested in the operating budget in the year the capital program is approved.
 - v. Favourable timing variances on debt charges or operating impacts resulting from timing of project completion will be utilized to substitute previously approved debt or fund pay as you go for projects aligned to the asset management plan or otherwise as approved in the budget.
- b. To the extent practicable, the hierarchy and principle of allocating funding will be in the following order.
 - i. External sources that are known to the project should be utilized first
 - ii. Federal Gas Tax will be allocated to reduce the use of reserves or debt funding.
 - iii. Development Charges Reserve will be allocated in accordance to the methodology included in the Development Charge background study.
 - iv. Reserves (pay as you go) will be allocated as defined under C-F-013 Reserve and Reserve Funds Policy and as updated from time to time to support renewal investment and state of good repair projects as identified in the asset management plan.
 - v. Debt will be utilized for growth and strategic investment projects.

<i>Policy Category</i>	<i>Name of Policy</i>
<i>Financial</i>	<i>Capital Financing Policy</i>

1.2. Maintain a Strong Credit Rating

- a. The Region will undertake due diligence and consider the impacts of debt financing on the Regions credit rating.

1.3. Adhere to statutory requirements

- a. On an annual basis, the capital budget will be developed including a multi-year capital plan and include a financing strategy adhering to legislative requirements including but not limited to asset management regulations and compliance to the provincially mandated 25% annual repayment limit.

2. Purpose

Niagara Region prepares a Capital Budget annually as required by the Municipal Act. In addition, multi-year capital forecasts are prepared to plan funding for upcoming capital requirements. This policy will establish the principles Niagara Region will undertake to ensure financial sustainability, flexibility, transparency and legislative compliance of its capital funding program.

3. Scope

- a. This policy applies to the following:
 - i. Capital budget financing for projects.
 - ii. Operating budget impacts required to support the approved Capital projects including but not limited to debt servicing costs, operations and maintenance.
 - iii. The administration and management of the issuance of debt for approved capital projects.
- b. The Budget Control By-Law defines the Region's authority over Agencies, Board and commissions and this policy shall comply congruently.

3.1. Roles and Responsibilities

- a. The responsibility of Regional Council
 - i. To approve the annual budget.
 - ii. To pass debenture by-law prior to the issuance of debentures.
- b. The responsibilities of the Corporate Leadership Team
 - i. To recommend and support the budget submissions to Council.
- c. The responsibilities of Financial Management and Planning Team
 - i. To transparently consolidate and present budget considerations to Council in accordance with the policy.
 - ii. To direct staff on strategy to meet Council's expectations of the annual budget.
 - iii. To recalculate the Annual Repayment Limit (O. Reg. 403/02, s. 4(1)) each year.
 - iv. To manage the administration of the debenture issuances.
 - v. To lead the annual credit rating review process.
- d. The responsibilities of project managers

<i>Policy Category</i>	<i>Name of Policy</i>
<i>Financial</i>	<i>Capital Financing Policy</i>

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- i. To provide sufficient information to determine the type of project for the financing strategy.
- ii. To provide required capital project information including specific external funding sources.

4. References and Related Documents.

4.1. Legislation, By-Laws and/or Directives

- a. Municipal Act, 2001, S.O. 2001, C .25
- b. Tile Drainage Act, R.S.O. 1990, c.T.8
- c. Local Improvement Act, R.S.O. 1990, C. L.26
- d. Asset Management Planning for Municipal Infrastructure O.Reg. 588/17
- e. Budget Control By-law No. 2017-63
- f. Budget Planning Bylaw (Proposed)

5. Related Policies

- a. Operating Surplus/Deficit Policy (C-F-022)
- b. Reserve and Reserve Fund Policy (C-F-013)

6. Document Control

The electronic version of this document is recognized as the only valid version.

Approval History

Approver(s)	Approved Date	Effective Date

Revision History

Revision No.	Date	Summary of Change(s)	Changed by

SECTION	NAME OF POLICY
GENERAL ADMINISTRATION	CAPITAL ASSET MANAGEMENT

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DEVELOPED BY: CORPORATE SERVICES DEPARTMENT – FINANCIAL MANAGEMENT & PLANNING

APPROVED BY: REGIONAL COUNCIL

DATE: October 1, 2009

REVISION DATE: October 1, 2011

PURPOSE:

This policy outlines standards and guidelines for the processes of Capital Asset Management. Capital Asset Management can be defined as the activities related to program planning, financing and administration of resources for the acquisition, development or construction of tangible capital assets of the Region. It also includes the integration of current and capital budgets by identifying future financial resources to be allocated from current funds to operate and maintain these tangible capital assets. This policy will also outline standards and guidelines for identifying, measuring and recognizing expenditures as tangible capital assets in order to facilitate appropriate financial presentation and disclosure.

The following comprises the topics discussed in this policy:

1.0 General Information.

- 1.1. Definitions.
- 1.2. Guiding Principles.

2.0 General Responsibility.

- 2.1. Corporate Management Team.
- 2.2. Project Management.
- 2.3. Corporate Services Department.
- 2.4. Budget Review Committee.

3.0 Capital Financing.

- 3.1. Objectives.
- 3.2. Debenture Debt.
- 3.3. Capital Leases.
- 3.4. Reserves and Reserve Funds.

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- 3.5. Current Budget Contributions.
- 3.6. External Sources of Financing.
- 3.7. Debt Charges.

- 4.0 Capital Program Planning.
 - 4.1. Capital Budget Preparation and Approval.
 - 4.2. Capital Project Initiation.
 - 4.3. Amendments to Capital Budgets.

- 5.0 Capital Program Financial Administration.
 - 5.1. Capital Project Monitoring.
 - 5.2. External Revenue Billing.
 - 5.3. Close Out Reports.
 - 5.4. Capital Variance Reserves.
 - 5.5. Emergency Capital Expenditures.

- 6.0 Current Budget Impacts.
 - 6.1. Impact on Operations.

- 7.0 Tangible Capital Assets
 - 7.1. Identification.
 - 7.2. Measurement.
 - 7.3. Recognition.
 - 7.4. Adjustments.
 - 7.5. Disposals.
 - 7.6. Amortization.

This policy replaces the following prior policies:

- i.Capital Budget Control (CSD.B01)
- ii.Capital Financing and Debt Management Policy and Guidelines (C3.C11)
- iii.Project Approval Reports (DF93-31)

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1.0 GENERAL INFORMATION

1.1 DEFINITIONS (See Appendix 1)

1.2 GUIDING PRINCIPLES

The following guiding principles have been applied in developing this Capital Asset Management policy:

- Provide standards and guidelines for identifying, measuring and recognizing expenditures as tangible capital assets to facilitate appropriate financial presentation and disclosure and management decision-making process, such as capital budgeting, capital forecasting and financing when preparing budgets.
- Identify committed and uncommitted Reserve and Reserve Fund balances to facilitate analysis of financial resources available.
- Provide guidelines for the achievement of Council objectives of providing long-term infrastructure works in alignment with the Capital Affordability Strategy.

2.0 GENERAL RESPONSIBILITY

Efficient and effective Capital Asset Management necessitates coordination and communication of the various participants in the process.

2.1 CORPORATE MANAGEMENT TEAM (C.M.T.)

C.M.T. is responsible for establishing strategic direction for the Region's infrastructure. Based on a Capital Affordability Strategy and various other sources of input, C.M.T. prioritizes initiatives as a basis for allocating resources and approving capital program budgets.

2.2 PROJECT MANAGEMENT

A capital budget for a departmental program is developed by the project managers in conjunction with the department senior management team and the respective standing committee. Project managers are responsible for determining the external sources of financing for all capital projects. When departmental capital program budgets have been approved, projects are initiated and project managers administer the departmental

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program and maintain the related tangible capital assets. Project managers are accountable for monitoring the projects within a capital program and taking corrective action when necessary. Project Budgets, especially large and/or complex projects, may contain an allocation for contingencies. Project Managers are required to identify and report on the use of these contingencies in alignment with the close-out report.

Project Managers are responsible for maintaining accurate and complete information about the tangible capital assets that result from the projects, and reporting such information to the Tangible Capital Assets Analyst in a timely manner. Each department will be accountable for supporting changes, as part of the annual audit work, which have been made during the year to their tangible capital asset inventory.

2.3 CORPORATE SERVICES DEPARTMENT

The Corporate Services department develops the Capital Affordability Strategy, the Capital Financing Strategy and Capital Budget guidelines in conjunction with Council objectives. A consolidated capital budget and forecast including both expenditures and sources of financing is prepared and presented by the Corporate Services Department. The Corporate Services Department ensures that the application of financing to projects is in accordance with the Capital Asset Management Policy. The Corporate Services Committee (C.S.C.) recommends financing for all projects to Council for approval. For all debenture debt financing, the Corporate Services Department is responsible for determining the amounts, terms to maturity, interest rates, timing of issuance and for determination of the debt charges forecast to be included in the operating budget.

2.4 BUDGET REVIEW COMMITTEE (B.R.C.)

The Budget Review Committee reviews the Consolidated Capital Budget and Forecast and recommends approval by Council.

3.0 CAPITAL FINANCING

3.1 OBJECTIVES

The Region's Capital Financing Strategy is to minimize reliance on long term obligations for capital funding and to provide departments with information for assessing their stewardship of physical resources by providing a framework for:

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- Maintaining an acceptable balance between the level of annual debt charges with Council's objective of minimizing the Tax Levy impact of capital financing.
- Linking level of burden borne with the benefit obtained from access to infrastructure assets by current and future residents of the Region.
- Maintaining manageable levels of long term debt and facilitating the movement towards Council-endorsed capital financing as determined by the "Capital Affordability Strategy".
- Maximizing the use of internal sources of funding from current budget funding (capital levy) and capital reserves.
- Optimizing cash flow management.
- Utilizing reserve funds, in alignment with the Capital Affordability Strategy, for infrastructure initiatives as well as for the replacement of tangible capital assets.
- Ensuring adequate resources are available for the replacement of tangible capital assets as well as to allow for new infrastructure and growth related initiatives.
- Ensuring consistent handling of debt charges for all programs of the Region.

3.2 DEBENTURE DEBT

Under the authority of section 401 of the Municipal Act the Region is authorized to incur a debt for a municipal purpose by way of a debenture. Borrowings for capital projects are limited to the amount of debenture approvals for individual projects. The interest rate and term to maturity for debenture financing is dependent on market sensitivities and the relative position of the Region in comparison to other similar municipalities for key indicators such as:

- The Provincial ratio of long term obligation repayments to own source revenues.
- Bond Rating Agency Evaluations that establish a credit rating based on criteria including the balance and rate of accumulation of long term debt.
- Burden on taxpayers as indicated by debt per capita statistics.
- Estimated assessment growth.

Strategic financial management is also applied to incorporate considerations such as:

- A preference for shorter terms to maturity during periods of high interest rates.
- A faster repayment period leading to reduced levels of debt.
- A repayment term which does not exceed the useful life of the tangible capital asset being financed.

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- The burden on the tax levy for the repayment of principal and interest.

The following guidelines have been established for the issuance of debenture debt to finance capital expenditures of the Region:

- The Region is authorized to borrow by way of debentures for expenditures that are consistent with the definition of tangible capital assets.
- Debenture financing should be reserved for tangible capital assets with a cost exceeding \$250,000.
- When debenture financing is being utilized a Treasurer's Certificate which identifies the debenture term will accompany the Capital Project Initiation Report. Council approval is required to exceed these terms.
- Repayment terms recommended for capital expenditures are aligned as closely as possible with the set useful life of the tangible capital asset created or purchased.
- Debenture financing is obtained only for initiated projects for which a contract commitment has been made and a significant portion of expenditures have either been incurred or will be shortly after the debenture issue.
- A separate by-law will be created for all projects initiated with debenture financing.

3.3 CAPITAL LEASES

Leasing of tangible capital assets is permitted as a long-term method of financing when the lease agreement provides more favourable terms than would purchasing and financing with debenture. The initiation report should document the lease versus buy analysis and clearly support the leasing alternative and ensure the term of the lease is in compliance with the maximum repayment terms recommended for debentures in subsection 3.2 iv of this policy. Staff must also comply with the Financing Lease Policies and Goals, policy number C3.F04 which ensures that due diligence is undertaken and that Regional Council is provided full disclosure on the impact of the lease prior to entering into the agreement. There are specific accounting guidelines on whether or not the lease actually results in a tangible capital asset, see section 7.1.6.

3.4 RESERVES AND RESERVE FUNDS

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There are a number of reserves and reserve funds from which departmental capital programs receive funding revenues.

For each of these internal sources of financing, the following guidelines apply:

- i. An analysis should be prepared when necessary on the impact on the balances of the reserve and reserve funds when they are utilized as sources of financing. This analysis should form part of the preparation of the consolidated Capital Budget and Forecast.
- ii. For Water, Wastewater and Solid Waste Management Capital Reserve Funds, the financing strategy adopted as recommended in the annual rate setting exercise should be applied and projections of fund balances updated to reflect project budgets and approvals.
- iii. When a project is budgeted with the source of funding identified as a loan from a capital reserve the repayment of the loan must be budgeted within the Capital Budget forecast period.
- iv. The transfer of funds from a reserve or reserve fund to a project designated to be funded from this source will occur when the project initiation report is approved by Council.
- v. The Capital Levy Reserve should be used to finance capital projects with costs of \$250,000 and less, or those projects that due to their nature or shorter useful life would make reserve financing the preferred method as determined by the Corporate Services in consultation with the appropriate departmental management.
- vi. The Capital Levy Reserve shall have a minimum opening balance of \$1 million at the beginning of the year for each year within the forecast period.

3.5 CURRENT BUDGET CONTRIBUTIONS

Contributions to Capital programs from the current operating budget consists of the annual allocation of the capital levy as well as transfers to capital reserve funds. The annual allocation from the current budget to capital financing also includes debt charges. Debt charges are calculated based on the repayment schedule for outstanding debentures as well as a forecast for new issues.

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To ensure that financing for capital programs does not negatively impact on Council's long term tax rate strategy, the following guidelines have been developed with respect to the annual Capital Levy and annual Debt Charges:

i. Capital Levy Contribution:

The annual contribution will be determined through the overall Capital Affordability Strategy. This strategy links current budget contributions to the level of capital expenditures to be funded from internal sources. Council has the opportunity to alter the impact on the Current Budget by reprioritizing projects within the participating capital programs.

ii. Debt Charges

The Current Budget includes an annual allocation for debt charges. The Capital Affordability Strategy will provide guidance with respect to the amount of debt charges that will be budgeted each year.

3.6 EXTERNAL SOURCES OF FINANCING

External sources of financing will include all contributions from third parties which include, but are not limited to, contributions from area municipalities, developers, government subsidies, donations and fundraising. All external sources of financing must be identified when preparing a capital budget for a project.

3.7 DEBT CHARGES

The Province, through the authority of Regulation 799/94, has established a prescribed annual repayment limit, stipulating that payments relating to all long-term debt and other financial obligations, commitments, liabilities and contractual obligations of a municipality for which payment may or will be required beyond the term for which the council was elected, should not be greater than 25% of own source revenues (annual tax levy and rate generated revenue). To ensure that the accumulation of debt to fund departmental capital programs does not impede the financial flexibility of the Region to develop taxation policy, the Capital Affordability Strategy has been established to manage the impact of debt servicing on current budget requirements. Generally, debt charges impact the operating budget the year following the debt issuance.

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4.0 CAPITAL PROGRAM PLANNING

4.1 CAPITAL BUDGET PREPARATION AND APPROVAL

The annual Capital Budget and the Future Forecast are prepared as a multi-year plan for the delivery of the Region's strategy for infrastructure. The following process shall be followed to prepare each departmental Capital Budget and corresponding Forecast:

- i. Project Budget
The capital budget for a project should reflect all expenditures that must be incurred in order to construct a tangible capital asset. The project should be budgeted on a gross basis and all offsetting internal and external sources of financing identified. Subsequent expenditures forecasted for the project should only comprise expenditures that can be reprioritized without affecting the outcome of the original project. At the time a project is included in a Capital Program budget, the total cost is an estimate that is refined after the project is initiated and the tendering process is complete.
- ii. Cash Flow Budget
The cash flow budget and forecast for a project should reflect all expenditures that will be incurred in each of the budget years during which the project is active. The cash flow budget and forecast is an integral part of the Capital Affordability Strategy since it helps in determining the annual cash requirements for the capital program.
- iii. When all Capital Programs have been input, they will be consolidated by the Corporate Services Department and a financial impact analysis on sources of financing, including reserves & reserve funds and debenture debt levels, will be prepared.
- iv. The capital financing is an integral component of the Capital Budget therefore all programs should be presented in consolidation to capture corporate impact. In accordance with the Council-approved schedule, the consolidated Capital Budget and Forecast, along with financial analysis, will be presented to C.M.T., followed by B.R.C. and finally to Council for approval.

4.2 CAPITAL PROJECT INITIATION

The approval of the Consolidated Capital Budget by Council constitutes approval of the capital expenditures of the comprising departmental programs. An Initiation report is required to request approval to make an allocation of the Capital budget for a

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departmental program to a particular project as well as for the required financing. Once the consolidated Capital Budget is approved a project initiation report is required.

The project initiation report should be a joint report to Council between the respective standing committee that recommends the approval to allocate budgeted expenditures and departmental resources to proceed and the Corporate Services Committee that recommends financing for the project. A Treasurer's Certificate must be attached to the Initiation Report for any project that will be funded by debenture financing.

If a capital project is not initiated prior to the end of the year in which it was budgeted it will be closed and re-budgeted as required, unless the department can show that the delay was a result of circumstances beyond their control and that the project should remain open.

4.3 AMENDMENTS TO CAPITAL BUDGETS

Amendments fall into 3 categories as follows:

- i. **Transfer from Capital Variance Reserves**
Funds are required as a result of unforeseen capital costs, a report must go to council for approval of amounts > \$250,000 prior to use of funds.
- ii. **Amendments to Gross Capital Budget**
Result from the broadening in scope of a project that is to be financed entirely with external sources of financing. Requires a memorandum to council for information purposes.
- iii. **Amendments to the Net Capital Budget**
Results from exceptional circumstances only. Expenditures need to fit into the Capital Affordability Strategy as such should be considered in the following years capital program. A Joint Report of the respective standing committee and the Corporate Services Committee is required to approve the amendment. In accordance with the Region's Public Notice Policy number C3.P09 public notice must be published prior to the amendment of a previously adopted budget.

5.0 CAPITAL PROGRAM FINANCIAL ADMINISTRATION

5.1 CAPITAL PROJECT MONITORING

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Project management is responsible for reviewing available capital project expenditure reports and identifying any projects for which a funding deficit has or may occur. This will be facilitated through the use of project variance reporting which will be carried out by Corporate Services. Once additional requirements have been identified, the Project Manager is required to initiate the process of obtaining additional budget allocations and funding approval.

The Corporate Services Department will prepare variance to budget reports for review by the respective standing committee, Corporate Services Committee and Regional Council on a semi-annual basis as well as in conjunction with the preparation of the closeout reports.

If a negative project variance is identified on the semi-annual variance report for two consecutive reports Corporate Services will change the status of the project in Smartstream to “on hold” to prevent further costs from being charged to the project until the funding source is identified. Project manager’s are required to request funding from the Capital Variance Reserves through their Commissioner and the Commissioner of Corporate Services for amounts up to \$250,000.

If there are not adequate funds available in the Capital Variance Reserves, an amendment to the budget can be considered.

5.2 EXTERNAL REVENUE BILLING

Budgeted external financing will be monitored by the project manager. External revenues will be invoiced except in the case of funding from other government sources which shall be collected as per their individual financing agreements. The departmental manager will advise each project manager of the required timing of invoicing when the tender is awarded.

5.3 CLOSE-OUT REPORTS

A semi-annual review of capital projects will be performed by the Corporate Services Department in conjunction with the respective project management to ensure that projects are closed as soon as possible after completion.

A report will be prepared and presented to the standing committees for those departments affected by the report and to the Corporate and Financial Services

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committee. The report will summarize the financial effect of the close-out activity and provide explanations for variances to budget on those projects included. Significant variances will have been addressed through section 4.3, amendments to the capital budget. Project deficits will be financed with surpluses to the extent possible and an overall net transfer from the Capital Variance Reserves will be made.

i. Inactive Projects

When a project is determined to be inactive per the definition in this policy, it will be recommended for closure in the next close-out report. If the project manager determines that it should not be closed, Corporate Services must be provided with a written rationale for maintaining the project.

ii. Recurring Capital Projects

Recurring Capital Projects will be recommended for closure 12 months after the year end for which they were approved. This will allow sufficient time for payments to be processed on project commitments remaining at year end. If the project manager determines that it should not be closed, Corporate Services must be provide with a written rationale for maintaining the project.

5.4 CAPITAL VARIANCE RESERVES

The Capital Variance Reserves will be a mechanism used to fund unforeseen capital expenditures that are not deemed to be an emergency and to eliminate the need for transfers between projects. Funding for these projects will be through the closure of projects with net surplus balances. Corporate Services will review these reserves annually to ensure appropriate levels of funding are maintained.

Capital Variance Reserves will be set up for the following areas beginning with the next closeout report:

- Wastewater
- Water
- Waste Management
- Levy Supported Projects

If there are not adequate funds available in the Capital Variance Reserves, an amendment to the budget can be considered.

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5.5 EMERGENCY CAPITAL EXPENDITURES

Each year an Emergency Capital Project will be budgeted with Capital Levy Reserve financing to provide funds that may be required in that year by the levy supported programs to finance necessary emergency capital expenditures. Any portion of the project budget not required in the year will be closed out in the first close out report immediately following the year end. Rate supported programs must ensure that a sufficient budget exists for emergency expenditures in their respective capital programs.

In the event of an emergency capital expenditure the project manager must ensure compliance with the Regional Purchasing Policy which requires that council be informed of certain Emergency Purchases (please refer to Purchasing Policy). Financing of the expenditure must also be arranged. If the emergency expenditure relates to an existing project with an available budget the department should reprioritize that project budget to provide funding. In the absence of that, for levy supported programs the project manager may consider an initiation report (see section 4.2) requesting an allocation from the Emergency Capital Project to fund the emergency expenditure.

6.0 CURRENT BUDGET IMPACTS

6.1 IMPACT ON OPERATIONS

When preparing the capital budget for a project, the requesting department should provide an analysis of significant impacts of the project on the operating budget of departments affected. These impacts will be reflected in the multi-year financial operating plan.

7.0 TANGIBLE CAPITAL ASSETS

7.1 IDENTIFICATION

Capital Assets include both tangible (physical) assets and intangibles (those which lack physical substance such as a patent). They are acquired by construction, purchase, transfer or capital lease commitment (exceeding 1 year). Tangible capital assets will be capitalized and amortized over their useful life. Intangible capital assets are not capitalized.

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Tangible capital assets are non-financial assets having physical substance that meet the following criteria:

- i. Are held for use in the production or supply of good and services, for rental to others, for administrative purposes or for the development, construction, maintenance or repair of other tangible capital assets;
- ii. Have a useful economic life extending beyond a single reporting period;
- iii. Are to be used on a continuing basis; and
- iv. Are not intended for sale in the ordinary course of operations (*PS 3150*)
- v. Cost in excess of the set thresholds.

7.1.1 Betterments

Betterments are deemed tangible capital assets. A betterment is a cost incurred to enhance the service potential of a tangible capital asset. Service potential may be enhanced when:

- There is an increase in previously assessed physical output
- There is an increase in previously assessed service capacity
- Associated operating costs are lowered
- There is a characteristic that is provided to an asset that did not previously exist (an upgrade or rearrangement)
- When the useful life of the tangible capital asset is extended; or,
- The quality of output is improved

An expenditure has to meet one of the above criteria and exceed the set asset threshold to be considered a betterment. Otherwise the expenditure is accounted for as a current year expense of maintaining the asset.

7.1.2 Capital Leases

A leased tangible capital asset is a non-financial asset that has physical substance and a useful life extending beyond an accounting period, and is held under lease by a government for use, on a continuing basis, in the production or supply of goods and services. Under the terms and conditions of the lease, substantially all of the benefits and risks incident to ownership are, in substance, transferred to the government without necessarily transferring legal ownership.

Substantially all the benefits and risks of ownership have been transferred if one or more of the following conditions are present at the inception of the lease:

- There is reasonable assurance that the government will obtain ownership of the leased

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property by the end of the lease term. Either the terms of the lease would result in ownership being transferred to the government by the end of the lease or the lease provides for a bargain purchase option.

- The lease term is of such a duration that the government will receive substantially all (usually 75% or more) of the economic benefits expected to be derived from the use of the leased property over its life span.
- The lessor would be assured of recovering the investment in the leased property and of earning a return on the investment as a result of the lease agreement. This condition would exist if the present value, at the beginning of the lease term, of the minimum lease payments, is equal to substantially all (usually 90% or more) of the fair value of the leased property, at the inception of the lease. (PS3150)

7.1.3 Studies

Feasibility studies or strategy analysis may be undertaken prior to the acquisition or development of a capital asset. Due to the uncertainty of the future benefit of these expenditures they should not be included as a capital asset unless future benefits (assets) are reasonably assured. These items are more appropriately considered operational type expenditures and should be recorded in the operating accounts in the year in which they occurred.

7.1.4 Works of Art and Historical Treasures

Works of art and historical treasures are not recorded as tangible capital assets because a reasonable estimate of the future benefits associated with such property cannot be made.

7.2 MEASUREMENT

Tangible capital assets should be recorded at cost and include all costs incurred up to the time the asset is put in service. Adjustments can be made for material changes to the cost after the asset has initially been recorded.

Items that are included in the cost of an asset must be directly attributable to bringing the asset into working condition for its intended purpose which may include:

- Purchase price and other acquisition costs such as option costs, commissions, installation costs
- Architectural, design and engineering fees
- Legal fees, survey costs, site preparation costs, freight charges, transportation, insurance

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- costs, duties, testing and preparation charges
- iv. Construction or development costs (such as materials and labour) incurred directly for the project
 - v. Overhead costs directly attributable to the construction or development activity.

To determine whether an expenditure should be treated as an adjustment to an existing asset or treated as a separate component the following factors should be considered:

- An estimate of the useful life and consumption pattern of the particular component can be determined and this amount is materially different than the existing asset.
- The component is separately marketable on its own rather than being an integral part of a larger asset.
- The value of the component is substantial in relation to the total value of the asset.

7.2.1 Acquisition of a Bundle of Tangible Capital Assets as Part of a Single Purchase

When multiple assets are acquired for a single price the cost must be apportioned to the individual assets. For example, land and building may be purchased as one transaction but the cost would be apportioned to the land and to the building based on its relative fair value.

7.2.2 Tangible Capital Assets Acquired at Nominal Value

A tangible capital asset may be gifted or contributed by an external party. For example, land may be contributed by another level of government at zero or nominal consideration to facilitate the construction of a road.

Where a tangible capital asset is acquired at no cost, or for a nominal cost, the amount recognized should be equal to its fair value as at the acquisition date, with the offsetting credit to a "contributed asset revenue account". For the purposes of contributions from one level of government to another, the acquisition date is the date in which the agreement was authorized, assuming possession transfers on that date.

Fair value may be estimated using market or appraised values. When an estimate of the fair value cannot be reasonably estimated the tangible capital asset would be recognized at its nominal value.

7.2.3 Capital Leases

The value of the leased tangible capital asset is equal to the present value of the minimum lease payments, excluding the portion thereof relating to executory costs. The amount relating

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to executory costs included in the minimum lease payments would be estimated if not known. The discount rate to be used in determining the present value of minimum lease payments would be the lower of the Region's rate for incremental borrowing and the interest rate implicit in the lease.

7.3 RECOGNITION

Criteria for the timing of the recording of an expenditure for a capital asset include:

- i. Possession of ownership of item if purchased.
- ii. Substantially complete and ready for use.
- iii. Productive capacity or occupancy level reaching a specified level.
- iv. Passage of time, such as a predetermined period of no further activity or costs being incurred.

7.4 ADJUSTMENTS

7.4.1 Write-downs

Departments will be asked to review their assets for impairment on an annual basis and determine if a write-down is necessary. Impairment may occur as a result of:

- There is a change in the extent or manner that the asset is used
- The asset is physically damaged
- When the asset is removed from service or abandoned.

7.4.2 Useful Life

Departments will be asked to review their assets on an annual basis and determine if changes to the useful life are necessary.

Significant events that may indicate a need to revise the estimate of the remaining useful life of a tangible capital asset include:

- A change in the extent to which the tangible capital asset is used;
- A change in the manner in which the tangible capital asset is used;
- Removal of the tangible capital asset from service for an extended period of time;
- Physical damage;
- Significant technological developments;
- A change in the demand for services provided through use of the tangible capital asset;

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- A change in the law or environment affecting the period of time over which the tangible capital asset can be used.

7.4.3 Assets Held For Sale

If an asset goes from in use to being considered for sale it must be classified as financial asset rather than a tangible capital asset (non-financial asset). All of the following criteria must be met for this classification however the department arranging for the sale of the asset should notify the Tangible Capital Assets Analyst when at a minimum the first of the following criteria is met:

- Council has committed to selling the asset
- The asset is in a condition to be sold
- The asset is publicly seen to be for sale
- There is an active market for the asset
- There is a plan in place for selling the asset and
- It is reasonably anticipated that the sale will be completed within one year of the financial reporting date.

7.5 DISPOSALS

When an asset is disposed of the department involved must notify the Tangible Capital Assets Analyst of the nature of the transaction which will include any proceeds received and selling expenses incurred as well as the date of disposal. An asset can be disposed of in it entirely or as a partial disposition. For example, a parcel of land may be purchased for the expansion of a water facility however a portion of that land may not be required therefore it can be severed and sold. Partial dispositions can be quantified in the form of a percentage of the original cost or as a percentage of the size of the asset.

7.6 AMORTIZATION

The cost of tangible capital assets other than land will be amortized over its useful life. Land normally has an indefinite useful life therefore is not amortized. Amortization is recorded as an expense in the operating statement of the managing cost centre. Amortization represents a charge for the estimated annual consumption of the asset.

A straight line basis of amortization, with 50% in the first year and 50% in the year of disposal, will be used for all tangible capital assets except for Waste Management Landfill which will be

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amortized based using a units of production method based on the tonnage of waste consumed in the landfill during each year.
For further information please refer to the procedures for Tangible Capital Assets.

For the purposes of this policy, the following terms are defined:

➤ Asset Impairment:

The asset can no longer contribute to the Region's ability to provide service at the previously anticipated level, must be permanent in nature.

➤ Betterments:

The cost incurred to increase the service potential of a capital asset. (PS 3150). The result is to materially improve the property beyond its original condition. Service potential is enhanced when physical output or capacity is increased, operating costs are lowered, useful life is extended or quality of output is improved.

➤ Capital Budget:

A multi-year plan based on the estimated expenditures and offsetting sources of financing for a Capital Project.

➤ Capital Financing:

The current budget allocation to the funding of Capital Programs that consists of debt charge payments and Capital Levy contributions.

➤ Capital Lease:

One which transfers substantially all the benefits and risks of ownership of the property to the lessee. Considered a source of capital financing.

➤ Capital Levy:

The portion of Capital financing that is applied either directly to specific projects or accumulated in the Capital Levy Reserve to fund future capital projects.

➤ Capital Program:

A combination of capital projects to be executed within a defined timeframe to meet the requirements of a particular department or function.

➤ Capital Project:

A project during which expenditures are incurred that result in the creation of a tangible capital asset.

➤ Capital Reserve / Reserve Fund:

The previous allocation of funds from the current budget set aside for the funding of future capital. Reserve funds are established as a result of legislation, council by-laws or contractual obligations and are credited with interest based on their balance. Reserves are established as result of strategic planning of financial resources and there are no interest earnings calculated.

➤ Cash Flow Budget:

1.0 DEFINITIONS

APPENDIX 1

An annual budget that estimates the amount of actual cash to be spent in the year on expenditures for the capital project.

➤ Capital Variance Reserves:

An alternative means of managing unforeseen capital costs that are not deemed to be an emergency in order to eliminate the need for transfers between capital projects.

➤ Current Expense:

Non-permanent equipment or “consumable” items or services. Also includes items or services that are less than the applicable thresholds.

➤ Debt Charges:

Repayment of principal and interest required to service any long-term debenture debt.

➤ Directly Attributable:

Direct incremental expenses incurred related to the acquisition, construction, development or betterment of the tangible capital asset.

➤ External Revenue:

Contributions from third parties which include, but are not limited to, contributions from area municipalities, developers, government subsidies, donations and fundraising.

➤ Fair Value:

The amount of the consideration that would be agreed upon in an arm’s length transaction between knowledgeable willing parties who are under no compulsion to act. (PS 3150)

➤ Inactive Project:

A project for which there are no transactions for a period of 24 months or more.

➤ Initiation Report:

A report that obtains approval to proceed with work on a specific project or projects within an approved capital budget by allocating budgeted expenditures and financing from a departmental Capital program to the project(s) being initiated.

➤ Long Term Debt:

Any financial obligation that extends beyond the current year.

➤ Maintenance:

The cost incurred in maintaining the originally predetermined service potential of a tangible capital asset for a given useful life. (PS 3150)

➤ Net Book Value

The assets cost, less both accumulated amortization and the amount of any write-downs. (PS3150)

➤ Net Capital Program:

1.0 DEFINITIONS

APPENDIX 1

Total expenditures for a departmental Capital Program less external revenues.

➤ Net Expenditure Cash Flow:

The estimated timing of expenditure transactions to be funded by Regional sources.

➤ Own Source Revenues:

The total of annual tax levy and rate generated revenues from Water, Wastewater and Solid Waste Management.

➤ Parent Project:

A parent project is a project for which a capital budget is prepared and presented for approval as part of a departmental program. Individual sub-projects or working projects are later initiated to allocate a portion of the approved capital budget of the parent project. The smaller working projects facilitate project management and administration. An example of a parent project is a Roads Rehabilitation project for which specific locations have not yet been finalized at the time the capital program budget is prepared.

➤ Pre-Construction Costs:

Construction costs incurred prior to commencing construction of the tangible capital asset.

➤ Project:

An organized undertaking recognized as a discrete unit of work that takes place within a defined timeframe.

➤ Pooled Assets:

A group of similar tangible capital assets that individually have a cost below the set thresholds but are purchased in a bundle exceeding the thresholds. These assets are recorded as pooled assets. This treatment is appropriate for assets that are placed in service at the same time and are generally removed from service at the same time.

➤ Recurring Capital Project:

A project created each year to provide a department with the budget necessary for capital expenditures that are essential to the service provided by the department during that year but not yet known at the time of budget preparation.

➤ Sources of Financing:

Revenue funding for a capital project to offset the cost of capital expenditures.

➤ Standing Committee:

A Standing Committee of Council is a committee established by Council, composed entirely of members of Council, to carry out duties on an ongoing basis, as specified by Council. For purposes of this policy the Standing Committee will refer to that of the department managing the project.

➤ Tangible Capital Assets:

1.0 DEFINITIONS

APPENDIX 1

Tangible capital assets have physical substance and are acquired by construction, purchase, transfer or capital lease commitment. Refer to section 7.1 for more detail.

➤ Tax Levy Revenues:

Taxes charged on assessed properties for Municipal services.

➤ Useful Life:

The period over which a capital asset or component thereof is expected to be used by the government. (PS 3150)

➤ Work in Progress:

New tangible capital assets that are not completed and not ready to be put into service or used.

➤ Write-downs:

An assets cost is written down if there has been an impairment to the asset or the value of future economic benefits associated with the tangible capital asset is less than its net book value, the cost of the asset is reduced to reflect the decline in the asset's value. A write-down should not be reversed. (PS 3150)

Minute Item 5.1

PW 58-2019

Extension to Material Recycling Facility Operations and Processing Contracts

That Report PW 58-2019, dated October 8, 2019, respecting Extension to Material Recycling Facility Operations and Processing Contracts, **BE RECEIVED** and the following recommendations **BE APPROVED**:

1. That the end date for the Agreement for the Processing and Marketing of Recyclable Materials with Niagara Employment Agency Inc., doing business as Niagara Recycling, be amended from March 5, 2021 until the Region fully transitions to producer responsibility or proceeds with a direction based on the outcome of the Material Recycling Facility (MRF) Opportunity Review **BE APPROVED**;
2. That an extension of the Fibre Processing Contract (P2013-41) with the Region of Waterloo to such date that Waterloo transitions to full producer responsibility or until the end of Waterloo's existing curbside collection contract (March 2024), whichever comes first, **BE APPROVED**;
3. That staff **BE AUTHORIZED** to negotiate terms of the extension with the Region of Waterloo in a matter mutually beneficial to both parties in the opinion of the Commissioner of Public Works and in a form acceptable to the Director of Legal & Court Services;
4. That the Director of Legal & Court Services **BE DIRECTED** to prepare the agreements; and
5. That the Regional Chair and CAO **BE AUTHORIZED** to execute an amending agreement with the Region of Waterloo for the processing of fibre material and Niagara Recycling for the processing and marketing of recyclable material, as approved by the Commissioner of Public Works.

Minute Item 5.2

PWC 56-2019

Niagara Regional Transit Service Expansion Update

That Report PW 56-2019, dated October 8, 2019, respecting Niagara Regional Transit Service Expansion Update, **BE RECEIVED** and the following recommendations **BE APPROVED**:

1. That Transit Service Expansion **BE REFERRED** for consideration as part of the 2020 budget; and
2. That Report PW 56-2019 **BE DISTRIBUTED** to Local Area Municipalities for their information.

Minute Item 6
Consent Items for Information

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

PWC-C 25-2019
Transportation Infrastructure Means Protection Update

PWC-C 26-2019
Emterra Collection Contract Update

Minute Item 9.1
Confidential Report PW 57-2019

A Matter Respecting Litigation or Potential Litigation and A Matter of Advice that is Subject to Solicitor-Client Privilege under s. 239(2) of the Municipal Act, 2001 – Burgoyne Bridge Update

That Confidential Report PW 57-2019, dated October 8, 2019, respecting A Matter Respecting Litigation or Potential Litigation and A Matter of Advice that is Subject to Solicitor-Client Privilege under s. 239(2) of the Municipal Act, 2001 – Burgoyne Bridge Update, **BE RECEIVED** and the recommendations contained therein **BE APPROVED**.

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

**PWC 10-2019
Tuesday, October 8, 2019
Council Chamber
Niagara Region Headquarters, Campbell West
1815 Sir Isaac Brock Way, Thorold, ON**

Committee: Bradley (Regional Chair), Chiocchio, Diodati, Edgar (Committee Vice-Chair), Fertich, Foster, Heit, Insinna, Ip, Junkin, Nicholson, Rigby (Committee Chair), Sendzik, Steele, Ugolini, Witteveen, Zalepa

Absent/Regrets: Disero, Gale

Staff: D. Ane, Manager, Program Financial Support, M. Evely, Legislative Coordinator, C. Habermebl, Director, Waste Management Services, T. Harrison, Commissioner/Treasurer, Corporate Services, A.-M. Norio, Regional Clerk, M. Robinson, Director, GO Implementation Office, C. Ryall, Director, Transportation Services, H. Talbot, Financial & Special Projects Consultant, J. Tonellato, Director, Water & Wastewater Services, R. Tripp, Commissioner, Public Works/Acting Chief Administrative Officer

1. CALL TO ORDER

Committee Chair Rigby called the meeting to order at 9:33 a.m.

2. DISCLOSURES OF PECUNIARY INTEREST

There were no disclosures of pecuniary interest.

3. PRESENTATIONS

There were no presentations.

4. DELEGATIONS

There were no delegations.

5. ITEMS FOR CONSIDERATION

5.1 PW 58-2019

Extension to Material Recycling Facility Operations and Processing Contracts

Moved by Councillor Ugolini
Seconded by Councillor Edgar

That Report PW 58-2019, dated October 8, 2019, respecting Extension to Material Recycling Facility Operations and Processing Contracts, **BE RECEIVED** and the following recommendations **BE APPROVED**:

1. That the end date for the Agreement for the Processing and Marketing of Recyclable Materials with Niagara Employment Agency Inc., doing business as Niagara Recycling, be amended from March 5, 2021 until the Region fully transitions to producer responsibility or proceeds with a direction based on the outcome of the Material Recycling Facility (MRF) Opportunity Review **BE APPROVED**;
2. That an extension of the Fibre Processing Contract (P2013-41) with the Region of Waterloo to such date that Waterloo transitions to full producer responsibility or until the end of Waterloo's existing curbside collection contract (March 2024), whichever comes first, **BE APPROVED**;
3. That staff **BE AUTHORIZED** to negotiate terms of the extension with the Region of Waterloo in a matter mutually beneficial to both parties in the opinion of the Commissioner of Public Works and in a form acceptable to the Director of Legal & Court Services;
4. That the Director of Legal & Court Services **BE DIRECTED** to prepare the agreements; and
5. That the Regional Chair and CAO **BE AUTHORIZED** to execute an amending agreement with the Region of Waterloo for the processing of fibre material and Niagara Recycling for the processing and marketing of recyclable material, as approved by the Commissioner of Public Works.

Carried

5.2 PW 56-2019

Niagara Regional Transit Service Expansion Update

Moved by Councillor Sendzik

Seconded by Councillor Steele

That Report PW 56-2019, dated October 8, 2019, respecting Niagara Regional Transit Service Expansion Update, **BE RECEIVED** and the following recommendations **BE APPROVED**:

1. That Transit Service Expansion **BE REFERRED** for consideration as part of the 2020 budget; and
2. That Report PW 56-2019 **BE DISTRIBUTED** to Local Area Municipalities for their information.

Carried

6. **CONSENT ITEMS FOR INFORMATION**

Moved by Councillor Steele

Seconded by Councillor Diodati

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

PWC-C 25-2019

Transportation Infrastructure Means Protection Update

PWC-C 26-2019

Emterra Collection Contract Update

Carried

7. **OTHER BUSINESS**

7.1 Traffic Improvements to Regional Road 55 (Niagara Stone Road),
Niagara-on-the-Lake

Councillor Zalepa requested staff review the intersection of Regional Road 55 (Niagara Stone Road) and Anderson Lane to see if a traffic signal may be warranted and consider installation of an advanced green signal at Regional Road 55 (Niagara Stone Road) and East and West Line in the Town of Niagara-on-the-Lake.

7.2 Community Safety Zone Open House

Councillor Foster requested an update on the Community Safety Zone Open House held in the Town of Niagara-on-the-Lake. Carolyn Ryall, Director, Transportation Services, advised that the open house, held at St. David's Public School, was attended by Councillors Disero, Zalepa, and Rigby, as well as representatives from the Niagara Regional Police, District School Board of Niagara, Niagara Student Transportation Services, St. David's Ratepayers Association and staff and students of the school. She advised that staff are planning another open house for the Community Safety Zone at Twenty Valley Public School in the Town of Lincoln.

7.3 Connecting Bus Routes to Go Transit Schedules

Councillor Foster requested information respecting matching local bus routes to GO Transit schedules to ensure connections are available for those arriving in Niagara Region. Matt Robinson, Director, GO Implementation Office, advised that the Inter-Municipal Transit Working Group has been undertaking work on "bus meets train" connections in Niagara Falls and St. Catharines; however, is open to exploring connection options in other municipalities to ensure riders are able to get to where they want to go when they arrive in Niagara.

7.4 Traffic Study, City of Thorold

Councillor Ugulini requested staff review traffic in the area of Regional Road 56 (Collier Road) between Regional Road 67 (Beaverdams Road) and Highway 58 and on Regional Road 67 (Beaverdams Road) between Ormond Street South and Decew Road due to the significant growth that has occurred in this area. He also requested staff review the speed limit on Regional Road 67 (Beaverdams Road).

7.5 Inter-Change from Highway 406 to QEW

Regional Chair Bradley requested information respecting the ongoing construction on Highway 406, in particular the lengthy closure of the access to the QEW Niagara from Highway 406. Carolyn Ryall, Director, Transportation Services, advised that Transportation staff work closely with the Ministry of Transportation and will request an update on this matter.

7.6 Regional Road 84 (Moyer Road) and Regional Road 27 (Schisler Road),
City of Welland

Councillor Chiocchio raised concerns with the backlog of traffic at the intersection of Regional Road 84 (Moyer Road) and Regional Road 27 (Schisler Road) in the City of Welland and requested information regarding intersection improvements. Carolyn Ryall, Director, Transportation Services advised that staff are continuing to monitor this intersection and that the installation of flex stakes, as an interim measure, has alleviated some of the issues. She noted that the design phase for this intersection is almost complete and monies have been included in the 2020 budget to undertake the work.

8. **CLOSED SESSION**

Moved by Councillor Foster
Seconded by Councillor Insinna

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

A Matter Respecting Litigation or Potential Litigation and A Matter of Advice that is Subject to Solicitor-Client Privilege under s. 239(2) of the Municipal Act, 2001 - Burgoyne Bridge Update

Carried

Committee resolved into closed session at 10:11 a.m.

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

Committee reconvened in open session at 10:28 a.m. with the following individuals in attendance:

Committee: Bradley (Regional Chair), Chiocchio, Diodati, Edgar (Committee Vice-Chair), Fertich, Foster, Heit, Insinna, Ip, Junkin, Nicholson, Rigby (Committee Chair), Sendzik, Steele, Ugulini, Witteveen, Zalepa

Absent/Regrets: Disero, Gale

Staff: B. Brens, Associate Director, Reporting & Analysis, M. Evely, Legislative Coordinator, T. Harrison, Commissioner/Treasurer, Corporate Services, A.-M. Norio, Regional Clerk, A. Scott, Manager, Continuous Quality Improvement, R. Tripp, Commissioner, Public Works/Acting Chief Administrative Officer

Others Present: G. Ackerley and J. Scorgie, WeirFoulds LLP, External Legal Counsel

9.1 Confidential Report PW 57-2019

A Matter Respecting Litigation or Potential Litigation and A Matter of Advice that is Subject to Solicitor-Client Privilege under s. 239(2) of the Municipal Act, 2001 – Burgoyne Bridge Update

Moved by Councillor Heit
Seconded by Councillor Foster

That Confidential Report PW 57-2019, dated October 8, 2019, respecting A Matter Respecting Litigation or Potential Litigation and A Matter of Advice that is Subject to Solicitor-Client Privilege under s. 239(2) of the Municipal Act, 2001 – Burgoyne Bridge Update, **BE RECEIVED** and the recommendations contained therein **BE APPROVED**.

Carried

10. NEXT MEETING

The next meeting will be held on Tuesday, November 5, 2019 at 9:30 a.m. in the Council Chamber, Regional Headquarters.

11. ADJOURNMENT

There being no further business, the meeting adjourned at 10:29 a.m.

Councillor Rigby
Committee Chair

Mark Evely
Legislative Coordinator

Ann-Marie Norio
Regional Clerk

Subject: Extension to Material Recycling Facility Operations and Processing Contracts

Report to: Public Works Committee

Report date: Tuesday, October 8, 2019

Recommendations

1. That the end date for the Agreement for the Processing and Marketing of Recyclable Materials with Niagara Employment Agency Inc., doing business as Niagara Recycling, be amended from March 5, 2021 until the Region fully transitions to producer responsibility or proceeds with a direction based on the outcome of the Material Recycling Facility (MRF) Opportunity Review **BE APPROVED**;
2. That an extension of the Fibre Processing Contract (P2013-41) with the Region of Waterloo to such date that Waterloo transitions to full producer responsibility or until the end of Waterloo's existing curbside collection contract (March 2024), whichever comes first, **BE APPROVED**;
3. That staff **BE AUTHORIZED** to negotiate terms of the extension with the Region of Waterloo in a matter mutually beneficial to both parties in the opinion of the Commissioner of Public Works and in a form acceptable to the Director of Legal & Court Services;
4. That the Director of Legal & Court Services **BE DIRECTED** to prepare the agreements; and,
5. That the Regional Chair and CAO **BE AUTHORIZED** to execute an amending agreement with the Region of Waterloo for the processing of fibre material and Niagara Recycling for the processing and marketing of recyclable material, as approved by the Commissioner of Public Works.

Key Facts

- The purpose of this report is to seek approval from Committee regarding contract extensions with the Region of Waterloo (Waterloo) and Niagara Recycling.
- On August 6, 2019 the Minister of the Environment, Conservation and Parks released its next steps for improving the Blue Box Program, including a transition of responsibility from municipalities to producers over a three-year period from 2023 to 2025.

- Niagara Recycling has operated and processed recyclable materials at Niagara Region's Material Recycling Facility (MRF) since 2004.
- Niagara Recycling's current Contract with Niagara Region expires on March 5, 2021. In light of the pending changes by the Province, staff are recommending a contract extension, with Niagara Recycling, to align with the transition of the Blue Box Program to the producers. Niagara Recycling has agreed to an extension under the same terms and conditions, with the exception of a marginal increase to their Management Fee.
- Since April 6, 2009, Niagara Region has processed approximately 273,939 tonnes (25,698 tonnes annually) of curbside fibre material from Waterloo under successive Contracts P2008-53 and P2013-41 for the transportation, processing and marketing of mixed fibres.
- On November 5, 2019, Waterloo will be seeking approval from its Council for an extension of the current contract with Niagara Region until the end of Waterloo's existing curbside collection contract (March 2024) or until Waterloo transitions to full producer responsibility, whichever comes first.
- On average, the Contract with Waterloo has provided an annual net revenue to Niagara Region of \$583,662 between 2014 and 2018.

Financial Considerations

The average annual net revenue for the transportation, processing and marketing of Waterloo's mixed fibre material between 2014 and 2018 has been \$583,662. Though revenue fluctuates depending on market conditions, staff anticipates a net revenue throughout 2020, with improvements in 2021 to 2024. The revenue generated from this Contract helps to offset the costs of delivering waste management programs to Niagara taxpayers.

As part of the amending agreement with Niagara Recycling, the Management Fee paid to them by the Niagara Region will be increased by \$25,000 to \$125,000, effective March 2021. Since 2014, Niagara Recycling has been subject to a Management Fee of \$100,000 annually or 12% of net revenue, whichever is greater. On average, this value has equated to 1.6% of total expenditure.

The annual cost for labour for the operation of the MRF will be subject to CPI increases, and does not include any fluctuations of the market or labour requirements.

The 2020 Waste Management draft operating budget includes expenses and revenue associated with both the Waterloo and Niagara Recycling contracts.

Analysis

Background

On August 6, 2019, the Ministry of Environment, Conservation and Parks (MECP) released its next steps report for improving the Blue Box Program to reduce costs, increase diversion rates and reduce plastic waste and litter. The report detailed the MECP's recommendations, including a six-year transition period from 2019 through 2025 that includes a one to one-and-a-half-year period for consultation and regulation development and a two-year period for producer preparation, followed by a phased three-year period from 2023 to 2025 for transfer of responsibility from municipalities to producers.

It also outlined that as producers assume responsibility, collection must be provided to every low-density residential property and similar location that had previously received municipal Blue Box service. There will be no expansion of services during the transition period and afterward, collection should expand in multi-residential properties, parks and public spaces, but would not include Industrial, Commercial and Institutional (ICI) properties.

Regulations, not yet developed, will provide the details needed by all stakeholders and the report highlights the complexity of this requirement. The MECP's special advisor suggested that the regulation-making process begin with collection and analysis of information on the existing Blue Box Program and recycling system in Ontario, with finalization of the regulations complete by early 2021.

As such, it is expected that the first group of municipalities or First Nations will transfer responsibility of programs to producers starting in January 2023, with producers fully responsible for Blue Box service province-wide by 2025. The MRF Opportunity Review (Confidential WMPSC-C 27-2019) will help position Niagara Region for transition to full producer responsibility.

Niagara Recycling

Niagara Region owns a MRF for the purpose of processing Blue and Grey Box material collected within the Niagara region, as well as the material received through enterprising initiatives such as the processing of material from Waterloo Region and Haldimand County. Niagara Region currently has an agreement with Niagara Employment Agency Inc. (Niagara Recycling), an independent contractor, for the operation and maintenance of the MRF. Niagara Recycling's responsibilities include, but are not limited to, the supply of labour and the marketing of recyclables to end markets, as well as special collection services. The agreement with Niagara Recycling expires March 5, 2021; however, the Region may terminate the agreement with the provision of six (6) months written notice.

With the recommendations set forth in this report, Niagara Recycling has asked that the amending agreement include a one-time change to the Management Fee, effective March 2021, from \$100,000 to \$125,000 for the remaining year(s) of the contract term. At their May 24, 2018 meeting, Regional Council authorized staff to proceed with Phase 4 of the MRF Opportunities Review, which is currently underway. This review may result in the early termination of the MRF agreement between Niagara Recycling and Niagara Region.

The annual cost of operational services will be subject to CPI increases, and does not include any fluctuations of the market or labour requirements. The extension will be executed under the same terms and conditions of the Agreement for the Processing and Marketing of Recyclable Materials.

Waterloo

In August 2019, staff received a request from the Region of Waterloo for a Contract extension for the transportation, processing and marketing of mixed fibres. The proposed extension will be from March 5, 2020 until such time that Waterloo transitions to full producer responsibility or their collection contract ends (March 2024). Waterloo Council will be receiving the recommendations at their November 5, 2019 meeting. Waterloo has been satisfied with Niagara Region's ability to provide effective services under the Contract.

Niagara Region, along with Niagara Recycling, the Region's MRF contractor, and their hauling partner Source Warehousing Inc., have been providing transportation, processing and marketing of mixed fibres for Waterloo since April 6, 2009. The original contract (P2008-53) was a five-year term from April 6, 2009 to April 7, 2014. Niagara Region was successful in a second bid and was awarded a thirty-five (35) month contract from April 7, 2014 to February 27, 2017, and an additional extension to March 5, 2020. Since 2009, Niagara Region has received and processed a total of 273,939 metric tonnes of mixed fibres from Waterloo, which is an average of 25,698 MT annually.

The average annual net revenue for the contract between 2014 and 2018 has been approximately \$583,662, which considers the revenue received from the sale of processed materials to the market less the cost to purchase the material from Waterloo, freight and direct processing costs. The revenue generated from this Contract helps offset the costs of Niagara Region's waste management programs.

It should be noted that the revenue received per tonne fluctuates based on market conditions and operational factors. Overall, staff is satisfied that the extension of this Contract will provide sustainable revenue for Niagara Region until March 2024. The

2020 Waste Management draft operating budget includes both expenditures and revenues associated with this Contract.

Waterloo is looking to approve the extension under the existing terms and conditions; however, they would like the Niagara Region to be responsible for maintaining receipt and ownership of the mixed fibres and plastic film in accordance with the terms and conditions under Contract P2013-41, regardless if Niagara transitions to full producer responsibility sooner than Waterloo, assigns or succeeds ownership of the MRF or assigns its processing agreement to a different vendor. There are ongoing negotiations to the aforementioned, and staff believe there are many details to be decided upon that will determine our position for processing Waterloo material until they transition to full producer responsibility or until the end of their existing curbside collection contract (March 2024), whichever comes first. As such, staff have provided options for consideration to ensure continuity of contracted services of the mixed fibres for Waterloo to consider, and both Waterloo and Niagara Region will continue to work towards terms and conditions that will ensure the contract is beneficial to both parties. As a result of the extension, Niagara Recycling will also extend the agreement with their hauling partner, Source Warehousing, for the same term.

Alternatives Reviewed

The alternative considered was not to pursue contract extensions with Waterloo or Niagara Recycling. Given that on average, the Waterloo contract has provided sustainable net revenue for Niagara Region and the MRF has capacity to continue to process and market the fibre for Waterloo, this alternative was not pursued. Also, given that the Niagara Region has a long-standing, mutually beneficial relationship with Niagara Recycling, the Region is currently undergoing a MRF Opportunity Review, and the MECP has provided an approximate transition timeline to full producer responsibility between 2023 and 2025, the alternative was not pursued.

Relationship to Council Strategic Priorities

This recommendation aligns with Council's strategic priority of Responsible Growth and Infrastructure Planning, specifically around Environmental Sustainability and Stewardship. By extending contracts with the Region of Waterloo and Niagara Recycling, the Region will sustain strong community partnerships, and optimize its recycling operations, allowing us to increase the quantity of recyclable material processed, resulting in increased net revenue to offset waste management program costs for taxpayers.

Other Pertinent Reports

- PW 35-2016

- PW 54-2017
- WMPSC-C 32-2019

Prepared by:

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Associate Director, Waste Management
Public Works Department

Recommended by:

Catherine Habermehl
Acting Commissioner
Public Works Department

Submitted by:

Ron Tripp, P.Eng.
Acting Chief Administrative Officer

This report was prepared in consultation with Sara Mota, Program Financial Specialist, Corporate Services, reviewed by Sterling Wood, Legal Counsel, Corporate Services and reviewed by Lydia Torbicki, Acting Director, Waste Management Services.

Subject: Niagara Regional Transit Service Expansion Update

Report to: Public Works Committee

Report date: Tuesday, October 8, 2019

Recommendations

1. That Transit Service Expansion **BE REFERRED** for consideration as part of the 2020 budget;
2. That this report **BE DISTRIBUTED** to Local Area Municipalities for their information.

Key Facts

- The purpose of this report is to provide an update on the 2019 approved multi-year inter-municipal transit (IMT) service implementation strategy outlined in LNTC-C 21-2018.
- The approved 2019 budget allocated \$7.97 million which included a 1.4% separate transit levy of \$4.85 million plus a one-time transfer from Reserve of \$3.12 million (0.9% over the 2018 consolidated levy).
- The 2020 budget will request the balance of the investment of \$1.6 million for a total investment of \$9.5 million plus the funding to replace the one-time transfer from reserve.
- The 2018 and 2019 Niagara Regional Transit (NRT) service implementation strategy eliminated the need for duplicate post-secondary student charter routes. Student-driven incremental transit service costs account for roughly 30% of all expenditures and over 80% of all ridership.
- U-Pass negotiations with Brock University and Niagara College for the 2019-2020 academic year resulted in a net increase of \$1.0 million to fund IMT which reduced the two year net transit investment from \$10.5 million to \$9.5 million.
- The 2020 Budget request of \$4.7 million or 1.3% increase over the 2019 budget includes the permanent funding to replace the 2019 one time transfer from Reserve of \$3.12 million (0.9%) plus an additional \$1.6 million (0.4%) for the completion of phase 2 service expansions.

Financial Considerations

The approved 2019 budget provided \$7.97 million towards a strategic two-year IMT investment strategy. The 2019 funding included a 1.4% separate transit levy of \$4.85 million plus a one-time transfer from Reserve of \$3.12 million (0.9% of the 2018 levy). The NRT implementation strategy outlined in LNTC-C 21-2018 phased in service enhancements over two years. However, due to greater than expected demand

pressures servicing post-secondary students in particular, many of the route enhancements were implemented earlier to meet this demand.

The 2018 and 2019 NRT implementation strategy provided sufficient service levels to meet growing post-secondary demand thereby eliminating the need for duplicate post-secondary student charter routes. Student-driven incremental service costs account for roughly 30% of all transit expenditures and over 80% of all ridership.

Niagara College students comprise 85% of NRT student ridership and utilize more than a million more rides on local transit systems. The 2019-2020 U-Pass negotiations with Niagara College and NCSAC were led by Niagara Region on behalf of all transit operators and resulted in a substantial increase in funding from \$4.2 million to \$6.2 million in support of both local and inter-municipal transit.

Brock University students predominately reside within St. Catharines and therefore, BUSU maintains a separate contract with St. Catharines Transit (SCT). However, a small portion of Brock students generate 15% of NRT student ridership primarily utilizing two NRT routes. The 2019-2020 agreement, excluding SCT, increased funding for NRT and other local transit services by 25% (\$0.3 million).

The 2019-2020 U-Pass negotiations, combined, generated an additional \$1.0 million towards NRT services thereby reducing the two year net transit investment from \$10.5 million to \$9.5 million. The revised 2020 incremental net operating cost of \$1.6 million requires a 0.4% separate levy plus 0.9% to fund the 2019 one-time transfer from Reserve. The total 2020 funding requirement of \$4.8 million represents 1.3% of the general levy.

Table 1: Niagara Regional Transit Budget Strategy

	2018	2019	2020
Net Operating Costs	3.6M	10.1M	11.7M
Debt Financing		1.4M	1.4M
Total Operating Costs	3.6M	11.5M	13.1M
Incremental cost (incl. debt)		7.9M	1.6M
Separate Transit Levy		2.3%	1.3%
<i>including One Time Transfer from Reserve</i>		3.1M	
Capital Request	3.3M	13.9M	3.5M
ICIP Requested Funding			(2.5M)

* 2020 Separate Transit Levy incl. 2019 one-time transfer from reserve (0.9%) plus incremental cost of 0.4%

The financial implications of this report should be considered along with the following budget items (Table 2). Budget pressures have been outlined by staff in the following table to illustrate the levy increase impact expected for the 2020 budget, but does not

necessarily represent all budget pressures. These increases are being referred for consideration as part of the 2020 budget process.

Table 2: Previously Identified 2020 Budget Considerations

	Council Report	Levy Amount (M\$)	Levy Increase %
Previously identified reports			
Suicide Prevention Initiative	PHD 8-2019	0.200	0.05%
Niagara Airports	CSD 62-2019	TBD	TBD
Waterfront Investment Program – Base funding	CSD 40-2019	1.000	0.27%
Smarter Niagara Incentive Program – Base funding	CSD 40-2019	0.600	0.16%
Brock LINC request for funding	ED 9-2019	1.500	0.41%
Niagara Regional Transit - phase in cost	PW 56-2019	4.754	1.30%
NRPS 2019 position hiring deferral	BRC-C 7-2019	0.706	0.19%
Long-Term Care Home Redevelopment capital funding	COM 32-2019	5.899	1.62%
GO Project - Station Operations	CSD 17-2019	1.410	0.39%
EMS Central Hub capital funding	CSD 40-2019	0.390	0.11%
Total of previously identified reports		16.459	4.50%

Analysis

The *Niagara Transit Service and Governance Strategy Report, 2017* by Dillon Consulting (Dillon Report) outlined a strategy to optimize and improve existing IMT services by reducing duplication between the NRT and the services chartered by the post-secondary institutions. Discussions between staff from Niagara Region, the municipal transit operators, and NCSAC determined that all remaining IMT U-Pass funded post-secondary charter services would be consolidated and replaced with enhancements to existing NRT fixed route services. The increased service hours on existing NRT routes provide better service to all residents within Niagara region in addition to serving the needs of post-secondary students. It is worth noting that students comprised roughly 80% of NRT ridership and approximately 65% of total revenue in 2018.

The annual net operating cost estimate relies heavily on revenue and ridership projections. The non-post-secondary ridership forecasts have assumed steady, modest growth based on historical data, while post-secondary ridership has realized substantial growth over the last three years and is estimated to continue to grow faster than non-

post secondary ridership. The 2017-2018 U-Pass contract with NCSAC allocated revenue equivalent to \$20/month per student (87% discount on a regular monthly pass of \$160). Students were given unlimited access to NRT and provided an alternative to the charter service overflow. NCSAC also allocated revenue for local transit usage in Niagara Falls, Welland and St. Catharines through a per ride tap rate. These contracts were negotiated independently by each municipality at various discount rates in excess of 79%.

In 2018-2019, transit operators moved away from independent negotiations and worked collaboratively with NCSAC. The joint negotiations were successful in securing additional NRT funds equivalent to \$30/month per student as well as a standardized tap rate of \$0.65 per ride (79% discount rate). NCSAC continued to purchase a number of 100%-funded chartered services in addition to the demand pressures on existing NRT routes. The unexpected demand surge on NRT routes in September 2018 pushed forward service enhancements that were expected to begin in September 2019; however, additional funding from NCSAC ensured service changes were within the approved NRT budget.

The Inter-Municipal Transit Working Group (IMTWG) agreed to further streamline the U-Pass contract process and directed Niagara Region to represent all transit operators during the 2019-2020 NCSAC & BUSU negotiations (St. Catharines Transit, and Thorold by proxy, maintain their own separate U-Pass agreement with BUSU). In the spring of 2019, Niagara Region began negotiations with NCSAC and the Niagara College Administration as well as with BUSU. Thorough analysis of both local and regional student demand, along with the differentiation between base Regional service costs and incremental student driven service costs (which in essence is equivalent to traditional chartered services), identified the direct transit costs and benefits for Niagara College and Brock students (Table 3).

Table 3: Niagara Regional Transit Operating Cost and Revenue Breakdown

		Actual 2018 Operating Cost		Rev. Forecast 2019 Operating Cost		Proposed Budget 2020 Operating Cost	
A=B+C	Niagara Region Transit Total Operating Cost	\$5,549,126		\$14,653,365		\$18,230,671	
B.1	Base Service Costs*	\$4,633,355		\$8,544,304		\$13,221,282	
B.2	Capital Financing			\$2,178,905			
C=D+E	Direct Post Secondary Driven Incremental Cost	\$715,771		\$3,930,156		\$5,619,773	
D	Niagara College <i>share</i>	\$715,771		\$3,770,113		\$4,893,051	
E	Brock University <i>share</i>	\$0		\$160,043		\$726,722	
F=G+H+I	Niagara Region Transit Total Operating Revenue	\$1,912,765	34%	\$4,504,000	31%	\$6,511,144	36%
	G NRT Cash, Pass & Link Routes	\$654,403		\$746,000		\$884,000	
	H NC Allocation to NRT	\$1,036,287		\$3,415,000		\$5,170,944	
	NC <u>Estimated</u> Total Transit Funding**	\$3,392,618		\$5,109,467		\$7,511,289	
	I Brock Allocation to NRT	\$222,075		\$343,000		\$456,200	
	Brock <u>Estimated</u> Total Transit Funding**	\$4,264,914		\$4,478,159		\$4,702,067	
A-F	Niagara Region Transit Total Net Operating Cost	\$3,636,361		\$10,149,366		\$11,719,527	

* assumes base service is 60min all day plus 6 hrs of peak 30 min service mon-fri plus all Feeder Routes

**estimates provided for calendar year may vary slightly from school year contracts; fall 2020 assumes a 5% increase based on Ancillary fee maximum increases

Niagara Region, local transit operators, NCSAC and the Niagara College Administration established a two year timetable to reach appropriate funding levels and secured an additional \$2.0 million from Niagara College for the 2019-2020 school year. In addition, the alignment of tap rates in 2018-2019 of \$0.60 were increased to \$0.75 for the 2019-2020 school year. Consistent with all previous reports and discussions during the IMTWG, the incremental revenue, or net operating surpluses to local transit operators would be re-invested back into the enhancement of local services or used to mitigate the increasing cost of regional transit services in the 2020 budget.

Negotiations with BUSU for Brock University student U-Pass privileges was facilitated by Niagara Region on behalf of the local transit operators (excluding St. Catharines). The Brock student demand for transit relies heavily on St. Catharines service, with only a small portion of students requiring Regional and other local transit services. Recognizing the value of the inter-municipal services, BUSU aligned their local tap rates with the previously negotiated rates at Niagara College of \$0.75 and increased their funding towards IMT services by 25% for the 2019-2020 school year.

Alternatives Reviewed

An alternative timeline or delay in the approval of the second separate transit levy would result in a reduction in service enhancements already implemented as well as a delay in service enhancements expected to begin in early 2020. The delays or service reductions would most notably be felt in Niagara West, Wainfleet, Fort Erie and Port Colborne where demand is low and the routes are not directly tied to the U-Pass contract revenue. Alternative timelines are not recommended due to the necessity of enhanced inter-municipal service delivery required to support the arrival of daily GO Rail expansion to Niagara on or before 2021. With Niagara actively and assertively pursuing an acceleration of the timelines for introduction of GO Rail service from Metrolinx and the Government of Ontario, it is critical to have local transit available and established well in advance of the arrival of more frequent daily GO Rail service.

Relationship to Council Strategic Priorities

The NRT investment strategy directly aligns with several Council strategic priorities: Economic Growth and Development through the enforcement of strategic planning and leveraging partnerships with post secondary institutions; Responsible Growth and Infrastructure Planning through advancing regional transit and GO rail services and facilitating the movement of people and goods.

Other Pertinent Reports

LNTC-C 09-2019 Niagara Transit Governance Review
CSD 01-2019 2019 Capital Budget
CSD 22-2019 2019 Levy Operating Budget
LNTC-C 21-2018 - IMT Service Implementation Strategy
LNTC-C 22-2018 - IMT Financial Impact Analysis
LNTC-C 23-2018 - IMT Capital Plan, 2019
CAO 8-2017 - Niagara Region's Transit Service Delivery and Governance Strategy

Prepared by:

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Financial & Special Projects Consultant
Financial Planning and Management,
Enterprise Resource Management
Services

Prepared by:

Matt Robinson, Director
GO Implementation Office
Public Works Department

Recommended By:

Catherine Habermehl
Acting Commissioner
Public Works Department

Submitted by:

Ron Tripp, P.Eng.
Acting Chief Administrative Officer

This report was prepared in consultation with the Transit Operators and the Inter-Municipal Transit Working Group; Robert Salewytch, Program Manager, Transit Services; and reviewed by Helen Chamberlain, Director, Financial Management & Planning/Deputy Treasurer

MEMORANDUM

PWC-C 25-2019

Subject: Transportation Infrastructure Means Protection Update

Date: October 8, 2019

To: Public Works Committee

From: Frank Tassone, C.E.T., Associate Director Transportation Engineering

The purpose of this memo is to provide an update to Public Works Committee as follow-up to report PW 24-2019, April 16, 2019.

Design has been ongoing with staff, the consultant (Parsons) and specialized sub-consultants (RWDI) related to the infrastructure means protection.

Parsons, along with RWDI, has completed wind engineering studies related to the means protection system and the potential affects on the structure. The results of the studies have proven that the means protection will not adversely affect the structure.

As a follow up to Public Works Committee report PW 24-2019, staff was to report back, via memo, on the selection of the material for construction, once the appropriate testing was completed and a decision on the material solidified.

Additional reviews have been completed regarding the feasibility of utilizing aluminum as the primary material for the fabrication of the means protection versus galvanized steel. It has been determined that aluminum will require some minor vibration dampening measures to be designed into the means protection system. This vibration dampening is not expected to be cost prohibitive and the design team has assured staff that aluminum is a viable option for this application. The Region's consultant has confirmed that the cost of the means protection is currently in line with our anticipated budget.

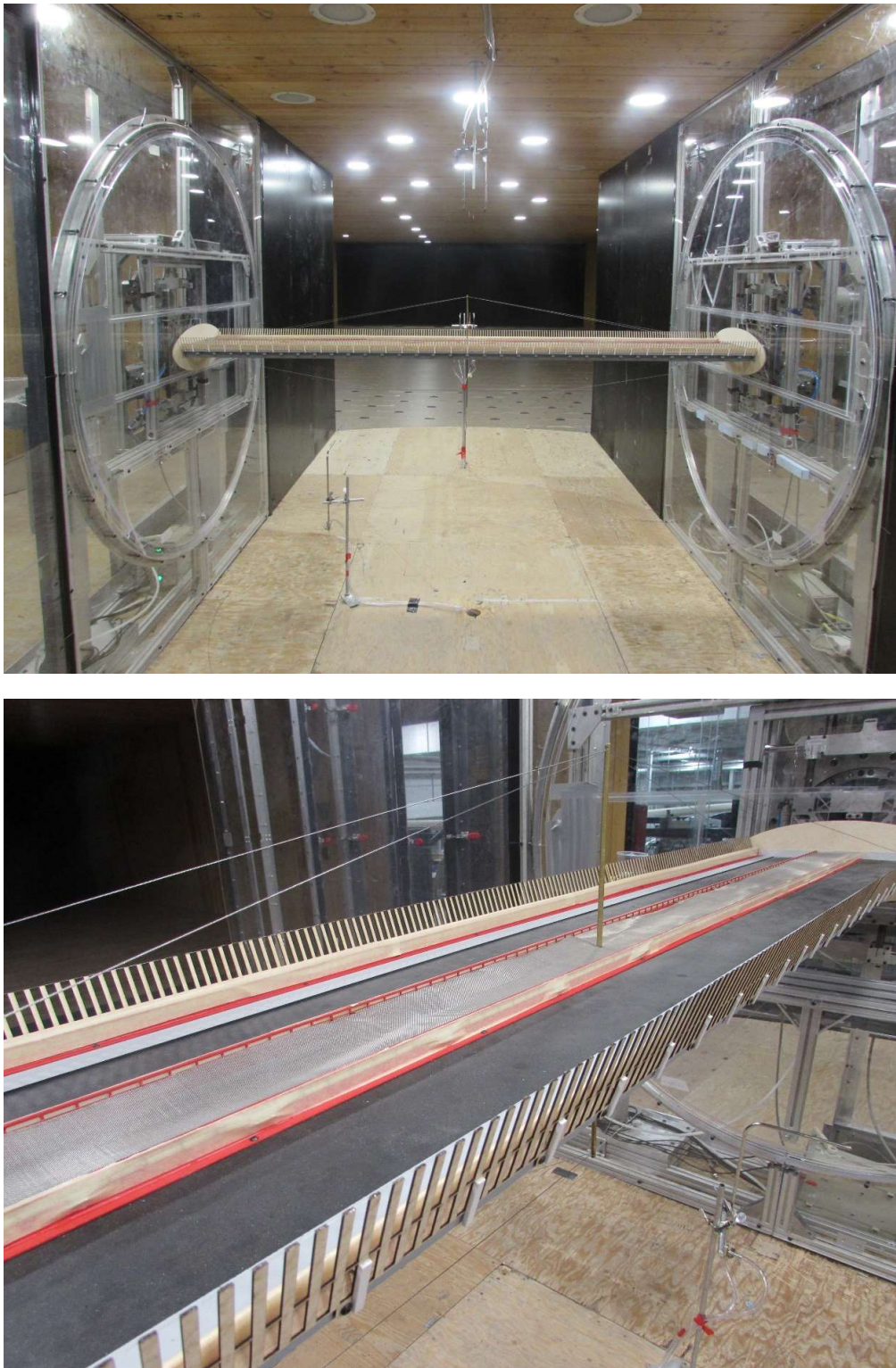
Given the information above, the design team will now move forward with specifying aluminum as the primary material for the fabrication of the means protection system.

The design team is to move along expeditiously with a target date of early October for tendering of the project. The construction schedule for this work will undergo further refinement in the next three (3) to four (4) weeks; however, it is expected that once the tender is awarded and the contractor mobilizes on site, the work will progress continually until full completion of the means protection system. Staff will report back to Committee once a completion date is known.

Respectfully submitted and signed by

Frank Tassone, C.E.T.
Associate Director, Transportation Engineering

Appendix 1 – Wind Tunnel Testing Photos



Sectional Model Test
As Built Section with Means Prevention Barrier and Horizontal Mesh
Full Icing Condition

Burgoyne Bridge - St. Catharines, Ontario

Project #1901852

Figure No. 3-2

May 31, 2019



MEMORANDUM

PWC-C 26-2019

Subject: Emterra Collection Contract Update

Date: Tuesday, October 8, 2019

To: Public Works Committee

From: Nicholas Lidstone, Contract Supervisor, Waste Management Services

The purpose of this memorandum is to provide members of the Public Works Committee with an update on the curbside waste and recycling contract with Emterra Environmental (Emterra) since the last verbal update provided on May 7, 2019, and to respond to the Councillor Information Request from Councillor Insinna at the September 10, 2019 Public Works Committee for an update on the number of days collection is being completed. The information contained within this memorandum covers the time period between May 6, 2019 and September 13, 2019.

Key Facts

- Between May 6 and September 13, 2019, Emterra has completed collection on 35 of 94 (38%) days.
- 275,097 properties were missed between May 6 and September 13, 2019, representing a daily average of 4,743 properties (15%) not receiving collection on their regular collection day.
- Incidents of missed collection reported to the Niagara Region's Waste Info-Line during May 6 to September 13 have increased by 54% in 2019, compared to 2018.
- Niagara Region has issued \$1,004,400, in liquidated damages, since the beginning of the Contract. \$131,350 was issued between May 6 and Sept 13, 2019, which included spring leaf and yard waste collection.
- In an effort to support Emterra's mitigation plan for the ongoing collection delays across the region, collection days will be changing in select areas of Wainfleet, effective November 4, 2019.

Incomplete Collections

Completion of daily routes has not been consistent (i.e. entire or partial routes) between May 6 and September 13, 2019. Emterra has completed collection on 35 of 94 days (38%). However, collection completion has improved between this timeframe. Refer to Appendix 1.

275,097 properties did not receive collection on their regular collection day between May 6 and September 13, 2019, representing a daily average of 4,743 properties (15%) not collected on their regular collection day (Appendix 1).

The key factors contributing to the inability to consistently finish daily collection, as identified by Emterra, have been labour stabilization issues and truck breakdowns. Emterra has indicated that, by the start of October 2019, they will have decommissioned four (4) existing trucks, deemed beyond repair, and they are currently in the process of securing four (4) used trucks.

To date, Emterra has committed to increasing fleet uptime through truck maintenance improvements, focused on strategies to support labour stabilization and reinforced their dedication to a high level of service delivery. Unfortunately, these commitments and changes have not had a sustainable impact on the overall contract performance.

Customer Relations - Missed Collections

From May 6 to September 13, 2019, 2,193 incidents of missed collection were reported to Niagara Region's Waste Info-Line, compared to 1,599 during the same period in 2018, which represents a 37.1% increase in incidents of missed collection. Missed collections will continue to be monitored by Niagara Region staff. Refer to Appendix 1, Table 2 for further analysis on reported missed collections.

Event of Default

Niagara Region has issued \$1,004,400 in liquidated damages since the beginning of the contract for failure to comply with the Contract terms and conditions. Liquidated damages in the amount of \$580,000 were issued between January 1, 2018 to November 7, 2018. Between November 8, 2018 and September 13, 2019, \$239,400 has been issued in which \$131,350 was issued between May 6 and September 13, 2019. It should be noted that the second amending agreement, signed November 7, 2018, resulted in changes to the structure of liquidated damages.

Next Steps

Wainfleet Collection Day Change

Emterra identified an opportunity for route optimization with collection in Wainfleet and requested collection day changes in the area. By re-routing approximately 1,750 homes in Wainfleet from Monday collection to Tuesday and Thursday, it will create operational efficiencies and allow Emterra to redeploy four additional trucks on Mondays to support completing collection throughout the entire week for the Region.

In an effort to support Emterra's mitigation plan for the ongoing collection delays across the region, collection days will be changing, effective November 4, 2019, in select areas of Wainfleet. The Township of Wainfleet has indicated that they are happy with their current collection day (Monday), however they support the Region as they move forward towards improving service. The Region believes that we have an obligation to continue to work with Emterra in effort to improve service delivery and that the collection day change will help to alleviate the number of properties affected by collection delays.

Given this temporary disruption to some Wainfleet residents, , Emterra has informed the Region that they will endeavor to ensure that collection in Wainfleet is made a priority for the remainder of their Contract, should they experience collection delays.

Mitigating Efforts

As referenced in the incomplete collection section above, Emterra decommissioned four (4) existing trucks, deemed beyond repair, and purchased four (4) used 2015 trucks.

Emterra is currently in the process of developing their Fall Dedicated L&Y Operations Collection Plan. This plan shall be submitted to the Region by end of day September 27, 2019. Emterra continues to hire collection staff to ensure current business needs are met, with a goal of hiring up to ten (10) additional staff by the start of dedicated L&Y collection.

The request for proposal (RFP) for the next collection contract closed on September 17, 2019. Staff anticipate the RFP to be awarded by November 14, 2019, with an estimated start date in October 2020.

Niagara Region continues to meet with Emterra on a regular basis to discuss operational details and performance. Niagara Region will continue to enforce the Events of Default and Remedies Clause in the Contract to ensure compliance by Emterra.

Niagara Region will continue to explore the option of removing additional work if Emterra continues to be in default of their Contract.

Respectfully submitted and signed by

Nicholas Lidstone,
Contract Supervisor, Waste Management Services

Appendices

Appendix 1

Pages 1 - 3

Appendix 1

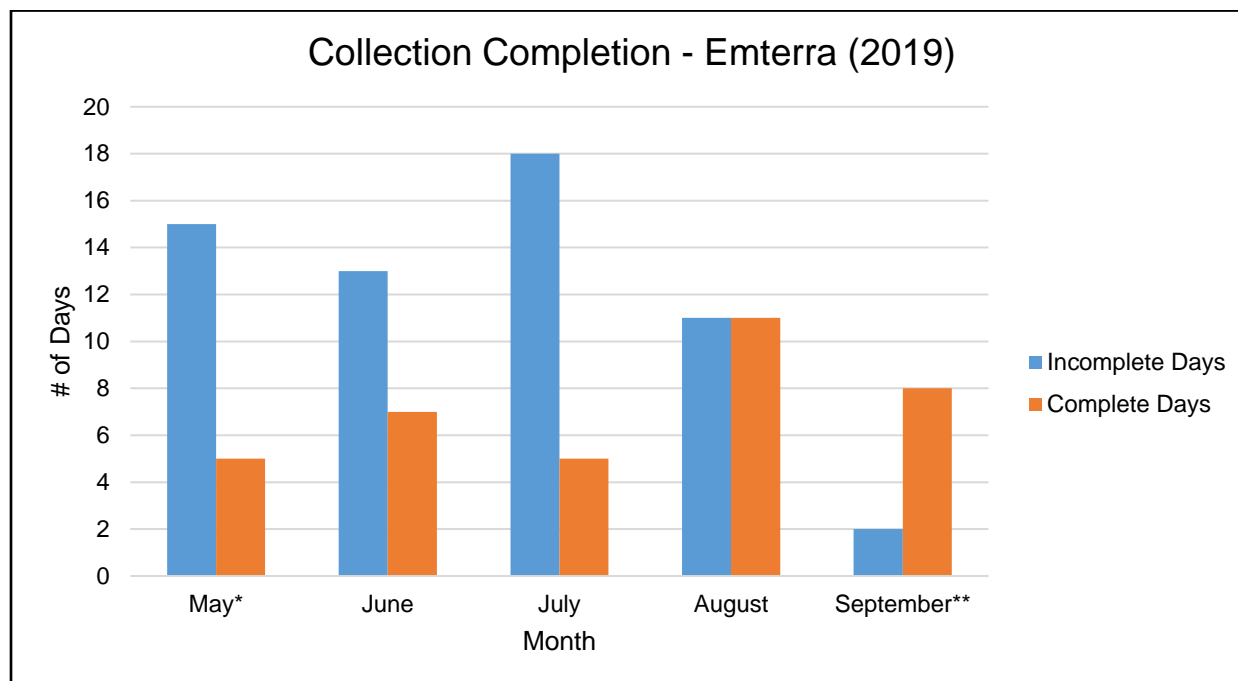


Figure 1 - # of Complete and Incomplete Collection Days – Emterra May to September 2019.

*Includes dates from May 6, 2019 to May 31, 2019

**Includes dates from start of month to September 13 2019

Table 1 - # of Complete and Incomplete Collection Days – Emterra May to September 2019.

Month	Incomplete Days	Complete Days	Total Days	% Complete	% Incomplete	Total
May*	15	5	20	25%	75%	100%
June	13	7	20	35%	65%	100%
July	18	5	23	22%	78%	100%
August	11	11	22	50%	50%	100%
September**	2	8	10	80%	20%	100%
Total	59	36	95	38%	62%	N/A

*Includes dates from May 6, 2019 to end of month

**Includes dates from start of month to September 13, 2019

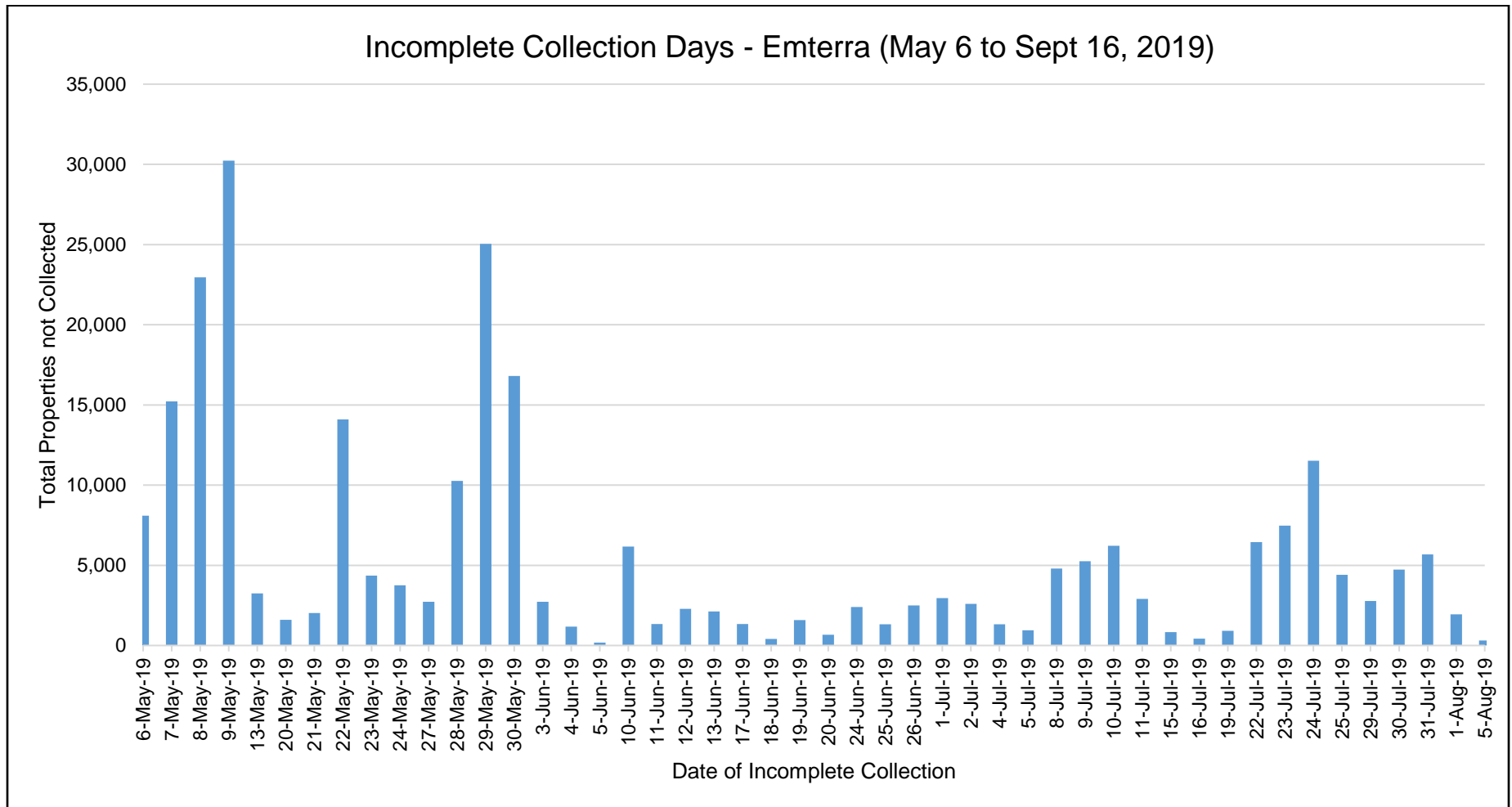


Figure 2 – Properties affected by incomplete collection – Emterra - May 6 to September 16, 2019.

Table 2 – Incidents of Missed Collections Reported to the Region’s Waste Info-Line (Emterra)

Timeframe	2017	2018	2019
January 2- March 8	147	746 (407.5% increase from 2017)	943* (26.4% increase from 2018)
March 9 – April 12	156	118 (24.4% decrease from 2017)	382* (223.7% increase from 2018)
April 13 – May 5	142	125 (12.0% decrease from 2017)	240* (92% increase from 2018)
May 6 – September 13	693	1,599 (130.7% increase from 2017)	2,193* (37.1% increase from 2018)
September 14 – December 31	1,290	1,126 (12.7% decrease from 2017)	N/A
TOTAL	2,429	3,714 (52.9% increase from 2017)	3,758** (1% increase from 2018)
*West Lincoln and Lincoln related incidents removed in 2019 as serviced under separate contract.			
**Incidents of missed collections from January 1 to September 13, 2019			

Minute Item No. 5.1

COM 40-2019

Five-Year Review of Niagara's 10-Year Housing and Homelessness Action Plan

That Report COM 40-2019, dated October 8, 2019, respecting Five-Year Review of Niagara's 10-Year Housing and Homelessness Action Plan, **BE RECEIVED** and the following recommendations **BE APPROVED**:

1. That Council **APPROVE** (subject to Ministry approval) the Five-Year review of the Niagara Region 10-Year Housing and Homelessness Action Plan, including the action items, outcomes and targets for 2019 to 2023, which resulted from the review;
2. That the presentation respecting Five-Year Review of Niagara's Housing and Homelessness Action Plan **BE MADE** to the local area municipal Councils; and
3. That regular updates respecting housing and homelessness **BE PROVIDED** at each Public Health and Social Services Committee meeting.

Minute Item No. 6.1

COM 41-2019

Emergency Shelter System Capacity

That Report COM 41-2019, dated October 8, 2019, respecting Emergency Shelter System Capacity, **BE RECEIVED** for information.

Minute Item No. 6.2

PHD 18-2019

Ontario Public Health Standards: Risk Management Requirement

That Report PHD 18-2019, dated October 8, 2019, respecting Ontario Public Health Standards: Risk Management Requirement, **BE RECEIVED** for information.

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

**PHSSC 10-2019
Tuesday, October 8, 2019
Council Chamber
Niagara Region Headquarters, Campbell West
1815 Sir Isaac Brock Way, Thorold, ON**

Committee: Bradley (Regional Chair), Butters, Chiocchio (Committee Co-Chair), Darte, Foster, Gibson, Heit, Insinna, Ip, Jordan, Nicholson, Rigby, Sendzik, Villella, Whalen, Witteveen

Absent/Regrets: Bellows, Greenwood (Committee Co-Chair)

Staff: A. Alfieri-Maiolo, Director, Clinical Services, A. Biscaro, Director, Family Health, H. Chamberlain, Director, Financial Management & Planning/ Deputy Treasurer, C. Cousins, Director, Homelessness and Community Engagement, K. Desharnais, Communications Consultant, Dr. A. Feller, Associate Medical Officer of Health, Dr. M. M. Hirji, Acting Medical Officer of Health, A. Jugley, Commissioner, Community Services, K. Lotimer, Legislative Coordinator, R. Mostacci, Commissioner, Planning and Development Services, A.-M. Norio, Regional Clerk, R. Tripp, Acting Chief Administrative Officer, D. Vanecko, Manager, Organizational & Foundational Standards

1. CALL TO ORDER

Committee Co-Chair Chiocchio called the meeting to order at 2:00 p.m.

2. DISCLOSURES OF PECUNIARY INTEREST

There were no disclosures of pecuniary interest.

3. PRESENTATIONS

3.1 Youth Shelter Diversion Pilot

Michael Lethby, Executive Director, The RAFT, provided information respecting the Youth Shelter Diversion Pilot. Topics of the presentation included:

- 2008-2018: A Decade of Prevention
- Search for a Solution
- Shelter Diversion offers a solution
- What is Shelter Diversion?
- What we have learned after 22 weeks
- Next Steps

4. DELEGATIONS

4.1 Creating a New Niagara-South Homeless Shelter

Steven Soos, Resident, City of Welland and Leslie Bellingham, Director of Development and Communications, Open Arms Mission, appeared before Committee respecting creating a new Niagara-South homeless shelter and requested that Niagara Region consider creating a Public Advisory Committee focusing on homelessness, addictions and mental health.

5. ITEMS FOR CONSIDERATION

5.1 COM 40-2019

Five-Year Review of Niagara's 10-Year Housing and Homelessness Action Plan

Jeffrey Sinclair, Homelessness Action Plan Advisor and Lori Beech, Executive Director, Bethlehem Housing & Support Services, provided information respecting the Five-Year Review of Niagara's 10-Year Housing and Homelessness Action Plan. Topics of the presentation included:

- A review of the legislative requirements and review process
- Updates to the Plan across the Four Goal Areas titled:
 - House People Who Don't Have a Home
 - Help People to Retain a Home
 - Increase Housing Options and Opportunities for Low- and Medium-Income Households
 - Build Capacity and Improve the Effectiveness of the Housing and Homelessness System
- Financial Investments to Support the Action Plan proposed for 2020

Moved by Councillor Ip

Seconded by Councillor Nicholson

That Report COM 40-2019, dated October 8, 2019, respecting Five-Year Review of Niagara's 10-Year Housing and Homelessness Action Plan, **BE RECEIVED** and the following recommendation **BE APPROVED**:

1. That Council **APPROVE** (subject to Ministry approval) the Five-Year review of the Niagara Region 10-Year Housing and Homelessness Action Plan, including the action items, outcomes and targets for 2019 to 2023, which resulted from the review.

The following friendly **amendment** to add clauses was accepted by the Committee Chair and the mover and seconder of the motion as follows:

2. ***That the presentation respecting Five-Year Review of Niagara's Housing and Homelessness Action Plan BE MADE to the local area municipal Councils; and***
3. ***That regular updates respecting housing and homelessness BE PROVIDED at each Public Health and Social Services Committee meeting.***

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

That Report COM 40-2019, dated October 8, 2019, respecting Five-Year Review of Niagara's 10-Year Housing and Homelessness Action Plan, **BE RECEIVED** and the following recommendations **BE APPROVED**:

1. That Council **APPROVE** (subject to Ministry approval) the Five-Year review of the Niagara Region 10-Year Housing and Homelessness Action Plan, including the action items, outcomes and targets for 2019 to 2023, which resulted from the review;
2. That the presentation respecting Five-Year Review of Niagara's Housing and Homelessness Action Plan **BE MADE** to the local area municipal Councils; and
3. That regular updates respecting housing and homelessness **BE PROVIDED** at each Public Health and Social Services Committee meeting.

Carried

Councillor Information Request(s):

Provide a training session for Regional and Municipal Councillors focusing on Housing and the Homelessness Action Plan, strategies and best practices. Councillor Insinna.

6. CONSENT ITEMS FOR INFORMATION

6.1 COM 41-2019

Emergency Shelter System Capacity

Moved by Councillor Ip

Seconded by Councillor Heit

That Report COM 41-2019, dated October 8, 2019, respecting Emergency Shelter System Capacity, **BE RECEIVED** for information.

Carried

6.2 PHD 18-2019

Ontario Public Health Standards: Risk Management Requirement

Moved by Councillor Whalen

Seconded by Councillor Foster

That Report PHD 18-2019, dated October 8, 2019, respecting Ontario Public Health Standards: Risk Management Requirement, **BE RECEIVED** for information.

Carried

7. OTHER BUSINESS

There were no items of other business.

8. CLOSED SESSION

There were no closed session items.

9. NEXT MEETING

The next meeting will be held on Tuesday, November 5, 2019 at 2:00 p.m. in the Council Chamber, Regional Headquarters.

10. ADJOURNMENT

There being no further business, the meeting adjourned at 4:51 p.m.

Councillor Chiocchio
Committee Co-Chair

Kelly Lotimer
Legislative Coordinator

Ann-Marie Norio
Regional Clerk

Youth Shelter Diversion Pilot

In 2002, RAFT started offering emergency shelter with four beds.

By 2007, RAFT moved to 17 Centre St., expanding to a 24 bed shelter.

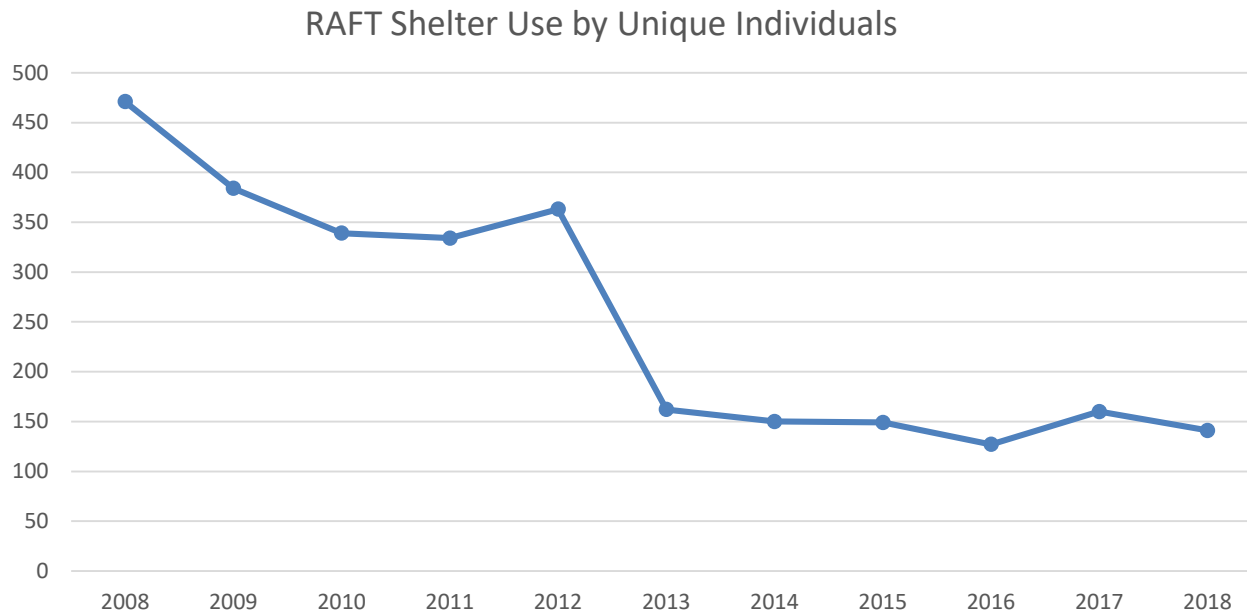
At the end of 2008, 471 individual youth had accessed an emergency bed.

2008-2018: A Decade of Prevention

In 2008, RAFT started its first prevention program, Youth Reconnect, in Fort Erie.

Youth Reconnect has two goals:

- 1) Stabilize a student's housing in their home community
- 2) Keep students attached to their schools.



Since 2008 Youth Reconnect has served 1,507 youth across all of Niagara's 12 municipalities.

Prevention has been exceptionally successful

A 70% decline in RAFT's shelter use over the last decade.

Region reports Youth (16-24) and Young Adults (25-30) use of shelters is trending downwards.

However RAFT's shelter use has largely plateaued with 130 - 160 youth accessing beds over last three years.

Search for a Solution

Of these youth approximately 50% stay for less than a month.

30% stay less than seven days.

Began looking for a service model which could address this.

Shelter Diversion offers a solution

Discovered a model of Shelter Diversion (SD) in Waterloo Region, specifically for Youth.

Argus House has been operating SD since 2015.

In 2016, Argus reported 60% decline in their shelter and Waterloo region reported 22% decline in youth accessing shelter.

RAFT partnered with Argus to adapt SD for Niagara and introduced pilot in April 2019.

What is Shelter Diversion?

RAFT's Shelter Diversion Coordinator interviews youth seeking emergency shelter, using tool developed by Argus House, to determine whether safe and appropriate alternative housing arrangements to shelter can be made, if so, we provide support to the youth. This support is flexible to meet individual's needs and has included bus tickets, taxis to family or landlord mediation.

Shelter Diversion isn't saying "NO" to shelter; it's finding best shelter or housing option available

Successful Shelter Diversion:

Prevents use of emergency shelter.

Reduces demand for emergency beds, in safe way.

Ensure that youth accessing shelter are in immediate need.

What we have learned after 22 weeks

RAFT has interviewed 133 youth seeking access to shelter.

46% youth were successfully diverted.

49% of youth have never accessed shelter before.

79% reside in either St. Catharines, Welland, or Niagara Falls.

Next Steps

1. Continue to monitor pilot.
2. Work with partner(s) shelter to expand Shelter Diversion for youth.
3. Develop infrastructure and promote knowledge sharing to support Shelter Diversion for Adults.

From: [Niagara Region Website](#)
To: [Clerks](#)
Subject: Online Form - Request to Speak at a Standing Committee
Date: Tuesday, September 10, 2019 9:47:26 AM

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

Steven Soos

Address

[REDACTED]

City

Welland

Postal

[REDACTED]

Phone

[REDACTED]

Email

[REDACTED]

Organization

standing committee

Public Health and Social Services Committee

Presentation Topic

Homelessness

Presentation includes slides

Yes

Previously presented topic

No

Presentation Details

Would like to appear before council to speak about the potential of creating a new Niagara-south homeless shelter.

Video Consent

Yes



Five-Year Review of Niagara's 10-Year Housing and Homelessness Action Plan

Jeffrey Sinclair

Homelessness Action Plan Advisor, Niagara Region

Lori Beech

Executive Director, Bethlehem Housing and Support Services



The 10-Year Action Plan (2014-2023)

- Requirement of the *Housing Services Act, 2011*
- Provides a framework for integrated local planning to address:
 - market housing affordability
 - community housing
 - coordination of homelessness and related support services
 - homelessness prevention
- Accomplishments are reported annually



Community Leadership and Engagement

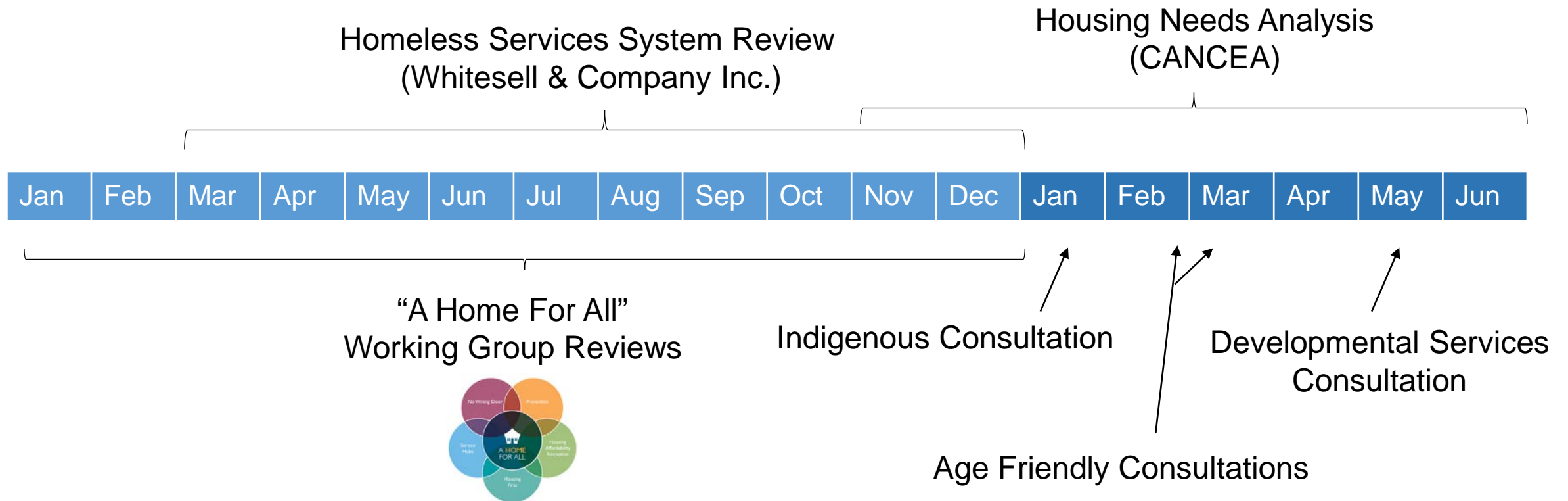
- “A Home for All” Working Groups



- 22 Funded Homeless Services Providers
- 62 Non-Profit and Co-operative Housing Providers
- Lived Experience Advisory
- Diverse Partners (Government, Non-Profit, Private Sector)
- Linked to other networks and committees

The Five-Year Review

- Requirement of the *Housing Services Act, 2011*
- Completed in 2018 and first half of 2019



What We Heard

A Changing Environment

- Housing Market
- Emergency Shelter
- Community Housing
- Funding and Policy
- Client Needs
- Focus on Best Practices

Recommendations

- Align affordable housing strategy with 10-Year Action Plan and new Official Plan
- Include meaningful objectives, measures and targets
- Collaborate with Indigenous system and organizations
- Address needs of equity-seeking groups

The Updated 10-Year Plan



House People Who Don't Have a Home

Goal #1

Outcomes

1. Improve access to shelter and housing for those experiencing unsheltered homelessness.
2. Reduce the time spent in emergency shelter before successful exit.
3. Improve the housing situation for those exiting emergency shelter.

How Council Could Support these Outcomes

- Advocate for provincial and federal funding for local homelessness services and community housing
- Focus investment in local housing and homelessness services that are aligned with Canadian best practices
- Back Housing First and other forms of supportive housing that help people rapidly exit street or emergency sheltered homelessness to being housed

Help People to Retain a Home

Goal #2

Outcomes

4. Reduce the time it takes for those who are at risk of homelessness to access prevention services.
5. Improve long-term housing stability for households at risk of homelessness.
6. Improve long-term housing stability for households that have graduated from housing with support programs.

How Council Could Support these Outcomes

- Support incentives and other initiatives that create new community housing and market housing that is affordable for households who are in core housing need
- Advocate for provincial and federal funding for additional rental supports for low-income households

Increase Housing Options and Opportunities for Low- and Medium-Income households

Goal #3

Outcomes

7. Increase the supply of higher-density housing forms, including townhouse and apartments.
8. Increase the number of new community housing units developed, and the proportion of new community housing units that are bachelor/1-bedroom units or four or more bedroom units.
9. Prevent the loss of current community housing stock.

How Council Could Support these Outcomes

- Encourage the development of medium and high-density housing, including purpose-built rental housing
- Support staff efforts to streamline applications and approvals for affordable and community housing developments
- Support a reallocation of Regional funds to Regional incentives and investment tools that support Council priorities, including affordable housing
- Encourage the use of appropriate surplus Regional or local municipal lands for affordable or community housing development

How Council Could Support these Outcomes

(continued)

- Encourage financial investment by all levels of government in:
 - New local community housing
 - Existing community housing (to prevent loss of current units)
- Resist “NIMBY” (Not In My Backyard) type protests or appeals to new affordable housing development

Build Capacity and Improve the Effectiveness and Efficiency of the Housing and Homelessness System

Goal #4

Outcomes

- 10. Increase the use of best practices in all funded homeless services programs.
- 11. Increase the number of new initiatives created in partnership with Indigenous, health, corrections, or child welfare systems.
- 12. Increase the number of policies and services revised to better serve Indigenous people, older adults, youth, women, persons with a disability, Franco-Canadians, and newcomers and refugees.

How Council Could Support these Outcomes

- Consider the voices of equity-seeking groups that are overrepresented in the homeless system when making decisions that affect them
- Advocate for better client access to mental health and addictions supports
- Support new partnerships and initiatives with Indigenous, health, corrections, and child welfare systems

Financial Investments to Support the Action Plan

2020

Capital

2020 budget requests

- 61 net new units of community housing
 - Hawkins development \$20.1 million project leveraging \$14 million in DC, \$3 million in Federal/Provincial funding, and \$3.1 million from reserves

Ongoing commitments

- Region partnership with Niagara Falls for new affordable and community housing development. No capital investment by the Region. Number of new units to be determined in 2020 by RFP.
- Partnership with private developer for subsidized units. \$1.7 million leveraging \$1.6 million in DC. Number of new units to be determined in 2020 by RFP.
- Existing projects in Thorold and Welland to make 12-13 new units available in 2020. Capital approved in 2019.

Operating

2020 Budget requests

- Transition of existing grant incentive dollars to housing incentives (per Council direction). No net new requests for 2020 budget.

Ongoing commitments

- Church Street, St. Catharines partnership. \$75,000/year for 20 tenants from the housing waitlist
- Region partnership with Niagara Falls for new affordable and community housing development. Up to \$240,000/year for rent subsidies for 50 RGI Units. DC grants in 2020 and foregone taxes due to exemption after completion to be determined through RFP.
- \$0.8 million to provide assistance for accessibility and emergency repairs and down payment assistance to 50 households and \$1.5 million in housing allowances for continued support to 740 households.

Thank You

Questions?



Subject: Five-Year Review of Niagara's 10-Year Housing and Homelessness Action Plan

Report to: Public Health and Social Services Committee

Report date: Tuesday, October 8, 2019

Recommendations

That Council **APPROVE** (subject to Ministry approval) the Five-Year review of the Niagara Region 10-Year Housing and Homelessness Action Plan, including the action items, outcomes and targets for 2019 to 2023 which resulted from the review.

Key Facts

- Since 2014, Niagara Region has had a 10-Year Housing and Homelessness Action Plan, "A Home for All". The Plan meets the municipal service manager responsibility for a 10-Year Plan as directed under the *Housing Services Act, 2011*, and provides a framework for integrated local planning to address market housing affordability, community housing, coordination of homelessness and related support services, and homelessness prevention.
- The *Housing Services Act, 2011* requires the Region, in its role as service manager, to review its 10-Year Plan at least every five years. Niagara Region is required to submit its Five-Year review to the Ministry of Municipal Affairs and Housing (MMAH) for approval before the end of 2019.
- The Five-Year review provides an opportunity for the service manager, its partners and other community stakeholders to reflect on the local plan and the actions taken in the first five years, and plan to improve the local system of housing and homelessness in a way that will lead to better outcomes for people in Niagara.
- Staff conducted the Five-Year review during 2018 and the first half of 2019 following the direction provided by the Ministry for 10-Year Plans and for completing Five-Year reviews.
- The review identified 75 action items to be completed in years 6-10 of the Action Plan to achieve 12 key outcomes related to housing and homelessness.

Financial Considerations

The Five-Year review outlines actions, outcomes, and targets related to homelessness services, community housing, and affordable private market housing. Progress toward achieving the targets identified in the Five-Year review will in part be dependent upon strategic financial investments of levy dollars as well as provincial, federal, and private financial resources over the next several years.

The 2020 budget contains capital and operating initiatives related to affordable housing that further supports the objectives of the 10-Year Housing and Homelessness Action Plan.

Capital

In 2020 an estimated total number of 72 housing units will be added in the Niagara market through the following projects:

Niagara Regional Housing (NRH) is intensifying an existing NRH owned social housing community. Included in the 2020 Capital Budget is a construction project valued at \$20.9 million that will replace 12 single detached wartime houses with two new apartment buildings. One building will contain 18 much needed one-bedroom units. The second building will contain nine bachelors, 27 one-bedroom, 15 two-bedroom and four three-bedroom units. The nine bachelors will be targeted for Housing First (supported housing units to address homelessness needs). Community Services will supply the support services for those nine units. Twenty of the units will be affordable (80% Canadian Mortgage and Housing Corporation (CMHC) average market rent (AMR)), 28 units will be full rent geared to income (RGI) and 25 will be low end of market. This project will create 61 net new units. The proposed funding sources are as follows:

- \$ 3,000,000 Federal/Provincial funding (Capital for 20 Units)
- \$ 3,186,013 NRH Reserves
- \$14,713,987 funded by Development Charges

In November of 2019, NRH will be opening the new 12 unit stacked townhouse build on Roach Street in Welland. This project intensified a neighbourhood by replacing two duplexes with 12 stacked townhouses for eight net new units. Eight units will be RGI and four units will be at 80% CMHC AMR. All units will be filled from the centralized housing waitlist.

In February of 2019, NRH purchased two properties at the corner of St. David's Road and Ormond Street in Thorold. There were six existing affordable housing units at the time of purchase. NRH is in the process of constructing four to five new units at that site. These additional units should be available by the beginning of 2020.

In June 2019 the Niagara Region and NRH was directed to partner with the City of Niagara Falls to develop a public process to solicit competitive bids for a not for profit partner to provide an affordable housing development at 4500 Park Street in Niagara Falls in order to increase supply of units at or below average market rents. This facility additionally is hoped to provide housing for a number of residents on the NRH waitlist for a share of units allocated by agreement. The allocated share of units for affordable housing may be provided up to a full exemption from property taxes and Development Charges (DCs).

In June 2019 a pilot project was established to encourage investment in the development of new purpose-built rental stock through the Partnership Housing Program (PHP). Under this program the Region provides an up-front capital contribution in exchange for an agreement for share of units for affordable housing. Under the pilot project Niagara Region would be a minority equity participant (up to 35% share in a Joint Venture) in the development, using funds raised through DCs (\$1.575 million) as well as the capital levy reserve (\$0.175 million). Rents used for affordable housing would be subsidized by the incremental property tax generated by the building.

These initiatives align with action items 3.7g, 3.8c and 3.8d in the updated action plan (see appendix), which support the following outcomes:

- Increase the number of new community housing units developed, and the proportion of new community housing units that are bachelor/1-bedroom units or four or more bedroom units.
- Increase the supply of higher-density housing forms, including townhouse and apartments.

Operating

In 2020 it is estimated that 120 new housing units will be provided with subsidy in the Niagara market through the following initiatives:

- In December of 2016 Niagara Region Council approved the New Development Rent Supplement Program which dedicated 20 housing allowances for the New Bethlehem Housing Build on Church Street in St. Catharines. The building is opening in January of 2020 and NRH will house 20 applicants from the centralized housing waitlist. This represents a 20 year commitment of approximately \$75,000 per year.
- In 2019 Niagara Regional Housing allocated subsidy for 50 new RGI Units under the Rent Supplement Program for the abovementioned partnership project with the City of Niagara Falls and Niagara Region for an approximately 200 unit build. This represents a 20 year commitment of approximately \$240,000 per year.
- Niagara Regional Housing will be providing approximately 15 potential low to moderate income earners in 2020 with 5% down payment assistance through the Welcome Home Niagara Program. This includes five Habitat for Humanity builds.
- Niagara Regional Housing will be assisting approximately 35 low income homeowners in 2020 with accessibility and emergency repairs under the Niagara Renovates Program to allow them to be able to remain in their homes.

Additionally, Niagara Regional Housing is currently assisting a number of housing providers with their funding applications to CMHC for new development. There are

providers with available land who lack the resources and expertise to advance their projects. NRH has included a Project Manager in the 2019/2020 budget to assist with these projects.

Niagara Regional Housing is experiencing significant challenges in the Rent Supplement program. NRH has budget available for RGI units but is challenged to find landlords who have vacancies that offer affordable rents which align with program policy. NRH is currently advertising to landlords to participate in the program.

Niagara Regional Housing continues to work with the federal housing providers who are coming to the end of their operating agreements, ensuring continued affordable housing supply by entering into new rent supplement agreements. NRH is using some of the recent federal/provincial funding for capital repairs for the housing provider portfolio to ensure sustainability and safety of existing housing stock.

Niagara Regional Housing continues to support in excess of 740 housing applicants with a housing allowance to make housing a little more affordable while they wait for permanent RGI units. This includes the Housing First Program of which Community Services supplies the support dollars and resources.

These initiatives align with action items 2.8e, 2.8g, 2.9d, 2.9e, 3.8e, 3.9b, 3.9d, and 3.9e in the updated action plan, which support the following outcomes:

- Improve long-term housing stability for households at risk of homelessness
- Prevent the loss of current community housing stock.

Analysis

Since 2014, Niagara Region has had a 10-Year Housing and Homelessness Action Plan, “A Home for All”. The Plan meets the service manager responsibility for a 10-Year Plan under the *Housing Services Act, 2011*, and provides a framework for integrated local planning to address market housing affordability, community housing, coordination of homelessness and related support services and homelessness prevention.

The *Housing Services Act, 2011* requires the Region, in its role as service manager, to review its 10-Year Plan at least every five years. Niagara Region is required to submit its Five-Year review to the Ministry of Municipal Affairs and Housing (MMAH) for approval before the end of 2019.

The Five-Year review provides an opportunity for the service manager, its partners and other community stakeholders to reflect on the local plan and the actions taken in the first five years, and plan to improve the local system of housing and homelessness in a way that will lead to better outcomes for people in Niagara.

Homelessness Services staff conducted the Five-Year review during 2018 and the first half of 2019 following the direction provided by the Ministry for 10-Year Plans and for completing Five-year reviews.

The review considered data and other information provided by:

- The “A Home For All” Task Force and its related community-led working groups, including the lived experience advisory.
- Community organizations providing services as part of Niagara’s homeless serving system.
- Non-profit housing providers and co-operative providers.
- Other community groups, including the Niagara Poverty Reduction Network (NPRN), and the Age Friendly Niagara Network.
- Indigenous community and providers through the Niagara Aboriginal Working Group on Homelessness (NAWG).
- Independent consultants, including Whitesell & Associates and the Canadian Centre for Economic Analysis (CANCEA).
- Municipalities through municipal planners and municipal affordable housing action plan working groups.
- Regional staff from Planning & Development Services, Community Services, Corporate Services and Niagara Regional Housing, who are collaborating through an affordable housing strategy steering committee.

The review identified the following key issues to be addressed in years 6-10 of the plan:

- An inadequate supply and mix of market housing options that support households of all sizes, incomes, and ages to have safe, permanent, affordable housing.
- Increasing demand and limited capacity of emergency homelessness services and community housing.
- Federal and provincial policy and funding changes related to housing and homelessness.
- The need for provision of appropriate housing and services for clients with complex needs, including chronic homelessness, mental health, trauma, addictions and social need.
- Best and emerging practices in Canada for ending homelessness.

The action plan has four goals:

Goal 1 – House People Who Do Not Have a Home

Goal 2 – Help People to Retain a Home

Goal 3 – Increase Housing Options and Opportunities for Low- and Medium-Income households

Goal 4 – Build Capacity and Improve the Effectiveness and Efficiency of the Housing and Homelessness System

The review identified 75 action items to be completed in years 6-10 of the Action Plan to support the following twelve outcomes related to the four goals:

1. Improve access to shelter and housing for those experiencing unsheltered homelessness.
2. Reduce the time spent in emergency shelter before successful exit.
3. Improve the housing situation for those exiting emergency shelter.
4. Reduce the time it takes for those who are at risk of homelessness to access prevention services.
5. Improve long-term housing stability for households at risk of homelessness.
6. Improve long-term housing stability for households that have graduated from housing with support programs.
7. Increase the supply of higher-density housing forms, including townhouse and apartments.
8. Increase the number of new community housing units developed, and the proportion of new community housing units that are bachelor/1-bedroom units or four or more bedroom units.
9. Prevent the loss of current community housing stock.
10. Increase the use of best practices in all funded homeless services programs.
11. Increase the number of new initiatives created in partnership with Indigenous, health, corrections, or child welfare systems.
12. Increase the number of policies and services revised to better serve Indigenous people, older adults, youth, women, persons with a disability, Franco-Canadians, and newcomers and refugees.

Alternatives Reviewed

Not Applicable. The Five-Year review is required under the *Housing Services Act, 2011* per its regulations as noted above.

Relationship to Council Strategic Priorities

- The Five-Year review recommends actions, outcomes, and targets for the priority project of Affordable Housing that supports the Council Priority of a Healthy and Vibrant Community and contributes to Council's direction to develop and implement an affordable housing strategy.

Other Pertinent Reports

PDS 17-2019	Niagara Housing Statement: Affordable Housing Data
COM 23-2019	Niagara Region Application for Built for Zero Canada
COM 15-2019	Housing and Homelessness Action Plan Update 2018
COM 10-2019	Homelessness Services System Review
COM 16-2018	Homelessness Point-in-Time Count Report

COM 10-2018	Housing and Homelessness Action Plan Update 2017
COM 12-2017	Housing and Homelessness Action Plan Update 2016
COM 17-2016	Housing and Homelessness Action Plan Update 2015
COM 16-2015	Housing and Homelessness Action Plan Update 2014
COM 35-2013	Final Version of A Home for All: Niagara's 10-Year Community Action Plan to Help People Find and Keep Housing

Prepared by:

Jeffrey Sinclair, BBA
Homelessness Action Plan Advisor
Community Services

Recommended by:

Adrienne Jugley, MSW, RSW, CHE
Commissioner
Community Services

Submitted by:

Ron Tripp, P.Eng.
Acting Chief Administrative Officer

Appendices

Appendix 1 Five-Year review of the Niagara Region 10-Year Housing and
Homelessness Action Plan

COM 40-2019 FIVE-YEAR REVIEW OF NIAGARA'S 10- YEAR HOUSING AND HOMELESSNESS ACTION PLAN - APPENDIX 1.DOCX

Includes an Update to the Action Plan
with Actions, Outcomes and Targets
for Years Six to Ten (2019-2023)

Jeffrey Sinclair
Homelessness Action Plan Advisor
Niagara Region

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Executive Summary

This document includes a review of the first five years of Niagara's 10-Year Housing and Homelessness Action Plan, "A Home for All", and provides updated actions, outcomes and targets for years 6-10 of the action plan. Italicized Terms are defined in Appendix B.

This review is intended to meet the requirements for municipal service managers as stated in the Housing Services Act, 2011 and responds to the policy direction provided to service managers by the Ministry of Municipal Affairs and Housing for the completion of five year reviews in the *Policy Statement: Service Managers Housing and Homelessness Plans, 2016* and the guidance provided in *Five Year Review of Housing and Homelessness Plans: A Guide for Ontario Service Managers, 2018*.

Planning is a complex and intricate process that is undertaken at a given time, in an environment of change and uncertainty. Nevertheless, the five-year review provides an opportunity for the service manager, its partners and other community stakeholders to reflect on the local plan and the actions taken in the first five years, and plan to improve the local system of housing and homelessness in a way that will lead to better outcomes for people in Niagara.

The formal review process considered data and information provided by the *A Home for All* Task force and working groups including the lived experience advisory, homeless services providers, non-profit housing providers and co-operative providers, Indigenous community (Niagara Aboriginal Working Group on Homelessness/NAWG), other community groups (Niagara Poverty Reduction Network, Age Friendly Niagara Network), independent consultants, local area municipal planners and affordable housing action plan working groups, and regional staff from Planning and Development Services, Community Services, Corporate Services and Niagara Regional Housing.

The review examined key trends in the external environment, including the housing market, demand for emergency shelter and community housing, funding and policy changes, changing client needs, and a focus on best practices. It also describes key undertakings in the first five years, including the development of community-led working groups, creation of an affordable housing strategy steering committee, identification of current and future affordable housing need, a review of Niagara's homeless serving system, and development of outcomes and targets for the action plan.

In the first five years of the action plan the 24 initial and 28 short-term actions were completed, while the 24 mid-term actions are on track for completion by the end of 2019. Four long term actions from the original action plan remain to be completed. The review also identified a need for the service manager to further shift focus from managing homelessness to *ending homelessness* and *chronic homelessness*, maintain ongoing and adequate reserves to support *community housing* development, increase engagement and collaboration with Indigenous partners, and address the housing and homeless services needs of other equity-seeking groups including those with *complex needs*, persons with a disability, persons with a developmental disability, older adults, youth, women, newcomers and refugees, and Franco-Canadians.

The action plan has four goals:

Goal 1 – House People Who Do Not Have a Home

Goal 2 – Help People to Retain a Home

Goal 3 – Increase Housing Options and Opportunities for Low- and Medium-Income households

Goal 4 – Build Capacity and Improve the Effectiveness and Efficiency of the Housing and Homelessness System

The review identified 75 action items to be completed in years 6-10 of the Action Plan to support the following twelve outcomes related to the four goals:

1. Improve access to shelter and housing for those experiencing unsheltered homelessness.
2. Reduce the time spent in emergency shelter before successful exit.
3. Improve the housing situation for those exiting emergency shelter.
4. Reduce the time it takes for those who are at risk of homelessness to access prevention services.
5. Improve long-term housing stability for households at risk of homelessness.
6. Improve long-term housing stability for households that have graduated from housing with support programs.
7. Increase the supply of higher-density housing forms, including townhouse and apartments.
8. Increase the number of new community housing units developed, and the proportion of new community housing units that are bachelor/1-bedroom units or four or more bedroom units.
9. Prevent the loss of current community housing stock.
10. Increase the use of best practices in all funded homeless services programs.
11. Increase the number of new initiatives created in partnership with Indigenous, health, corrections, or child welfare systems.
12. Increase the number of policies, practices and services revised to better serve Indigenous people, older adults, youth, women, persons with a disability, Franco-Canadians, and newcomers and refugees.

The Five-Year Review

Legislative Requirements

This review is intended to meet the requirements of the *Housing Services Act, 2011 (HSA)* for service managers to review their housing and homelessness plan at least once every five years, and amend the plan as the service manager considers necessary or advisable. The review responds to the policy direction provided to service managers by the Ministry of Municipal Affairs and Housing for the completion of five year reviews in the *Policy Statement: Service Managers Housing and Homelessness Plans, 2016* and the guidance provided in *Five Year Review of Housing and Homelessness Plans: A Guide for Ontario Service Managers, 2018*.

According to the *HSA*, Housing and Homelessness Plans need to include the following:

1. An assessment of current and future housing needs within the service manager's service area (Assessment);
2. Objectives and targets relating to housing needs (Objectives and Targets);
3. A description of the measures proposed to meet the objectives and targets (Planning); and
4. A description of how progress towards meeting the objectives and targets will be measured (Achievement).

Purpose of Niagara's 10-Year Plan and the Five-Year Review

Municipal service manager housing and homelessness plans provide a framework for integrated local planning to address housing affordability, coordination of homelessness and related support services and homelessness prevention. The plans can also be an important tool to support local poverty reduction. Strong partnerships and collaboration between the province, service managers, municipalities, Indigenous communities and organizations, housing providers and other stakeholders are essential to the successful implementation of local housing and homelessness plans. Leadership and a long-term funding commitment from the federal and provincial government is also considered vital.

Niagara's 10-Year Housing and Homelessness Action Plan, "A Home for All", is intended to support the provincial vision that every person in Ontario has an affordable, suitable and adequate home to provide the foundation to secure employment, raise a family, and build strong communities. "A Home for All" sets out the same vision for every person in Niagara. Working to achieve this vision will help reduce the number of people experiencing homelessness and increase the number of people experiencing housing stability. It also supports *ending homelessness* in Niagara, and specifically ending *chronic homelessness* aligned with provincial timelines (by 2025-26). When people have access to stable, adequate and affordable housing it enables them to experience other positive outcomes in health, education, and employment. *Ending homelessness* is a key component of poverty reduction. Access to adequate, suitable and affordable housing is an essential part of the foundation to move people out of poverty.

Planning is a complex and intricate process that is undertaken at a given time, in an environment of change and uncertainty. Nevertheless, the five-year review provides an opportunity for the service manager, its partners and other community stakeholders to reflect on the local plan and the actions taken in the first five years, and plan to improve the local system of housing and homelessness in a way that will lead to better outcomes for people in Niagara.

This review addresses each of the following policy directions:

- Assessment of Current and Future Need
- Accountability and Outcomes (Objectives, Targets, and Achievement)
- Planning (Description of Measures Proposed to Meet Objectives and Targets) for:
 - *Ending Homelessness*, including *Chronic Homelessness*
 - Indigenous Peoples
 - Coordination with other Community Services
 - A Broad Range of Community Needs
 - Non-Profit Housing Corporations and Non-Profit Housing Co-operatives
 - The Private Housing Market
 - Climate Change and Environmental Sustainability.

The Plan has been updated to be consistent with each of these policy directions.

Analysis of External Environment

Niagara's 10-year Housing and Homelessness Plan, "A Home for All", was initially developed in consultation with local community members, service providers and other stakeholders, and came into effect on January 1, 2014. From 2014 to 2018 significant changes have occurred in the external environment that impact the work of the plan. These include:

- **The Housing Market** - While Niagara remains the most affordable market in the GTHA, it has seen the largest increase in prices from 2014 to 2019 among comparators, including an 81% rate of change in ownership prices in that five-year period.¹ Niagara's housing market has seen dramatic changes since 2016 in both home ownership and rental prices. In 2019, St. Catharines was identified as the 10th most expensive rental market in Canada (3rd in Ontario) with the median price of \$910 for a one-bedroom rental.² Increased demand, limited rental supply, an increase in student population, and increase in short term rentals (such as AIRBNBs), have led to falling vacancy rates, especially for more affordable rental units. An additional 1,070 households in Niagara experienced *core housing need* in 2016 as compared to 2011, and numbers are expected to continue to grow if Niagara maintains the status quo approach.
- **Emergency Shelter** - Niagara has seen an increase in demand for emergency shelter services. While available shelter beds have been increased by 13% from 2016 to 2018, occupancy rates have continued to climb from 98.2% in 2016 to 104.3% in 2018. Front line homelessness services staff express concern that it has become significantly harder for them to secure safe, affordable rental units for clients looking to exit homelessness. In 2018, 674 (37%) of people who accessed shelter stayed for 31-179 days, using 75% of available shelter capacity of 63,231 bed nights. It is commonly agreed that additional housing and supports designed to meet the needs of this population could free up a significant portion of existing shelter capacity.
- **Community Housing** – Niagara has seen continued long wait times of up to 15 years for community housing units. From June 2017 to June 2019 the *community housing waitlist* grew by nearly 20% from 4,829 to 5,775 households. Niagara Regional Housing has identified that

¹ Data sourced from The Canadian Real Estate Association (CREA)

² Retrieved from <https://www.niagarathisweek.com/news-story/6757113-st-catharines-nabs-10th-spot-on-most-expensive-rental-markets-in-canada-list/>

residents in community housing who have increased their income and are interested in moving to market units are struggling to find units in the market that they can afford. Additionally, even lower market prices for home ownership are beyond the maximum prices that qualify for use by community housing tenants seeking to enter into the home ownership market with the support of Niagara Regional Housing's *Welcome Home Niagara* ownership program.

- **Funding and Policy Changes** – The federal government redesigned the federal funding program known as the Homelessness Partnering Strategy into *Reaching Home: Canada's Homelessness Strategy* in 2018. *Reaching Home* was launched in 2018, with sweeping changes for service delivery and coordinated system design. The province also launched *Home for Good* funding for supportive housing in 2017 and has introduced policy changes that impact development through the *Growth Plan for the Greater Golden Horseshoe* and *Bill 108: More Homes, More Choice*. Policy changes continue to be implemented and are expected to have broad impact on housing and the homelessness system for years 6-10 of the Action Plan. Current provincial policy direction supports an increased role for the private market in meeting housing needs. Across Canada there has been an increased awareness and discussion about the history, rights, and experience of Indigenous people, including *Truth and Reconciliation*, and a directive of the province to engage, coordinate with, and collaborate with Indigenous housing and service providers to meet the needs of Indigenous people in the service area.
- **Client Needs** – While the number of individuals and families experiencing homelessness have increased, the number of people with *complex needs* accessing services has also increased. Factors such as the opioid crisis and human trafficking have led to an increase in the complexity of local need. Visible homelessness and street community are on the rise, especially in the larger municipal cores in the region. *Niagara's homeless serving system* is increasingly challenged to effectively support people experiencing a combination of experiences that may include chronic homelessness, mental illness, trauma, addictions, and social needs (inclusion and meaningful daily activity) to exit homelessness and achieve housing stability. In part a reflection of limited community-based supports to address mental health issues, emergency department visits in Niagara (2,377/100,000) are higher than Ontario as a whole (2,006/100,000) and hospitalization for intentional self-harm (96/100,000) has been significantly higher than Ontario (71/100,000) for approximately ten years. Community housing has seen a surge in vulnerable tenants due to an identified increase in mental health challenges and addictions. Opioid related emergency department visits have been significantly higher in Niagara (114/100,000) than for Ontario as a whole (54.6/100,000 in 2017), with St. Catharines topping the list of Ontario cities hardest hit by the opioid crisis.³ *Community housing* providers have identified an increased need for residents to have access to a variety of services to support stable tenancy and positive community involvement.
- **Focus on Best Practices** – Housing and homelessness systems across Canada and beyond have been identifying and implementing evidence-based solutions to affordable housing and homelessness. Practices being used in other communities that could be adapted to Niagara include *Built for Zero Canada (BFZ-C)*, *Coordinated Access*, a *By-Name List*, *Assertive Street Outreach*, *Shelter Diversion* and *Housing Focused Shelter*.

³ Retrieved from <https://www.stcatharinesstandard.ca/news-story/9576721-garden-city-hardest-hit-by-opioid-crisis/>

Review of Activities from the First Five Years

Years 1-5 of the Action Plan (2014-2018) included the development of the “A Home for All” Task Force and five working groups with community participation and leadership. Each working group supported the completion of actions outlined in the plan related to a specific area of focus, and included:

- Prevention
- Housing First
- Service Hubs
- No Wrong Door
- Housing Affordability Innovation.

These community-led groups have played a crucial role in increasing system responsiveness to changes in the community, identifying challenges and opportunities, and making recommendations to the service manager. The structure and process are based on best practices for a coordinated, community-based engagement model for creating positive systems-level change.

An additional working group of Regional staff was launched in 2018 to develop an affordable housing strategy. This group is intended to connect the work of the 10-Year Housing and Homelessness Action Plan to the work of other corporate efforts including developing a new *Regional Official Plan*, which involves the land-use planning framework. The group includes staff from Planning & Development Services, Community Services, Corporate Services and Niagara Regional Housing. This group has been seeking to align initiatives across the organization that impact the supply of affordable housing, including working with the Canadian Centre for Economic Analysis (CANCEA) in completing a *Niagara Housing Statement* that identifies the local supply and demand for affordable housing and makes a projection of affordable housing need to 2041.

The *Niagara Housing Statement* assesses current *affordable housing* need based on the number and type of households in *core housing need*, which is in total 23,813 households.

Household Type	Single or Roommate	Lone Parent	Couple	Couples with Children
Suitable Housing	Bachelor or 1 bedroom	2 or more bedrooms	1 bedroom	2 or more bedrooms
Number of households	20,002	3,254	286	271

To move these households out of core housing need, options need to be created within Niagara’s supply of housing so that they could be suitably and adequately housed in options with total monthly housing costs for rental or ownership that are at or below \$1,317. Projections of future need identifies that Niagara Region’s target growth will hold the percentage of households in *core housing need* at 13%, with an additional 10,168 additional households in core housing need by 2041.

The original 10-Year Plan includes 80 actions identified on the basis of four stages:

- 24 Initial actions – to be completed within the first year after HHAP adoption (2014)
- 28 Short-term actions – to be completed within 2-3 years (2015-2016)
- 24 Mid-term actions – to be completed within 4-6 years (2017-2019)
- Four Long-term actions – to be completed in year 7 and beyond (2020-2023).

Progress toward the completion of these actions has been reported regularly to council and the public through an annual report and community update, with the initial and short-term actions completed. It is anticipated that the mid-term actions are on track for completion by the end of 2019, with the four long-term items remaining to be completed.

The original plan also contains an appendix (Appendix D), which is dedicated to outlining actions to address issues of housing and homelessness for Indigenous people in Niagara. The Indigenous community has identified that the service manager relationship with the Indigenous community and Indigenous organizations during years 1-5 of the plan did not meet expectations for engagement and collaboration in addressing issues of Indigenous housing and homelessness. Opportunity exists for significant improvement in service manager engagement and collaboration with Indigenous partners in years 6-10.

In 2018 Whitesell and Associates was engaged to conduct a review of *Niagara's Homeless Serving System*. The resulting report identifies a two-phase process to improve service delivery through a transformation to a "*system 2.0 model*" and then a "*system 3.0 model*" during years 6-10 of the plan. The *system 2.0 model* is grounded in Housing First philosophy, includes strengthened street outreach, housing help, Housing First programs, standardized performance indicators, improved contract management, enhanced decision-making and greater collaboration. The *system 3.0 model* has not yet been defined, as the specific features of the *system 3.0 model* will be determined through a review of the 2.0 model after it is fully implemented.

The original plan did not include measures of progress that were adequate to meet the requirements of the five-year review for objectives, outcomes, measures, and targets. It is important to note that while targets have been included for market housing under Goal 3, the targets may require adjustment to reflect requirements of the *Regional Official Plan* upon its completion in 2021.

The Process of the Five-Year Review

The benefit of the structure of the "A Home for All" Task Force and working groups has been the ongoing discussions with community partners about possible program and system changes. The richness of these ongoing discussions provided significant information for use in the five-year review prior to the formal initiation of the review in 2018.

The formal review process provided a time-bounded opportunity to engage the community partners leading and participating in the "A Home for All" working groups to reflect on the actions already completed. These discussions took place formally within the working groups throughout 2018 and into early 2019 to reflect on the work to date, discuss the changing environment, and suggest improvements that will lead to better outcomes for those in Niagara in the next five years.

More than 1,300 individuals from the community (excluding staff) participated in engagement activities for the creation of the original plan. These included boards of directors, members of the business sector, education sector, employment sector, faith groups, government sector, health sector, affordable housing providers, landlords, real estate developers, service groups, supportive housing providers, tenants, people with lived experience, Aboriginal Peoples, seniors, youth, people released from custody, immigrants, persons with disabilities, victims of domestic violence and members of the general public. Due to the broad and diverse engagement that occurred in the creation of the original plan, it was determined that further consultations for the five-year review were not required. Nevertheless, a desire

was expressed to gather additional information about the housing and homelessness needs of specific populations in Niagara through additional consultations with the following groups:

- Age Friendly Niagara Network
- Indigenous Community/Niagara Aboriginal Working Group on Homelessness (NAWG)
- Niagara Resource Managers Group/Developmental Services Ontario.

These groups were chosen because of an identified concern by community partners that an assessment of the needs of older adults, Indigenous people, and people with developmental disabilities were not being adequately addressed in *Niagara's homeless serving system*. Older adults are a significant and rapidly growing population in Niagara. Additionally, local homeless service and homeless enumeration data identified a need to review the experience of both Indigenous people and people with developmental disabilities in accessing both housing and services. The plan has been updated to reflect identified needs of these groups.

To better reflect the voice of the Indigenous community within this document, content provided by the Niagara Aboriginal Working Group on Homelessness (NAWG) has been included as a call-out in each section.

Voice of the Indigenous Community

"The five-year update to the plan needs to address the context of the Indigenous community in the Niagara Region. Current Point in Time (P.I.T.) surveys (2018 Homeless Hub) indicate that 24.3% of respondents identify themselves as Indigenous. We believe that number to be higher even though they represent only 2.8% of the general population.

This data clearly shows that there is a strong need in the Niagara region for social services to be coordinated and directed to the housing needs of Indigenous people. These needs include the prevention of homelessness through housing location and set up, help with housing retention, increasing housing options with close client support, and access to emergency housing and shelters. There is a critical need to co-ordinate all relevant social services in the Region and to educate all persons involved in these services unique to the housing needs of Indigenous people."

Key Recommendations from the Review

The following key recommendations from the five-year review have been incorporated into the plan for years 6-10:

- [1] Update the plan to reflect the identified needs of older adults, Indigenous people, and persons with a developmental disability, and persons with complex need including *chronic homelessness*.
- [2] Update the plan to be consistent with land use planning and the new *Regional Official Plan*, and based on the assessment of current and future affordable housing need in the *Niagara Housing Statement*.

[3] Maintain the four goals of the plan but revise the wording of the goals to be clearer and reflect current language in use.

[4] Recognizing the importance of addressing Indigenous housing and homelessness in Niagara, integrate content provided by the Indigenous community into the body of the plan instead of as a separate appendix.

[5] Revise the approach to measuring progress to include meaningful objectives, measures and targets that are consistent with the requirements of the revised policy statement. Develop baseline data for all outcomes using 2019 data.

[6] Include the following actions from the original plan in the updated plan for years 6-10:

- The four long-term actions 3.6a, 3.6b, 3.6c and 3.6d from the original plan. These are actions 3.7b, 3.8c, 3.8f, and 3.8j respectively in the updated plan.
- Item 3.1d from the original plan “Maintaining on-going and adequate contributions to the Affordable Housing reserve” be included as an action in years 6-10, as adequate reserves have not been kept through years 1-5, and maintaining adequate reserves aligns with best practices in financial management of *community housing*. This is action 3.8b in the updated plan.
- Actions 1.3d, 2.3a, and 2.3b from Appendix D of the original plan related to Indigenous issues. These are actions 4.12a, 4.10i and 2.9c respectively in the updated plan.

[7] Revise the structure of the community-led working groups and Task Force to reflect the priority areas of activity for years 6-10.

[8] Recognizing that the language used to discuss homelessness, affordable housing, and the planning and development process often has specific technical meanings, include definitions of key words and phrases used in the five-year review. These definitions are provided in appendix B of this document.

The Updated Action Plan

The following section presents an updated Housing and Homelessness Action Plan for years 6-10 (2019 to 2023) that responds to what was heard through the review process. The updated plan includes 75 new actions that support the achievement of the following four goals:

Goal 1 – House People Who Do Not Have a Home (11 actions)

Goal 2 – Help People to Retain a Home (16 actions)

Goal 3 – Increase Housing Options and Opportunities for Low- and Medium-Income households (24 actions)

Goal 4 – Build Capacity and Improve the Effectiveness and Efficiency of the Housing and Homelessness System (24 actions)

Goal 1 – House People Who Do Not Have a Home

What We Heard

- Address both *primary homelessness* and *secondary homelessness*, with a focus on those experiencing *chronic homelessness* and long-term and frequent users of *emergency homelessness services*.

- Focus on providing everyone experiencing homelessness in Niagara with rapid access to permanent housing alongside services and supports that will help them get back on their feet.
- Shift focus away from managing homelessness through *emergency homelessness services* to *ending homelessness* through *prevention services* and the provision of *housing-focused supports*.

Voice of the Indigenous Community

“The Indigenous community would like to see an increase in housing and support services in collaboration with Niagara Aboriginal Working Group (NAWG) organizations and mainstream organizations for Indigenous people exiting the justice system, health care system, fleeing domestic violence/sex trafficking and Indigenous children aging out of the child protection system into homelessness. The Indigenous community requests an increase in emergency beds designated for Indigenous men, women, and children with emergency housing and supports provided with an Indigenous lens. Additionally, the Indigenous Community would like to see an increase in street outreach that is culturally appropriate for Indigenous people experiencing homelessness and supports that increase housing stability for those who are exiting homelessness that are inline with their cultural identity.”

Objectives:

- i. Improve access to *assertive street outreach* in locations where people are living rough across the entire service area, especially for Indigenous persons and families, youth, and those who need mental health and/or addictions supports.
- ii. Improve *coordinated access* to housing supports to secure and maintain housing for those who use *emergency shelters* repeatedly or for a long period of time through a shift to *housing-focused shelters*.
- iii. Increase access, prioritization and funding for *housing with supports* to address *chronic homelessness*, especially for those whose needs cannot be adequately met by available *housing with support* programs.

Goal 1.4 - Shorter Term (2019-2021)

What We Heard

- Adapt recommendations of the *homeless services system review* to transform to a *system 2.0 model* for *Niagara’s homeless serving system*, a group of agencies and programs that coordinate to provide housing and homelessness services in Niagara.
- Implement best practices in *assertive street outreach*, *emergency shelter*, *supportive transitional housing* and *supportive housing* to assist those experiencing homelessness to exit homelessness.

Actions

1.4a) Develop a *By-Name List*, *By-Name Priority List*, and *coordinated access* policy and procedure to connect people who don’t have a home to appropriate housing in a more streamlined and coordinated way, including:

- Maintaining a current list of individuals and families who do not have a home and their housing needs.
- Maintaining a current list of available housing solutions for the people who do not have a home.
- Identifying community priority populations and applying consistent criteria to ensure fairness and consistency in the housing process.

1.4b) Create with community partners a measurable aim statement to reach *functional zero* for *chronic homelessness*, based on projections from the *By-Name List* data, informed by the community, and aligned with provincial and federal goals on ending *chronic homelessness*.

1.4c) Support a shift to *assertive street outreach* to engage those who are living rough and support them to access the broader system of housing and homelessness services.

1.4d) Support a shift to *housing-focused shelters* that maintain a focus on helping shelter stayers to access housing and in all that shelters do, and facilitate movement from homelessness to housing.

1.4e) Increase access to *low-barrier* housing and supports for those experiencing *chronic homelessness*, especially for those experiencing developmental disability, mental health issues, and/or addictions.

1.4f) Increase access for Indigenous persons and families experiencing homelessness to housing and supports provided with an Indigenous lens, to assist them in reconnecting with housing, cultural identity and relations, including:

- Culturally appropriate *assertive street outreach*
- Emergency beds designated for Indigenous men, women, and children.

1.4g) Undertake a *homeless services system review* prior to the 2023-2025 funding allocation to determine the effectiveness of the *system 2.0 model* and identify areas for transformation to a *system 3.0 model* and the creation of a comprehensive systems framework.

Goal 1.5 – Longer term (2022-2023)

What We Heard

- Adapt recommendations of the *homeless services system review* (1.4g) and best practices to transform *street outreach*, *emergency shelter*, *supportive transitional housing* and *supportive housing* to a *system 3.0 model*.

Actions

1.5a) Introduce or increase services and supports to meet the needs of those on the *By-Name List* who are experiencing *chronic homelessness* to exit homelessness and remain stably housed.

1.5b) Support a transformation of *supportive transitional housing* to align with best practices for *housing with supports*, including a *Housing First approach*, and the recommendations for the *system 3.0 model*.

1.5c) Introduce a *rapid rehousing program* to provide short term supports and financial assistance for housing related expenses (e.g., rent arrears, ongoing rent assistance, moving costs) to individuals and families with mid-acuity of need (without complex mental health and addictions needs) who are experiencing homelessness.

1.5d) Explore opportunities to shift system resources away from *emergency homelessness services* toward *prevention services* and *housing with supports*, in alignment with best practices for homeless serving systems and a *Housing First approach*.

Goal 1 – Metrics and Targets

Objectives	Outcomes	Measures	Targets
To provide housing and supports to people experiencing homelessness, who are <i>unsheltered</i>	Improved access to housing and supports for those who are <i>unsheltered</i>	Percentage of individuals engaged through outreach entering shelter or more stable housing situations annually	<ul style="list-style-type: none"> All: 20% of individuals engaged enter shelter or stable housing
To provide <i>emergency shelter</i> to people experiencing homelessness, while they search for housing and engage in a housing plan	Rapid exit from <i>emergency shelter</i> to permanent housing and housing resources	Average length of stay in days per admission to emergency shelters for youth, family, and singles during the reporting period	<ul style="list-style-type: none"> All Households: 30 days Singles: 10 days Youth: 17 days Refugees/Newcomers: 60 days Families: 38 days
To support people experiencing homelessness to access more stable housing	Improved housing situation for those who are <i>emergency sheltered</i>	Percentage of those who are emergency sheltered who transition to more stable housing quarterly, including <i>supportive transitional housing, supportive housing</i> and regular housing.	<ul style="list-style-type: none"> 35% of those in shelter transition to more stable housing

Goal 2 – Help People to Retain a Home

What We Heard

- Focus prevention to reduce the flow of new individuals or families into homelessness and to avoid worsening or recurrence for those with repeated or regular housing instability or experience of homelessness.
- Provide *primary prevention* to reduce the risk of housing loss among high-risk groups in the community, with a focus on youth.
- Provide *secondary prevention* to prevent housing loss among those at *imminent risk of housing loss*, including households in *deep core housing need*, and *low income households* or *moderate income households* experiencing short-term financial instability.
- Provide *tertiary prevention* to support individuals and families with a history of housing loss or homelessness with access to housing and the supports necessary to support housing stability, especially those with *complex needs*.
- Shift focus away from managing homelessness through *emergency homelessness services* to *ending homelessness* through *prevention services* and the provision of *housing-focused supports*.

Voice of the Indigenous Community

“The Indigenous community would like the Niagara Region to resource education for tenants, service providers and landlords that supports successful tenancies, and requests that the Service Manager play an active role in supporting the right to housing for Indigenous people and the responsibility of landlords to not discriminate against Indigenous people seeking housing, including support for legal aid when discrimination plays a factor in landlord-tenant matters. The Indigenous community would also like to see an increase in rental supports for Indigenous households exiting or at risk of homelessness and increased access to community housing for Indigenous persons and families exiting emergency shelter, transitional housing, the health care system, justice system or aging out of the child welfare system into homelessness. The Indigenous community would like the Niagara Region to ensure landlords, community housing providers and service providers are provided cultural competency training.”

Objectives:

- i. Expand wrap-around supports and financial assistance that keep people housed
- ii. Enhance services that prevent homelessness and allow people to bridge short periods of financial instability, especially for households with *low to moderate incomes*
- iii. Foster longer-term housing stability through financial and case management supports that enable households exiting homelessness to avoid further experience of homelessness

Goal 2.8 - Shorter Term (2019-2021)

What We Heard

- Adapt recommendations of the *homeless services system review* to transform to a *system 2.0 model* for *Niagara's homeless serving system*, a group of agencies and programs that coordinate to provide housing and homelessness services in Niagara.
- Implement best practices in homelessness prevention to support those *at risk of homelessness* or a return to homelessness to retain housing.

Actions

Primary Prevention

2.8a) Increase access for landlords and tenants to education about their rights and responsibilities for those who rent property in Ontario.

2.8b) Expand the youth prevention pilot to strengthen early identification and support diversion of youth who are *at risk of homelessness*.

2.8c) Explore options to support the right to housing for Indigenous people, recognizing the definition of Indigenous homelessness in Canada.

Secondary Prevention

2.8d) Expand the youth shelter diversion pilot to implement diversion best practices across all emergency shelters in the homelessness system.

2.8e) Continue to support programming on affordable home ownership with a special focus on supporting *low or moderate income* households to buy their first home.

2.8f) Increase access to housing and supports to prevent homelessness among Indigenous people exiting the health care system, the justice system or aging out of the child welfare system.

2.8g) Continue to support the renovation support program, with a special focus on supporting persons with accessibility issues to remain housed.

Tertiary Prevention

2.8h) Expand the landlord engagement specialist pilot to improve access to affordable market rental units, support positive landlord-tenant relationships, and mitigate tenancy issues.

2.8i) Revise the *trusteeship* program to align with *Housing First approach* and a *recovery orientation*, to support trustees to move to self-sufficiency as appropriate.

2.8j) Explore opportunities to enhance service access in response to the findings of the concurrent disorders shelter assessment pilot.

Goal 2.9 – Longer term (2022-2023)

What We Heard

- Adapt recommendations of the *homeless services system review* (1.4 g) and best practices to transform *prevention services* to a *system 3.0 model*.

Actions

Primary Prevention

2.9a) Develop a mechanism to identify earlier those households with increasing risk of housing loss, and rapidly connect them with appropriate services and supports, especially older adults and households with *a low income or moderate income* and minimal assets

2.9b) Address discrimination against Indigenous individuals and families seeking to secure housing and support for legal aid for Indigenous households when discrimination plays a factor in landlord-tenant matters.

2.9c) (adapted from 2.3b in Appendix D of the original plan) Continue to advocate to senior government to allow working recipients to keep a larger portion of their social assistance, to empower individuals to increase their income and build their skills through work experience while in programs such as transitional housing and the Indigenous Homeward Bound program.

Secondary Prevention

2.9d) Strengthen the connection between the homeless priority status on the *Centralized Housing waitlist* and the *homeless serving system* to improve access to community housing for those experiencing homelessness through coordinated access policy and procedure.

2.9e) Provide access to rental assistance to households in *deep core housing need* spending 50% or more of their income on housing costs.

Tertiary Prevention

2.9f) Continue to work with the Local Health Integrated Network (LHIN), Ontario Health Teams (OHT), Niagara Health System (NHS) and health services providers to further improve access to appropriate health, mental health, trauma, and addictions supports for those exiting *chronic homelessness*.

Goal 2 – Metrics and Targets

Objectives	Outcomes	Measures	Targets
To provide timely access to <i>prevention services</i> for those <i>at risk of homelessness</i>	Rapid access to prevention services	Average time taken to receive appropriate housing supports from entering <i>prevention services</i> a. Single b. Family c. Youth	First Contact • Immediate: 1-2 business days • Non-immediate: 1-2 business days Connection to Service • Immediate: 1-2 business days • Non-immediate: 3-5 business days
To provide <i>prevention services</i> to people that help them retain housing for at least three months	Improved housing stability for households <i>at risk of housing loss</i>	Average percentage of clients that retained their long-term housing after receiving a subsidy and/or supports after three months a. Eviction prevention b. Landlord mediation c. Niagara Emergency Energy Fund (NEEF) d. Housing Stability Plan e. Trusteeship	75% of clients retain their housing for three months or longer after intervention
To support long-term housing stability for people who have graduated successfully from <i>housing with support programs</i>	Improved housing stability for households that have graduated from <i>housing with support programs</i>	Percentage of clients exited from <i>Supportive Transitional Housing, Housing First, and Home for Good</i> programs and returned to homelessness after six months / 12 months	HF: 5% or less STH: 2% or less (6 months), 15% or less (12 months)

Goal 3 – Increase Housing Options and Opportunities for Low- and Medium-Income households

What We Heard

- Niagara needs an adequate supply of *affordable market housing* and *community housing* that supports households of all sizes, incomes, and ages to have safe, permanent and affordable housing contributes to a vibrant and prosperous community.
- The target mix for affordability of housing needed in Niagara should reflect to the family sizes and household incomes of those who are spending more than 30% of their income on their housing costs.
- Use the planning and development process to facilitate the creation of appropriate *market housing* and *affordable housing* stock.
- Collaborate with local area municipalities to understand and meet local housing needs.
- Collaborate with local area municipalities to streamline the development process.
- *Non-profit housing* and *co-operative housing* providers are crucial for providing *affordable housing* options where the market does not provide enough *affordable housing* options for *low* and *moderate income* households.

Voice of the Indigenous Community

“The Indigenous community would like to see an increase in timely access to community housing options for single-person and lone-parent Indigenous households. We would like Indigenous housing and service providers to be provided opportunity to participate in opportunities to create new affordable housing development, including access to available land, incentives and initiatives.”

Objectives:

- i. Retain, protect and increase the supply of housing in the private *market housing* to meet local needs.
- ii. Retain, protect, and increase the supply of appropriate *community housing* to meet local needs.

Goal 3.7 – Plan for Affordable Housing (2019-2023)

What We Heard

- Use local planning and financial tools such as *community improvement plans (CIPs)*, grant or deferral of development charges.
- Offer partnership programs to private and non-profit housing providers who meet specific criteria for an equity contribution or *municipal capital facility designation* for tax incentives.
- Leverage provincial and federal funding to create *affordable housing* development to meet identified need for housing.

Actions

3.7a) Develop a *Niagara Housing Statement* that clearly defines affordability and describes the unmet demand for *affordable market housing* and *community housing*, including the number of units by size, type, location, and cost, and a forecast of need up to 2041.

3.7b) (adapted from item 3.6a in the original plan) Support a comprehensive affordable housing strategy integrating the policies and targets of the new *Regional Official Plan* and the policies and targets of the 10-Year Housing and Homelessness Action Plan, to support the longer-term goals of the *Growth Plan for the Greater Golden Horseshoe* and support the development of complete communities that are compact, sustainable, and meet the minimum density and intensification targets laid out in the *Regional Official Plan*.

3.7c) Provide data and other support for the development and implementation of affordable housing plans by local area municipalities.

3.7d) Support inclusion of *affordable housing* options within focused areas of strategic growth, such as major transit station areas.

3.7e) Work with local municipal planners and the development community to streamline the development process and explore the feasibility of a concierge service or other means to expedite the approval process for priority projects.

3.7f) Implement best practices for addressing “*Not in My Backyard (NIMBYism)*” responses as a barrier to new housing developments that provide a diverse range and mix of housing options, densities, and tenures and support different populations and lifestyles.

3.7g) Work with the development community to explore innovative housing solutions that address the costs of *affordable housing* including cost of land, design, construction, financing, sales and aftersales, including:

- Access to equity or low-interest financing
- Provision of municipal land for *affordable housing* development
- Innovative design to reduce cost
- Innovative use of materials and construction techniques
- Addressing real and perceived risk of *affordable housing* development.

3.7h) (item 3.3d in the original plan) In concert with other Ontario municipalities, continue to advocate for:

- On-going, predictable funding for new housing initiatives (i.e. for new development, rent supplements).
- Sustained federal funding to maintain affordability in existing social housing post *End of Operation Agreement* (i.e. after mortgage/debt maturity).
- Funding to repair, renovate and renew aging *community housing* stock.

Goal 3.8 – Develop Affordable Housing Units (2019-2023)

What We Heard

- Support the development of new *purpose-built market rental units* and *community housing* units to meet local need.

Actions

3.8a) Ensure adequate financial resources are available and targeted to support the new development of *market housing* and *community housing* stock to meet identified local need.

3.8b) (adapted from 3.1d in the original plan) Maintain on-going and adequate contributions to the capital reserves to support investment in new or existing *community housing*.

3.8c) (originally item 3.6b in the original plan) Support and facilitate local municipalities to partner with the Region on financial incentives with emphasis on consistent application of tools that support the development of *affordable housing*.

3.8d) (adapted from 3.5c in the original plan) Prioritize funding to continue to support and establish new incentives that encourage private market and not-for-profit investment in new *affordable housing*, in particular purpose built rental and reinvestment and retention of existing owned *affordable housing*, including incentives related to Development Charges, Community Benefit Charges or as part of a *Community Improvement Plan (CIP)*.

3.8e) (item 3.3b in the original plan) Broaden access to the *Niagara Renovates* and *Welcome Home Niagara* programs to expand support for low income households in partnership with local area municipalities.

3.8f) (item 3.6c in the original plan) Advocate to other levels of government (federal and provincial) for continued funding and incentives that encourage developers to build.

3.8g) Support the development of affordable market units to enable older adults to downsize and age in place within their community by collaborating with housing providers and local municipalities to encourage, promote, and permit creative solutions such as secondary units, tiny homes, life lease arrangements, modular homes, and reduced parking requirements where appropriate.

3.8h) (adapted from item 3.3a in the original plan) Work with the Indigenous community to improve Indigenous access to municipal land, incentives, and initiatives for creating new *affordable housing* options for single-person and lone-parent Indigenous households.

3.8i) Explore opportunities to collaborate with the LHIN, OHT, NHS and health services providers to create *low barrier supportive housing* for people with *complex needs*, including physical disability, mental illness, addictions, and trauma who are experiencing homelessness or *at risk of homelessness*.

3.8j) (item 3.6d in the original plan) Align with actions specific to housing support under *Niagara Sustainability Plan* infrastructure goals (e.g. setting energy reduction targets consistent with those under the *Niagara Sustainability Plan* for *affordable housing* and establishing action plans to achieve them).

3.8k) Utilize capital retrofit programs that reduce greenhouse gas emission and create more energy efficient *community housing*, to reduce operating costs for buildings and improve housing provider sustainability.

Goal 3.9 – Support Non-Profit and Co-operative Housing Providers (2019-2023)

What We Heard

- Housing providers are critical partners in the provision of *affordable housing*.
- A number of *community housing providers* have become 'de facto' *supportive housing* without expertise to provide supports.
- Some tenants require intensive supports to maintain successful tenancies, including home care, mental illness, and addictions support.
- *Community housing* providers typically do not have the professional staff resources or funds to provide these critical services.
- *Community housing* operators with an interest in new development may lack the capacity to undertake new development.

Actions

3.9a) Review and amend the policies of the *Centralized Housing waitlist* in accordance with provincial policy direction and the recommendations of the 2017 Annual Report of the Auditor General of Ontario's Review of Social and Affordable Housing.

3.9b) (adapted from item 3.3c in the original plan) Establish capital reserves or financing to address *End of Operating Agreements* and *End of Mortgage Agreements* to prevent the loss of current *community housing* stock.

3.9c) Establish capital reserves or financing to address the capital repair needs of *community housing* providers.

3.9d) Increase available resources for *non-profit housing* and *co-operative housing* tenants who need additional supports in order to remain successfully housed, such as *Community Programs Coordinators (CPCs)*.

3.9e) Improve the capacity of interested *non-profit housing* and *co-operative housing* providers to finance, develop and maintain new affordable housing stock.

Goal 3 – Metrics and Targets

Objectives	Outcomes	Measures	Targets
To provide an adequate supply and mix of housing options at different densities	Increase the supply of denser housing forms	Percentage of units of new housing at the desired densities required to meet target growth scenario (Develop baseline data in 2019)	<ul style="list-style-type: none"> • 30% low-density/single detached • 40% mid-density/semi-detached and townhouse • 30% high density/apartments
To provide an adequate supply and mix of <i>community housing</i> options	Increase the supply of <i>community housing</i> units that meet community need	Increase in number of new <i>community housing</i> units (Niagara Regional Housing, <i>Non-Profit Housing</i> , <i>Co-operative Housing</i>) by unit type, per year (Develop baseline data in 2019)	<ul style="list-style-type: none"> • A 10% year over year increase in the number of new community housing units completed, including: • 75% bachelors and 1 bedroom units • 20% two and three bedroom units • 5% Four or more bedroom units
To maintain the supply of existing <i>community housing</i> stock	Prevent the loss of <i>community housing</i> units	Number of <i>community housing</i> units lost to <i>End of Operating</i> or <i>End of Mortgage Agreements</i> annually (develop baseline data in 2019)	<ul style="list-style-type: none"> • Zero units lost

Goal 4- Build Capacity and Improve the Effectiveness and Efficiency of the Housing and Homelessness System

What We Heard

- Support the alignment of all stakeholders to the purpose of *ending homelessness*.
- Communicate more frequently and broadly about housing and services provided in Niagara and about the 10-Year Housing and Homelessness Action Plan.
- Continue to address homelessness and *affordable housing* through increased collaboration between Regional departments as well as between the Region and partners in Niagara's housing and homelessness system, health care and other systems, and other levels of government.
- Increase the participation and voice of those who use the homelessness system and those who face barriers when accessing housing or services.

Voice of the Indigenous Community

"The Indigenous community would like to see increased engagement by the Service Manager with Indigenous organizations including NAWG and communities within the work of the 10-year housing and homelessness action plan. We would like to see an increase in partnerships and collaborations with mainstream homelessness service providers and organizational members of NAWG. We would also like to see an increase in support and resourcing for Indigenous designed housing and homelessness services for Indigenous people and families by Indigenous people. The Indigenous community requests that the Niagara Region work with NAWG to explore options for the Service Manager to fund Indigenous organizations for the delivery of homelessness services to Indigenous people at risk of or experiencing homelessness, in a way that respects the needs of Indigenous people, concerns for data security, accountability, and municipal procurement requirements. We would like all funding streams in homelessness services open to Indigenous applicants and the evaluation of projects that affect Indigenous people to have an Indigenous context by NAWG. Furthermore, we would like to work collaboratively with the Service Manager to advocate in support of Indigenous human rights."

Objectives:

- i. Increase housing awareness and enhance capacity.
- ii. Coordinate resources and integrate decision-making through a transformation to a *system 3.0 model* and in partnership with other systems.
- iii. Collect, maintain and use meaningful data for decision-making.

Goal 4.10 - System and Service Design

Actions

4.10a) Develop a common vision for *Niagara's homeless serving system* for the *system 2.0 model* that aligns with this Action Plan and *ending homelessness*.

4.10b) Embed a *Housing First approach* within the entire housing and homelessness system and all homeless services.

4.10c) Increase alignment of contracted services with the *system 2.0 model* by introducing concepts and requirements to service providers through a Negotiated Request for Proposal (NRFP) process.

4.10d) Work with NAWG to explore options for the service manager to fund Indigenous organizations for the delivery of homelessness services to Indigenous people at risk of or experiencing homelessness, in a way that respects the needs of Indigenous people, concerns for data security, accountability, and municipal procurement requirements, including:

- Opening all homeless services funding streams to Indigenous applicants.
- Supporting Indigenous-designed housing and homelessness services provided for Indigenous people and families by Indigenous people.
- Including NAWG to provide Indigenous context in the evaluation of all homelessness services applications that include projects that affect Indigenous people.

4.10e) Increase the accuracy and completeness for homeless services data, including client data, within HIFIS.

4.10f) Increase the use of system and program standards within funded homeless services as part of improved contract management.

4.10g) Support increased provider capacity to support the implementation of best practices for service delivery through informal and formal training and support.

4.10h) Increase opportunities for consumers of housing and homeless services to provide feedback to providers and the system manager.

4.10i) (adapted from 2.3a in Appendix D of the original plan) Explore additional opportunities that help address transportation concerns of equity-seeking populations such as the Indigenous community by promoting better access to service, with a special focus on helping people in rural communities to access services.

Goal 4.11 Communication and Collaboration

What We Heard

- Work across sectors and leverage positive relationships with other systems to provide immediate solutions to those experiencing homelessness or in need of *affordable housing*.
- Indigenous people are currently overrepresented in Niagara's homeless population. The reasons are complex and specific housing and homelessness interventions are necessary.
- Indigenous communities and service providers should be engaged to determine what is needed to address the unique challenges facing Indigenous people in Niagara.
- Disability, mental illness, trauma and addictions related services are important for many individuals experiencing *chronic homelessness*.
- The health system and service providers should be further engaged to increase access to housing and services for people with *complex needs*.
- Other provincial systems should be further engaged in efforts to reduce exit from those systems into homelessness.

4.11a) Increase the frequency and quality of communication to partners and the broader community, to support a common understanding of issues, best practices, and local solutions addressing homelessness and affordable housing.

4.11b) Increase service manager engagement and collaboration with Indigenous organizations, including NAWG within the work of the 10-Year Housing and Homelessness Action Plan, and increased collaboration between Indigenous and mainstream homelessness services providers.

4.11c) Increase engagement and collaboration with the LHIN, OHT, NHS, and health providers in addressing homelessness and housing stability for persons with *complex needs*.

4.11d) Seek additional opportunities to work with partners in the NHS to decrease exit from hospital into homelessness and improve coordination of the health and the homeless serving systems so that if a person is discharged into homelessness, it is rare, brief and non-recurring.

4.11e) Seek additional opportunities to work with partners in the corrections system to decrease exit from corrections into homelessness and improve coordination of the corrections and the homeless serving systems so that if a person is discharged into homelessness, it is rare, brief and non-recurring.

4.11f) Seek additional opportunities to work with partners in the child welfare system to decrease exit from child welfare into homelessness and improve coordination of the child welfare and the homeless serving systems so that if a person is discharged into homelessness, it is rare, brief and non-recurring.

4.11g) Offer Indigenous cultural competency training to Regional staff, landlords, community housing providers and service providers again.

4.11h) Include *Niagara's homeless serving system* within integrated human services planning and delivery and consider the *homeless serving system* within the Community Safety and Wellbeing Plan.

Goal 4.12 Improve Access to Housing and Homelessness Services for Equity Seeking Groups

What We Heard

- Include strategies to address a variety of housing and service needs within Niagara, including those with *complex needs*, persons with a disability, survivors of domestic violence, older adults, Indigenous people, people with a developmental disability, youth, women, newcomers and refugees, and Franco-Canadians.

Notes on Actions to Address the Needs of Older Adults, Youth, and Indigenous People

The needs of older adults are addressed above in actions 2.9a and 3.8g.

The needs of youth are addressed above in actions 2.8b and 2.8d as well as the metrics for Goals 1 and 2.

The needs of Indigenous people are also addressed above in actions 1.4f, 2.8c, 2.8f, 2.9b, 2.9c, 3.8h, 4.10d, 4.11b and 4.11g.

Actions

4.12a) (adapted from 1.3d in Appendix D of the original plan) Implement and support a peer support model within *Niagara's homeless serving system* to formalize how those with previous lived experience

of homelessness provide support to people who are experiencing *chronic homelessness*, to help them to leave the street.

4.12b) Work in partnership with the NAWG to advance co-developed, Indigenous-driven housing and homelessness solutions that meet the needs of local Indigenous people.

4.12c) Ensure an intersectional gender lens is applied to housing and homeless policies, practices and services, recognizing that women's experience of homelessness is unique, and recognizing the need for survivors of domestic violence to secure safe affordable housing.

4.12d) Address identified barriers for persons with a disability in accessing appropriate housing and services.

4.12e) Review the experience of persons with a developmental disability to identify and address barriers they face in accessing appropriate housing and services in Niagara.

4.12f) Review the experience of Franco-Canadians to identify and address barriers they face in accessing appropriate housing and services in Niagara.

4.12g) Review the experience of newcomers and refugees to identify and address barriers they face in accessing appropriate housing and services in Niagara.

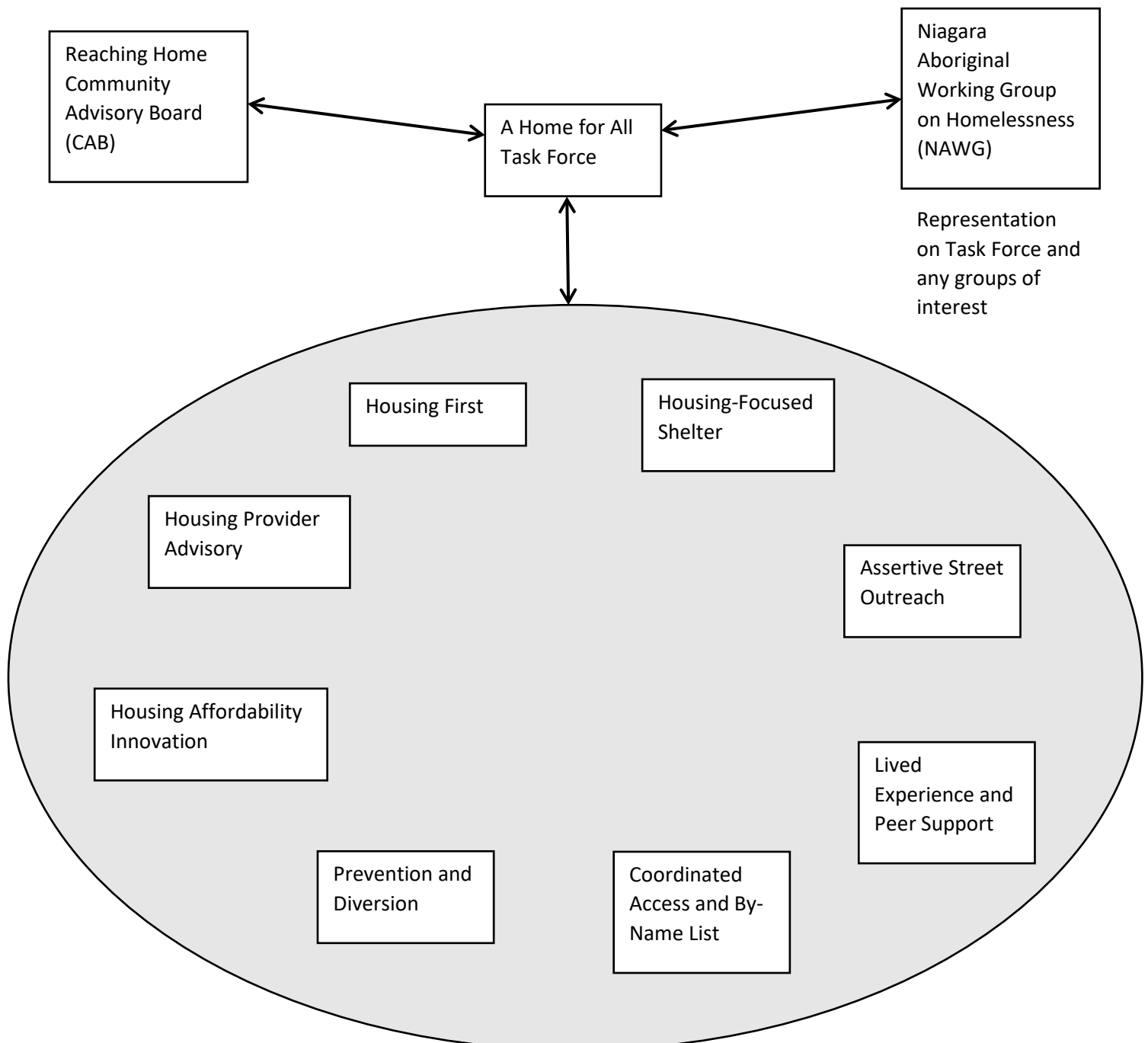
Goal 4 – Metrics and Targets

Objectives	Outcomes	Measures	Targets
To improve service and system Design	Increase alignment of services to the <i>system 2.0/3.0 model</i>	Percentage of funded programs revised to reflect current and emerging best practices	43% (3 of 7 program areas) by 2021 100% (7 of 7 program areas) by 2023
To increase collaboration with other systems	Increase the number of new initiatives created in partnership with other systems	Number of new housing or service initiatives with partners in Indigenous, health, corrections, or child welfare systems	Two initiatives per year, with at least one new initiative with each system by 2023
To reduce barriers to service	Increase the number of policies, practices or services revised to better serve equity-seeking groups within Niagara	Number of policies, practices and services revised to reflect the needs of: <ul style="list-style-type: none"> • Indigenous people • Older Adults • Youth • Women • Persons with a disability • Franco- Canadians • Newcomers and refugees 	Two policies, practices or services per year, with at least one policy or service revised to reflect the needs of each group by 2023

Appendix A - Revised Structure to Support Community Engagement

Proposed new structure for “A Home for All” working groups:

- Eight working groups will support [1] system planning and [2] policy development in specific areas, each with a seat on the Task Force.
- All eight groups will have terms of reference that link to the vision and mission of the 10-Year Action Plan.
- NAWG will be invited to participate with a formal seat provided.
- Task force will link with CAB.



Appendix B - Definitions of Key Terms Used

The following terms are used in this report with a specific intended meaning:

Affordable Housing – In Canada, housing is considered “affordable” if it costs less than 30% of a household’s before-tax income. Many people think the term “affordable housing” refers only to rental housing that is subsidized by the government. In reality, it’s a very broad term that can include housing provided by the private, public and non-profit sectors. It also includes all forms of housing tenure: rental, ownership and co-operative ownership, as well as temporary and permanent housing.

Affordable Market Housing – Refers to rental or ownership housing provided by the private market that meets the criteria provided below. Note that when ownership prices are higher, affordable ownership will be determined using calculation I.

In the case of ownership housing, the least expensive of:

- I. Housing for which the purchase price results in annual accommodation costs (mortgage payments, property taxes, condominium fees, along with the costs of electricity, heat, water and other municipal services) which do not exceed 30% of gross annual household income for low and moderate income households; or
- II. Housing for which the purchase price is at least 10% below the average purchase price of a resale unit in the regional market area;

In the case of rental housing, a total shelter cost (rent plus utilities) that does not exceed 30% of gross annual household income for low and moderate income households.

Assertive Street Outreach – An effective service approach for engaging people experiencing unsheltered homelessness to promote access to emergency shelter, housing and support services.

At Risk of Homelessness – Refers to households who are not homeless, but whose current economic and/or housing situation is precarious and/or does not meet public health, or safety standards. They are living in housing that is intended for permanent human habitation, and could potentially be permanent. However, as a result of external hardship, poverty, personal crisis, discrimination, a lack of other available and affordable housing, insecurity of tenure and / or the inappropriateness of their current housing (which may be overcrowded or does not meet public health and safety standards) residents may be “at risk” of homelessness.

Built for Zero Canada (BFZ-C) -Built for Zero Canada (BFZ-C) is an ambitious national movement dedicated to helping participating communities end chronic and high-acuity homelessness. The group of communities that participate in BFZ-C are referred to as the BFZ-C Collaborative.

By-Name List – A list of all known individuals experiencing homelessness in the community updated in real-time. It includes a robust set of data points that support coordinated access and service prioritization at a household level, and an understanding of homelessness inflow and outflow at a system level. In other words, a By-Name List allows the community to answer important questions about people (ex. Has the person been housed?) and about the system overall (ex. Has homelessness declined?).

By-Name Priority List – A sub-section of a By-Name List that identifies those with the highest priority for matching to available housing resources. Prioritization criteria is tested and determined by community overtime. Individuals on the Priority List are active, eligible, and interested in the housing support resources being offered as part of the community's Coordinated Access System.

Chronic Homelessness – Refers to individuals who are currently experiencing homelessness AND who meet at least one of the following criteria:

- They have a total of at least six months (180 days) of homelessness over the past year.
- They have recurrent experiences of homelessness over the past three years, with a cumulative duration of at least 18 months (546 days).

Chronic homelessness includes time spent in the following contexts:

1. Staying in unsheltered locations, that is public or private spaces without consent or contract, or places not intended for permanent human habitation.
2. Staying in emergency shelters, including overnight shelters for people experiencing homelessness (including those for specific populations, such as youth, families, and newcomers), shelters for people impacted by family violence, and emergency shelters for people fleeing a natural disaster or destruction of accommodation.
3. Staying temporarily with others without guarantee of continued residency or the immediate prospects for accessing permanent housing, or short-term rental accommodations (for example, motels) without security of tenure.

It does *not* include situations where individuals have access to secure, permanent housing, whether subsidized or not. The definition also does not include time spent in transitional housing or in public institutions (for example, health and corrections), although individuals who are discharged into homelessness from transitional housing or public institutions can be considered chronically homeless if they were experiencing chronic homelessness upon entry to transitional housing or the public institution.

Community Housing – Refers to housing that was built or funded under a range of federal, provincial or municipal housing programs and is provided to eligible tenants on the basis of defined need. Rents are typically geared to a household's income but there are some units which are rented at the low end of the market or market rates. The landlords for community housing, typically called housing providers, include community-based non-profit and co-operative housing corporations as well as units owned by Niagara Regional Housing.

Centralized Housing Waitlist – A list of applicants who are waiting for housing at over 180 community housing properties, managed by Niagara Regional Housing.

Community Improvement Plan (CIP) – A sustainable community planning tool used by municipalities to revitalize areas of a city or community through programs, grants and incentives. CIPs also address the reuse and restoration of lands, buildings and infrastructure and address growth management challenges.

Community Programs Coordinator (CPC) – A multi-disciplinary team at Niagara Regional Housing responsible for the resolution of tenant-related issues and the provision of a wide range of quality of life community initiatives aimed to reducing evictions. CPCs also act as a resource for community efforts to develop and implement locally based plans and to address the needs of individual residents and tenant groups.

Complex Needs – Refers to a combination of different needs, such as a combination of multiple chronic conditions, mental illness, addiction issues, and social vulnerability.

Co-operative Housing – Co-operatives are a type of community housing owned and managed by the members who live in the housing project. The volunteer Board of Directors is elected from the membership and governs in accordance with applicable legislation, their own by-laws and the *Co-operatives Corporations Act*. Co-operatives have their own operating by-laws and restrictions regarding pets which can vary from project to project. A key difference between a co-op and other non-profit housing is that members are required to volunteer their time to help with the running of their co-op.

Coordinated Access – A Coordinated Access system is the process by which individuals and families who are experiencing or at-risk of homelessness are: directed to access points to service; supported through triage and assessment to access the right resources in a community (i.e. service planning and referrals); and supported to access specific housing resources that are managed centrally, if they are eligible and interested in them. Coordinated Access is a standardized process across all agencies and programs in a homeless serving system for intake, consent, assessment, prioritization, and referral to housing and support resources.

Core Housing Need – CMHC defines a household as being in core housing need if its housing: “falls below at least one of the adequacy, affordability or suitability standards and would have to spend 30% or more of its total before-tax income to pay the median rent of alternative local housing that is acceptable (meets all three housing standards).” (CMHC, 2012)

- **Adequate** housing is reported by residents as not requiring any major repairs. Housing that is inadequate may have excessive mold, inadequate heating or water supply, significant damage, etc.
- **Affordable** dwelling costs less than 30% of total before-tax household income. It should be noted that the lower the household income, the more onerous this expense becomes.
- **Suitable** housing has enough bedrooms for the size and composition of the resident household, according to National Occupancy Standard (NOS) requirements.

Deep Core Housing Need – Similar to core housing need, however those in deep core housing need pay 50% or more of their income on housing.

Development Charge Deferrals/Waivers – Development charges are fees collected from developers for the cost of infrastructure required to provide municipal services to new development, such as roads, transit, water and sewer infrastructure, community centres and fire and police facilities. A municipality may defer or waive the charges for projects that support identified community goals, such as the development of affordable housing.

Emergency Homelessness Services – Services intended to provide short-term and temporary “band-aids” to homelessness, such as homeless shelters, drop-ins, meal programs, outreach services and other

activities provided by municipalities, non-profit and community organizations and faith communities. While there will always be an important role for emergency services within the homeless serving system, an overreliance on emergency services creates a system in which people become “trapped” in homelessness.

Emergency Shelter - A facility designed to meet the immediate needs of people who are homeless. Emergency shelters may target specific sub-populations, including women, families, youth or Aboriginal persons. These shelters typically have minimal eligibility criteria, may offer shared sleeping facilities and amenities, and may expect clients to leave in the morning. They may offer food, clothing or other services. This would include hotel and motel stays, where no emergency shelters exist or in overflow situations, but does not include extreme weather shelters, such as Out of the Cold programs and crash beds. While emergency shelters are a fundamental component of a homeless serving system, emergency shelter is not considered a solution to homelessness because emergency shelters are not intended to provide long-term housing.

Emergency Sheltered – A type of homelessness in which people who, because they cannot secure permanent housing, are accessing emergency shelter and system supports, generally provided at no cost or minimal cost to the user. Such accommodation represents a stopgap institutional response to homelessness provided by government, non-profit, faith based organizations and/or volunteers.

End of Mortgage Agreement – End of Mortgages (EOM) generally refers to the issues associated with the end of original mortgages for social housing projects that were either partially or entirely funded by the province. These projects had their original operating agreements replaced with a legislative framework (the *Social Housing Reform Act, 2000*, subsequently replaced by the *Housing Services Act, 2011*), however, they retained their original mortgages.

End of Operating Agreement – End of Operating Agreements (EOA) generally refers to issues associated with the end of operating agreements for social housing projects that were entirely funded by the federal government. For a project’s operating agreement, this end date generally coincides with the date of mortgage maturity.

Ending Homelessness – Situations leading to homeless are inevitable. Ending homelessness means that a community has a system in place to ensure the prevention of homelessness where possible, or is otherwise rare, brief, and non-reoccurring.

Functional Zero Chronic Homelessness – Functional Zero Chronic Homelessness occurs when a community has three or fewer people experiencing chronic homelessness over three months.

Homeless – The situation of an individual or family without stable, permanent, appropriate housing, or the immediate prospect, means and ability of acquiring it.

HIFIS (Homeless Individuals and Families Information System) – A comprehensive data collection and case management system on individuals experiencing homelessness in the community.

Homeless Services System Review – An independent review of *Niagara’s homeless serving system*, most recently conducted by Whitesell and Associates in 2018. The resulting “Whitesell report” identified a transformation of Niagara’s homeless serving system through two future stages, identified as *system 2.0 model* and *system 3.0 model*.

Housing First Approach – A *recovery-oriented* approach to *ending homelessness* that centers on quickly moving people experiencing homelessness into independent and permanent housing and then providing additional supports and services as needed. It is an approach first popularized by Sam Tsemberis and Pathways to Housing in New York in the 1990s. The basic underlying principle of Housing First is that people are better able to move forward with their lives if they are first housed. This is as true for people experiencing homelessness and those with mental illness and addictions issues as it is for anyone. Housing is provided first and then supports are provided including physical and mental health, education, employment, substance abuse and community connections.

Housing Focused Shelter – A best practice approach that aligns the delivery of emergency shelter services to the goal of *ending homelessness*, by maintaining a focus on supporting people to rapidly access housing in all that it does.

Housing Focused Supports – Any supports provided to an individual or family that are intended to support rapid access to housing (such as help acquiring personal identification) or to address risk of homelessness (such as case management or landlord mediation). The specific supports provided will be determined by the unique needs and goals for each person or family served.

Housing with Supports – Housing with supports (formerly domiciliary hostels) offers housing and daily meals for people who need supervision of their daily living activities. These are permanent homes for most people who stay there.

Imminent Risk of Housing Loss – Households at risk of homelessness that are facing the onset of a crisis, a turn in events, or the increase in acuity of one or more underlying risk factors, including:

- Precarious employment.
- Sudden unemployment.
- Supportive housing with supports that are about to be discontinued.
- Households facing eviction.
- Severe and persistent mental illness, active addictions, substance use and/or behavioral issues.
- Household or family breakup.
- Violence / abuse (or direct fear of) in current housing situation.
- Institutional care that is inadequate or unsuited to the individual or family needs.

Low Barrier – A service or housing which accepts people as they are, are easy to access and as user-friendly as possible. Low-barrier housing and services are important for successfully engaging and supporting marginalized individuals and families, such as those with *complex needs*, including those experiencing *chronic homelessness*. Low barrier does not mean there are no barriers in place, as it is best practice to minimize, but not remove entirely, those barriers to housing or services that support the health and safety of staff and other clients, such as expectations about illegal and/or violent behaviors.

Low Income Household – A household in the 1st, 2nd, or 3rd income decile. The Niagara Housing Statement identifies low income households in Niagara as those with total annual earnings of less than \$39,800.

Market Housing – Ownership or rental housing provided by private developers or landlords without subsidies provided through an affordable housing program. An adequate supply of market housing that

is affordable for low or moderate income households is an important factor in lowering demand for community housing and homeless services.

Moderate Income Household – A household in the 4th, 5th, or 6th income decile. The Niagara Housing Statement identifies moderate income households in Niagara as those with total annual earnings of \$39,800 to \$84,300.

Municipal Capital Facility Designation – A municipal capital facility designation allows a municipality to provide financial or other assistance at less than fair market value or at no cost to a person who has entered into an agreement to provide facilities under section 110 of the *Municipal Act*. This may include exemption from all or part of the taxes or development charges. The designation is established through by-law in accordance with section 110 of the *Municipal Act*.

NAWG (Niagara Aboriginal Working Group on Homelessness) – The Niagara Aboriginal Working Group represents the majority of Indigenous people in the Niagara region. Indigenous diversity is reflected in the following groups of people serviced: First Nations, Métis and Inuit (Status and Non-Status). The working group members ensure services are provided to clients in a culturally appropriate way and address such issues as: housing, access to shelters, access to culture and homelessness programs. The members consist of representation from the Niagara Regional Native Centre, Abbey House, Fort Erie Native Friendship Centre, Oonuhseh Niagara Native Housing, Niagara Chapter of Native Women, Niagara Region Métis Council, Ganawageh Urban Homes, and Indigenous Diabetes Health Circle.

Niagara Housing Statement – A statement of supply and demand for housing in general and affordable housing in particular within the Niagara region and each of the twelve local area municipalities, with historical data from 1996 to 2016 as well as projections of demand out to 2041. The Canadian Centre for Economic Analysis (CANCEA) prepared data in 2019, using data provided by Census Canada, the Canadian Mortgage and Housing Corporation (CMHC) and Niagara Region.

Niagara Renovates – A program administered by Niagara Regional Housing that provides support for low to moderate income homeowners to make major repairs to bring their home up to an acceptable health and safety standard or to make accessibility modifications to their home.

Niagara's Homeless Serving System – Niagara's *homeless serving system* is a group of agencies and programs that work together to deliver coordinated homelessness and housing services in the region.

Non-Profit Housing – Non-profit housing corporations are a type of community housing that is privately owned and operated by housing organizations, managed by an elected Board of Directors made up of community volunteers. The Board oversees the operations of their housing project(s) and the staff hired to operate it. The corporation's actions are governed by their by-laws as well as legislation regarding non-profit organizations, social housing and the *Residential Tenancies Act*.

Not in My Backyard (NIMBYism) – The phenomenon in which residents of a neighbourhood designate a new development (e.g. shelter, affordable housing, or group home) or change in occupancy of an existing development as inappropriate or unwanted for their local area. The opposition to affordable, supportive or transitional housing is usually based on the assumed characteristics of the population that will be living in the development. Common arguments are that there will be increases in crime, litter, thefts, violence and that property values will decrease. Benefits for the residents of the development are often ignored. Community consultations and meetings are held as part of the process for beginning

a new housing development. Proponents and opponents of the development are given an opportunity to speak. While politicians do consider these comments, increasingly, there is recognition that it is necessary to solve homelessness through housing and that developments should be spread throughout a community rather than isolated in one area.

Prevention Services – Intended to stop the flow of individuals and families into homelessness. To be successful, prevention efforts must be made simultaneously at the policy, system, and individual levels in order to stop the occurrence of homelessness and to ensure that those who are homeless do not experience it again. While there are several ways to categorize homelessness prevention, the “A Home for All” Task Force have reached a consensus to adopt the language of *primary, secondary, and tertiary prevention*.

Primary Homelessness – Experienced by people without conventional accommodation (e.g. sleeping rough or in improvised dwellings).

Primary Prevention – Working upstream in order to increase population health and help people avoid housing loss in the first place.

Purpose Built Rental – The primary rental market, also known as the purpose-built rental market, is occupied rental units in privately initiated, purpose-built rental structures of three units or more, and includes both apartments and row houses.

Recovery Orientation – A key component of a Housing First approach, a recovery orientation ensures that clients have access to a range of supports that enable them to nurture and maintain social, recreational, educational, occupational and vocational activities. It is often linked to trauma-aware practices, and requires a focus on the client’s individual needs and choice, based on an understanding of where the client is coming from and the issues they have faced in the past.

Regional Official Plan – The Regional Official Plan is the long-range, community-planning document used to guide the physical, economic and social development of Niagara. Generally, it contains objectives, policies and mapping that implement the Region's approach to managing growth, growing the economy, protecting the natural environment, resources and agricultural land, and providing infrastructure. The Regional Official Plan must also implement provincial policies and plans. A new Regional Official Plan will be complete in 2021.

Secondary Homelessness – Experienced by people who frequently move from one temporary shelter to another (e.g. emergency accommodation, youth refugees, and “couch surfing”).

Secondary Prevention – Refers to interventions directed at individuals or families after they have been identified as at risk of housing loss.

Shelter Diversion – A formalized best practice within a homeless serving system used to prevent the use of emergency shelter by providing individualized supports before families and individuals enter the shelter system. Diversion identifies immediate alternate housing arrangements and, if necessary, connects shelter seekers with services and financial assistance to help them return to permanent housing. Where implemented successfully, shelter diversion has the potential to reduce demand on the emergency shelter system in a safe and effective way

Supportive Transitional Housing – A supportive, yet temporary type of accommodation that is meant to bridge the gap from homelessness to permanent housing by offering structure, supervision, support, life skills, education, etc.

Supportive Housing – Within Ontario’s supportive housing framework, supportive housing generally refers to a combination of housing assistance and supports that enable people to live as independently as possible in their community. This definition includes several forms of housing assistance (e.g., rent geared-to-income, rent supplements, housing allowances) and housing types (e.g., dedicated buildings, individual units). Supports also take a variety of forms and vary in intensity based on people’s unique needs. A few examples of supports include counselling, personal support, case management, income support and assistance with applying for social assistance, assistance with medication, and life skills training (e.g., purchasing food/meal preparation, and money management). For the purposes of the framework, supportive housing includes both permanent supportive housing and *supportive transitional housing*. Programs offered in Niagara that fit within this framework include *supportive transitional housing*, *Housing First*, and *Home for Good*.

System 2.0 Model – A system model for *Niagara’s homeless serving system* recommended through the 2018 homeless services system review conducted by Whitesell and Associates. The 2.0 model is grounded in Housing First philosophy, includes strengthened street outreach, housing help, Housing First programs, standardized performance indicators, improved contract management, enhanced decision making and greater collaboration.

System 3.0 Model – A system model for *Niagara’s homeless serving system* recommended through the 2018 homeless services system review conducted by Whitesell and Associates. The specific features of the 3.0 model will be determined through a review of the 2.0 model after it is fully implemented.

Tertiary Prevention - Involves helping people to manage long-term housing instability, or to avoid the recurrence of homelessness.

Trusteeship – Assistance for people with a history of substance use and homelessness by providing money management assistance. The goal is to facilitate an improved, independent lifestyle.

Unsheltered – A type of homelessness in which people lack housing and are not accessing emergency shelters or accommodation, except during extreme weather conditions. In most cases, people are staying in places that are not designed for, or fit for human habitation, such as parks, forests, vacant buildings, or living in cars, garages, makeshift shelters or tents.

Welcome Home Niagara – A Niagara Regional Housing program that makes home ownership a reality for low to moderate income households in Niagara by offering down payment assistance for homebuyers through a 5% forgivable loan.

Subject: Emergency Shelter System Capacity

Report to: Public Health and Social Services Committee

Report date: Tuesday, October 8, 2019

Recommendations

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

Key Facts

- The purpose of this report is to update Council on measures taken by Homelessness Services to address the anticipated emergency housing needs in the upcoming winter months, and to provide information related to the year-round shelter system capacity.
- Similar to the 2018/2019 year, Niagara Region's Homelessness Services will continue to support two Out of the Cold (OOTC) shelters from November 1, 2019 to April 1-15, 2020, based in St. Catharines and Niagara Falls. OOTC will have the capacity to shelter 70 individuals per night, which is an increase of 15 beds over the 2018/2019 season.
- It is important to note that these seasonal programs are only one mechanism used by Homelessness Services to address emergency shelter pressures. The year-round emergency shelter system, after-hours phone number and overflow moteling are all used to coordinate and respond to individuals experiencing homelessness in Niagara.
- To support successful exits from the shelter system, Homelessness Services also funds best practice models such as Housing First and Home for Good programs, to ensure clients with higher needs are provided with the necessary housing and support services required to obtain and retain housing in the community.
- Beyond emergency-based responses, Homelessness Services invests in prevention and diversion programs which reduce the number of households who otherwise would require emergency shelter. Homelessness Services, aligned with efforts across Canada, is also strategically working towards the long-term goal of ending chronic and high-acuity homelessness through the recent successful application to Built for Zero Canada which will now provide Niagara Region with additional coaching in the adoption of proven practices and strategies to meet this goal.

Financial Considerations

While largely considered a Provincial mandate of responsibility, the limited amount of provincial and federal funding Niagara Region receives for homelessness services remains a concern as Niagara receives amounts well below its comparators. As such,

Community Services continues to communicate, through its associations and with Ministry staff, the ongoing needs of the Niagara community.

Contributions from partner agencies provides considerable and invaluable support to a system that is experiencing significant pressures. The increase of 15 beds to the Out of the Cold program (St. Catharines site) from the 2018 year, is supported by partner agencies and is accommodated within the 2019 Council approved operating budget. Beyond the Out of the Cold program, Homelessness Services funds 151 shelter beds, 30 hotel rooms largely utilized by families, and six three bedroom apartments for families within the year-round shelter system.

The 2019 Homelessness Services gross budget is \$10.8M. Currently, Homelessness Services is anticipating a 2020 budget pressure of an estimated \$800,000 to maintain existing service levels as provided during 2019.

Analysis

Niagara Region's Homelessness Services continues to plan for the seasonal expansion of emergency shelter capacity to ensure adequate resources are available for our most vulnerable citizens in the winter months.

It should be noted that emergency shelter occupancy rates have increased in Niagara (2015: 85%; 2016: 98%; 2017: 108%; and, 2018: 105%) as a result of declining rental vacancy rates of low-market housing, and overall increases in rental rates and housing prices. The below chart provides shelter usage information from 2018 system-level data (i.e. the duration of shelter stays, numbers of unique households who access shelter, and overall shelter usage by client group).

2018 Emergency Shelter Usage				
Duration of stay	# of unique households	% of total households	# of night stays	% of total night stays
0-30 days	1,132	62%	10,804	17%
31-179 days	674	37%	47,133	75%
180+ days	22	1%	5,294	8%

In 2018, 62% of households exited the shelter system within 30 days. Clients staying in shelter who experience *episodic to long-stay homelessness* (31-179 nights in shelter), represented 37% of all households who accessed the emergency shelter system, however, used 75% of the shelter beds. Homelessness Services contracts with service providers to deliver the Housing First program, which is intended to support this client population by providing housing with support services for clients to exit shelter and remain housed. Households defined as *chronically homeless* (180+ nights in shelter) represented only 1% of households who accessed emergency shelter, and used 8% of the shelter beds. Homelessness Services contracts with a small number of service

providers to deliver the Home for Good program, for which Niagara submitted a successful proposal in 2017, to support this last client population which requires more intensive support services to exit shelter and obtain and retain their housing.

In light of current shelter occupancy rates and year-round shelter capacity, and in planning for the increased seasonal demand for shelter, the Region will be increasing the capacity of the Out of the Cold program from 55 to 70 spaces to address local pressures. The OOTC program offers a safe, warm indoor space for individuals to sleep overnight, delivered through contracts with homelessness service providers during the winter season (November to April). The OOTC program aims to respond to the increased demand for homeless shelters and operates from a low-barrier approach to serve people who otherwise may choose not to access emergency shelters during the winter months.

Beyond the 70 beds provided through the OOTC program to meet seasonal needs, Niagara Region's year-round emergency shelter capacity includes: 151 shelter beds, 30 hotel rooms largely utilized by families, and six three bedroom apartments for families. (See Appendix A for further details of the emergency shelter system capacity.) To further support the emergency shelter system, Niagara Region contracts with a service provider to offer a centralized after-hours phone number to coordinate and respond to the demand for shelter, leveraging local motels as an overflow mechanism, as deemed necessary.

It should be noted that currently funded emergency shelter providers contracted by Homelessness Services have identified increased operating pressures to deliver services. Homelessness Services will be entering the next phase of procurement for emergency shelter (including other service areas, such as, outreach, transitional housing, and other supportive housing programs) within the next couple of months (i.e. October/November 2019).

Beyond emergency-based responses to addressing homelessness, Homelessness Services continues to take a number of steps to work towards the long-term goal of ending chronic and high-acuity homelessness. Most recently, the successful application to Built for Zero (a Canadian movement led by the Canadian Alliance to End Homelessness) will provide Niagara Region additional coaching in the adoption of proven practices and strategies to meet this goal, targeted for our local context. Work on this important campaign is already underway and regular updates on our progress will be provided to Council.

Alternatives Reviewed

Not applicable.

Relationship to Council Strategic Priorities

Providing emergency shelter for individuals in need aligns with Council's Strategic Priority related to healthy and vibrant communities, which includes supporting clients through the stages of the housing continuum towards more stable and permanent housing.

Other Pertinent Reports

COM 26-2019	Homelessness Services Report 2018
COM 33-2019	Provincial Policy and Funding Changes – Monitoring for Local Community Impact

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Appendices

Appendix A	Emergency Shelter System Capacity
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Appendix A – Emergency Shelter System Capacity

Location	Provider	Shelter Type	# Units
St. Catharines	The RAFT	For youth (ages 16-24)	12 beds
	The Salvation Army Booth Centre	For men	20 beds
	Southridge Community Church	For men and women	55 beds
	Start Me Up Niagara <i>Out of the Cold Program</i>	For men and women	50 beds
	YWCA Niagara Region	For women and women with children	20 beds
		For families	4 apartments
Niagara Falls	Boys and Girls Club of Niagara, Nightlight Youth Services	For youth (ages 16-30)	8 beds
	Project SHARE <i>Out of the Cold Program</i>	For men and women	20 beds
	YWCA Niagara Region	For men and men with children	15 hotel rooms
		For women and women with children	20 beds
		For families	2 apartments
Fort Erie	Casa El Norte Refugee Assistance Program	For refugees	8 beds
	Matthew House - Refugee Ministry of Fort Erie	For refugees	8 beds
Welland	The Hope Centre: Community Resources in Advocacy <i>(hotel currently located in Niagara Falls)</i>	For men, women and families	15 hotel rooms

Subject: Ontario Public Health Standards: Risk Management Requirement

Report to: Public Health and Social Services Committee

Report date: Tuesday, October 8, 2019

Recommendations

That Report PHD 18-2019, respecting the Ontario Public Health Standards: Risk Management requirement, **BE RECEIVED** for information.

Key Facts

- The purpose of this report is to provide Regional Council, as the Board of Health (BOH), with information on risk management activities in Public Health.
- This is a requirement of the [Ontario Public Health Standards: Requirements for Programs, Services, and Accountability](#) (July 2018) under the Good Governance and Management Practices Domain, requirement #14.
- A summary of risk management activities must be reported to Ministry of Health as part of the third quarter Standards Activity Report due to the Ministry each year on October 31.

Financial Considerations

The risk management activities are completed within the existing cost shared budget for Public Health. As much as possible, Public Health attempts to build on corporate risk management planning for the Public Health risk management activities. Given these risk management activities are integrated across many operating units of the corporation, a precise costing is not easily accounted.

Analysis

Risk intelligence is the organizational capability to think holistically about risk and uncertainty and is forward-looking. Assessing an organization's risk helps meet objectives and improves outcomes, allows the opportunity to consider and forecast risk and prioritize efforts more effectively, enables the ability to mitigate threats and take advantage of opportunities, and demonstrates good management practices. Risk is defined as a future event that may impact the achievement of established objectives. Risks can be either positive or negative.

While risk management practices should be promoted at all levels of the organization, in order to foster a healthy risk culture, this report was completed explicitly by Niagara Region Public Health (NRPH) senior leaders. NRPH is in the preliminary stages of the

risk management review, while a corporate methodology is being developed. The task of implementing an ongoing organization-wide risk management program generally requires a three-phased approach that could take up to three years, depending on existing levels of risk management expertise.

A variety of risk management frameworks exist, and all share common components. NRPH has used the Risk Management Strategy and Process Toolkit, adapted by Corinne Berinstein, Director, Ontario Internal Audit Division, Treasury Board Secretariat (Appendix 1). The risk management Ministry worksheet in the third quarter Standards Activity Report mirrors much of this framework.

There are five steps to the risk management process:

1. State objectives
2. Identify risks—there are 14 categories, such as legal compliance, equity, financial, human resources, political, and privacy.
3. Assess risks using a risk prioritization matrix, which measures impact and likelihood
4. Plan and take action to apply mitigation strategies of detection, prevention and recovery/correction; and
5. Monitor and report risks.

This technique, though somewhat subjective, provides an effective, uniform and powerful means of identifying and prioritizing risks. The NRPH senior leaders assessed their identified risks in terms of impact on public health objectives and the likelihood or probability of the event happening and selected a rating between one and five to determine an overall risk rating. The risk rating in the Ministry worksheet is automatically calculated in an overall ranking of risk in terms of high, medium, or low. High rated risks are the highest priority noted by the red zone in the risk prioritization matrix. Only the high risks need to be reported to the Ministry. These risks require the involvement of the NRPH senior leaders to state the risk control methods and processes to manage the risks.

The NRPH senior leaders identified six strategic risks. Of the six risks, three were identified as “high”, and three were identified as “not a high risk”. The completed risk management Ministry worksheet is in Appendix 2. Below is a summary of the three high-risk rated issues.

High-risk rating #1: People/Human Resources

Over the last few years, there has been an increase in internal transfers and departures. In 2018, there was a 38% transfer rate and 12.59% departure rate in NRPH due to retirement, maternity leaves, performance issues, and job uncertainty, which is up from 2017. The 2019 rate currently sits at 14.5% transfer and 6.9% departure due to some corrective measures put into place. In addition, there are challenges in recruiting

frontline employees to leadership positions related to compensation and leadership support and development. For the past 21 months, there has been an acting Medical Officer of Health (MOH); for 17 months, an acting Associate MOH; and for 10 months, an acting Chief Administrative Officer. Having temporary positions in key leadership roles can have an impact on an organization and has the ability to destabilize teams.

With the support of the Human Resources Consultant, an effort to identify key roles within NRPH leadership and intentional succession planning has commenced. All new people leaders are enrolled in three core training sessions: The Leaders Edge, Crucial Conversations for Leaders, and Coaching Leader (SAGE Coaching) to support leadership development. Other training and mentorship opportunities are available to further support people leaders. In addition, the compensation policy for non-union staff was updated and provides the hiring manager with some discretion for placement in the salary range. NRPH continues to support student placements and hiring summer students as a way to recruit future employees. An emphasis on social media platforms such as Linked In is used to promote position recruitment. In February 2018, NRPH completed a "Public Health Culture Pulse Check", a 12-question survey to explore employee satisfaction and inform increased engagement and retention. Research evidence shows that one of the most important factors according to many management experts in organizational success and high performance is an organization's culture. NRPH employees anonymously shared their perspective on NRPH's culture and overall satisfaction with working in Public Health. The intent is to repeat the survey periodically to identify areas that require improvement, and track success in addressing those areas. Finally, the organization recently completed an employee engagement survey and will be receiving results in October. These results will help inform how we can become a better organization by understanding how our people perceive our work environment, career development, culture, and company vision. Being more attuned and responsive to our employees' needs is critical to our success.

High-risk rating #2: Political

The Ontario Government tabled its 2019 Budget, which included plans to significantly restructure Ontario's public health system, including the reorganization of 35 health units into 10 new regional public health entities with new boards under a common governance model. Few details have been provided although the Minister of Health will soon be seeking input and advice on the province's next steps regarding public health modernization. It is anticipated the government will be looking for feedback on matters such as roles and responsibilities for the province and the new regional entities, governance structure, accountability, strategies to address community needs, leadership models, and other change management and implementation considerations. Concurrently, Ontario Health Teams (OHT) are being introduced to provide a new way of organizing and delivering care that is more connected to patients in their local communities. Under OHT, health care providers will work as one coordinated team.

Finally, at a more local level, almost 70% of BOH member composition changed including a new Public Health and Social Services Committee (PHSSC) co-chair and new Regional Chair. This will potentially impact budgeting priorities and strategic directions.

NRPH will continue to build relationships with government stakeholders at all levels in order to facilitate knowledge sharing and be engaged throughout the change process. NRPH will also provide the Ministry with input and advice on Public Health modernization as necessary. In addition, NRPH will engage in pilot projects with the Ministry as a way to demonstrate and lead change. NRPH is currently involved in the OHT application process and identifying opportunities to align and support the system (due October 9, 2019). Locally, regional councilors were provided with an orientation to their new role and NRPH provides regular presentations at PHSSC for knowledge development. The acting MOH and AMOHs connect regularly with councilors to provide information and enhance relationships. Regular correspondence in the form of reports, memos, and emails further supports knowledge exchange.

High-risk rating #3: Financial

Since the Provincial 2019 budget was released in April, changes to funding levels for provincial and municipal government has been one of the key changes. Funding ratios remained the same in 2019 with the NRPH base budget mostly cost shared between the Ministry (75%) and the Regional Municipality of Niagara (25%). A few of the programs continue to be 100% funded by the Ministry for 2019. Effective January 2020, the funding ratios will change to 70% Ministry and 30% for the Region for all NRPH programs and services, including most of the current 100% Ministry funded programs. There is risk that the Region, facing many other funding pressures, will be unable to fully fund the downloaded share of the budget, and a substantial budget cut might be experienced with substantial reductions in public health service delivery. The province is silent on what might happen in future years but it is anticipated that ratios may change to further increase the Region's share.

The 2019 provincial funding was frozen at last year's amount. This is the fourth time in the past five years that Public Health's funding has had no increase, even though salaries and costs of supplies go up each year. There is also a risk of inconsistent funding as the Ministry may determine funding for the following year based on actual expenditures of the prior year. This could have an impact on equitable resources for program and services. Finally, reductions in funding may affect our ability to meet the Ministry performance targets and accountability agreements.

For 2019, NRPH formulated budgets with a zero increase. For 2020, the budget is being drafted based on the anticipated cost sharing changes so that related funding announcements will align with the proposed budget. NRPH has realigned operational

planning with the corporate budget planning process to better coordinate resource requirements. The senior leadership team prioritizes departmental projects and resources annually and reassesses on a quarterly basis to reallocate resources as needed. Where required, positions are gapped to manage budgets. Finally, NRPH collaborates with stakeholders to deliver programming where feasible.

NRPH will continue to monitor and reassess risks as part of good management practices in an effort to mitigate threats and take advantage of opportunities while meeting our objectives and improving outcomes. NRPH will also work collaboratively with corporate partners to develop an organizational approach to risk management.

Alternatives Reviewed

Submitting the third quarter Standards Activity Report as part of the Annual Service Plan is a requirement to receive Ministry funding as outlined in the Ontario Public Health Standards: Requirements for Programs, Services, and Accountability. The alternative of not submitting the third quarter report would be non-compliance and result in the potential loss of provincial funding.

Relationship to Council Strategic Priorities

The recommendation supports Council's 2019-2022 Strategic Priorities:

- Healthy and Vibrant Community by fostering a high quality of life through safe, healthy, and inclusive neighbourhoods through the delivery of quality, affordable and accessible human services
- Sustainable and Engaging Government through a commitment to high quality, efficient, fiscally sustainable and coordinated core services through enhanced communication, partnerships and collaborations with the community

Other Pertinent Reports

- [PHD 05-2019](#) 2019 Public Health Annual Service Plan and Budget Submission
- [MOH 2-2018](#) Public Health Annual Service Plan and Budget Submission

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Appendices

Appendix 1	Risk Management Strategy and Process Toolkit
Appendix 2	Risk Management Ministry Worksheet

Step 1: Establish objectives

- Risks must be assessed and prioritized in relation to an objective
- Objectives can be at any level; operational, program, initiative, unit, branch, health system
- Each objective can be general or can include specific goals, key milestones, deliverables and commitments

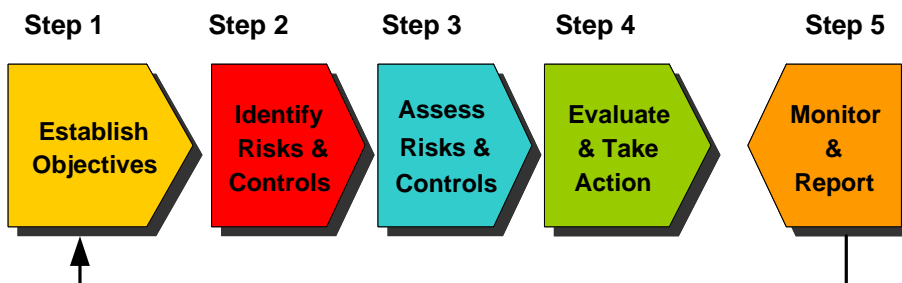
Risk

The future event that may impact the achievement of established objectives.
Risks can be positive or negative.

Control / Mitigation Strategy

Controls / mitigation strategies reduce negative risks or increase opportunities.

The risk management process



Consequences

- Identify the specific consequences of each risk
- Consider financial, non-financial, performance, etc.

Vulnerability

- Identify exposure to risk
- Vulnerability may vary with each situation and change over time

Cause/Source of Risk

- Understand the cause/source of each risk
- Use a fish-bone diagram

Step 2: Identify risks & controls

Identify risks - What could go wrong?

- Consider each category of risk
- Obtain available evidence
- Brainstorm with colleagues and/or stakeholders
- Examine trends and consider past risk events
- Obtain information from similar organizations or projects
- Increase awareness of new initiatives/ agendas and regulations

Identify existing controls – What do you already have in place?

- Preventive controls
- Detective controls
- Recovery / Corrective controls

RISK	Description
Financial	Uncertainty around obtaining, committing, using, losing economic resources; or not meeting overall financial budgets/commitments.
Operational or Service Delivery	Uncertainty regarding the activities performed in carrying out the entity's strategies or how the entity delivers services.
People / Human Resources	Uncertainty as to the capacity of the entity to attract, develop and retain the talent needed to meet the objectives.
Environmental	Uncertainty usually due to external risks facing an organization including air, water, earth, forests. . An example of an environmental, ecological risk would be the possible occurrence of a natural disaster and its impact on an organization's operations.
Information / Knowledge	Uncertainty regarding access to, or use of, inaccurate, incomplete, obsolete, irrelevant or untimely information; unreliable information systems; inaccurate or misleading reporting.
Strategic / Policy	Uncertainty around strategies and policies achieving required results; or that old and/or new policies, directives, guidelines, legislation, processes, systems, and procedures fail to recognize and adapt to changes.
Legal / Compliance	Uncertainty regarding compliance with laws, regulations, standards, policies, directives, contracts, MOUs and the risk of litigation.
Technology	Uncertainty regarding alignment of IT infrastructure with technology and business requirements; availability of technological resources.
Governance / Organizational	Uncertainty about maintenance or development of appropriate accountability and control mechanisms such as organizational structures and systems processes; systemic issues, culture and values, organizational capacity, commitment, and learning and management systems, etc.
Privacy	Uncertainty with regards to exposure of personal information or data; fraud or identity theft; unauthorized data.
Stakeholder / Public Perception	Uncertainty around managing the expectations of the public, other governments, Ministries, or other stakeholders and the media to prevent disruption or criticism of the service and a negative public image.
Security	Uncertainty relating to breaches in physical or logical access to data and locations (offices, warehouses, labs, etc).
Equity	Uncertainty that policies, programs, or services will have a disproportionate impact on the population.
Political	Uncertainty that events may arise from or impact the Minister's Office/Ministry, e.g. a change in government, political priorities or policy direction.

Step 3: Assess Risks & Controls

Assess inherent risks

- *Inherent likelihood* – Without any mitigation, how likely is this risk?
- *Inherent impact* – Without any mitigation, how big will be the impact of the risk on your objective?

Assess controls

- Evaluate possible preventive, detective, or corrective mitigation strategies.

Reassess residual risks

- Re-assess the impact, likelihood and proximity of the risk with mitigation strategies in place.
- *Residual likelihood* – With mitigation strategies in place, how likely is this risk?
- *Residual impact* – With mitigation strategies in place, how big an impact will this risk have on your objective?

Key Risk Indicators (KRI)

- Leading Indicators - Early or leading indicators that measure sources or causes to help prevent risk occurrences
- Lagging Indicators - Detection and performance indicators that help monitor risks as they occur.

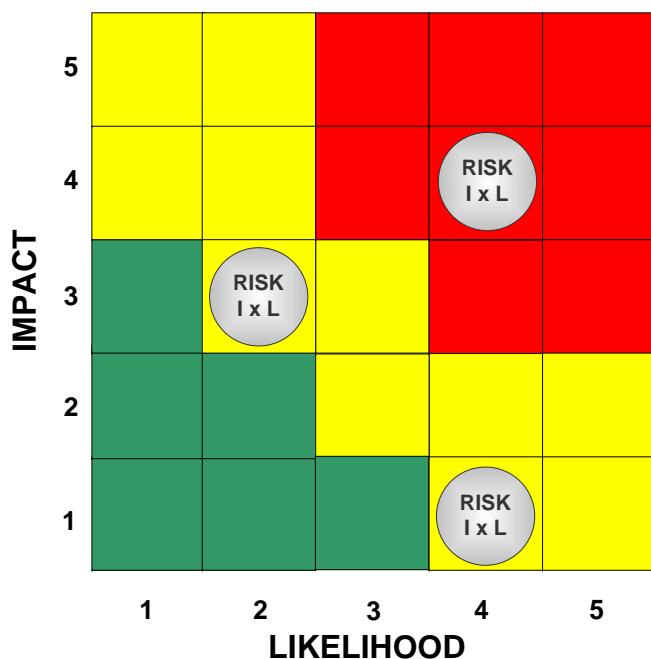
Risk Tolerance

Risk Appetite

- The amount of risk that the area being assessed can manage
- The amount of risk that the area being assessed is willing to manage

The tolerance and risk appetite values may differ e.g. Staff can afford to lose email capabilities for five hours (risk tolerance) but only be willing to lose email capabilities for one hour (risk appetite).

RISK PRIORITIZATION MATRIX



Step 4: Evaluate & Take Action

- Identify risk owners.
- Identify control owners.
- Have mitigation strategies reduced the risk rating (Impact x Likelihood) enough that the risk is below approved risk tolerance levels?
- Do you need to implement further mitigation strategies?
- Develop SMART (Specific, Measurable, Achievable, Realistic, Time-specific) actions that will either reduce the likelihood of the risks or minimise the impact.
- Develop detailed action plans with timelines, responsibilities and outline deliveries.

Step 5: Monitor & Report

- Have processes in place to review risk levels and risk mitigation strategies as appropriate.
- Monitor and update by asking:
 - Have risks changed? How?
 - Are there new risks? Assess them
 - Do you need to report or escalate risks? To whom? When? How?
- Develop and monitor risk indicators

Definitions

VALUE	LIKELIHOOD	IMPACT	PROXIMITY	SCALE
1	Unlikely to occur	Negligible Impact	More than 36 months	Very Low
2	May occur occasionally	Minor impact on time, cost or quality	12 to 24 months	Low
3	Is as likely as not to occur	Notable impact on time, cost or quality	6 to 12 months	Medium
4	Is likely to occur	Substantial impact on time, cost or quality	Less than 6 months	High
5	Is almost certain to occur	Threatens the success of the project	Now	Very High

Board of Health for the Niagara Region Public Health Department

2019 Standards Activity Reports as of September 30, 2019

Risk Management







Ref. #	Description	Category	Impact	Likelihood	Overall Risk Rating	Key Risk Mitigations	Date reported to the Board
A	B	C	D	E	F = D x E	G	H
	Increase in internal transfers and departures due to retirement, maternity leaves, performance, and job uncertainty. Challenge in recruiting frontline employees to management. Acting MOH currently in place. Inconsistent leadership may destabilize teams.	People / Human resources	4	3	 High	Identify key roles. Intentional succession planning. Proactive student placements & summer students. Performance management & coaching for leaders. Realistic job expectations. Social media use for recruitment. Attraction branding. Leadership training. Mentorship. Focus on building culture and staff engagement.	
	Uncertainty with Public Health modernization. Unknown impact of Ontario Health Teams. 70% change in BOH, new BOH co-chair and Regional Chair.	Political	4	3	 High	Build relationships with government stakeholders at all levels. Engage in pilot projects with Ministry to lead change. Be involved in OHT application. Regular correspondence with councillors (i.e. memos, infographics). MOH/AMOH outreach with councillors. Ensure orientation and continuing education of BOH.	
	Change in funding levels for provincial and regional government. Risk of inconsistent funding and impact on equitable resources for clients. Change in funding may impact meeting targets and accountability agreements.	Financial	4	4	 High	Net zero budgeting. Gapping positions. Reallocation and prioritization of projects and resources. Collaboration with stakeholders to deliver programming. Alignment of operational planning with budgets.	
	Many data systems. Many people with access to systems. Relatively weak data governance policies. Cybersecurity risks.	Privacy	3	2	 Not a high risk	Refine policies. Information governance recommendations being implemented. Review access to systems regularly. Regular privacy education and training. Work collaboratively with corporate IT and Privacy partners to communicate PH privacy requirements for compliance.	
	Lack of trust and transparency among residents with BOH. Past media coverage of the corporation may potentially impact public trust toward regional government. Media attention with outbreaks.	Stakeholder / Public Perception	2	3	 Not a high risk	Continue building a semi-independent brand to separate health from politics. Engage the community through social media. Promotion of PH programs and services. Positive interactions with residents and stakeholders. Open and transparent communication.	
	Unknown impact of regional governance review. Many senior leaders in acting roles and broader organization making restructuring changes which has the potential to impact employee moral. Overall corporate engagement level fairly low.	Governance / Organizational	3	3	 Not a high risk	PH reorienting and shifting culture. Culture engagement survey. Focus on PH strategic priorities. More intensive business planning framework. Regular communication with staff. Weekly MOH messages. Professional ethics promoted with key disciplines drive accountability. Leadership training. Performance management.	

Table 1 - Risk Categories	
Risk Category	Definition
Compliance Legal	Uncertainty regarding compliance with laws, regulations, standards, policies, directives, and/or contracts. May expose the organization to the risk of fines, penalties, and/or litigation.
Environment	Uncertainty usually due to external risks facing an organization including air, water, earth, and/or forests.
Equity	Uncertainty that policies, programs, and services have an equitable impact on the population.
Financial	Uncertainty of obtaining, using, maintaining economic resources, meeting overall financial budgets/commitments, and/or preventing, detecting, or recovering fraud.
Governance / Organizational	Uncertainty of having appropriate accountability and control mechanisms such as organizational structures and systems processes, systemic issues, culture and values, organizational capacity commitment, and/or learning and management systems.
Information / Knowledge	Uncertainty regarding the access to or use of accurate, complete, relevant and timely information. Uncertainty regarding the reliability of information systems.
Operational / Service Delivery	Uncertainty regarding the performance of activities designed to carry out any of the functions of the organization, including design and implementation.
People / Human resources	Uncertainty as to the organization's ability to attract, develop, and retain the talent needed to meet its objectives.
Political	Uncertainty of the events may arise from or impact any level of the government including the Offices of the Premier or Minister (e.g., a change in government political priorities or policy direction).
Privacy	Uncertainty with regards to the safeguarding of personal information or data, including identity theft or unauthorized access.

Security	Uncertainty relating to physical or logical access to data and locations (offices, warehouses, labs, etc.).
Stakeholder / Public Perception	Uncertainty around the expectations of the public, other governments, media or other stakeholders. Maintaining positive public image; ensuring satisfaction and support of partners.
Strategic / Policy	Uncertainty that strategies and policies will achieve required results or that policies, directives, guidelines, legislation will not be able to adjust necessarily.
Technology	Uncertainty regarding alignment of IT infrastructure with technology and business requirements. Uncertainty of the availability and reliability of technology.

Minute Item No. 5.1

CSD 43-2019

Regional Development Charges Deferral Policy

That Report CSD 43-2019, dated October 9, 2019, respecting Regional Development Charges Deferral Policy, **BE RECEIVED** and the following recommendations **BE APPROVED**:

1. That the Regional Development Charges Payment Deferral Policy as included as Appendix 1 of Report CSD 43-2019, **BE APPROVED**; and
2. That the authority to execute payment deferral agreements in compliance with the Regional Development Charge Payment Deferral Policy **BE DELEGATED** to the Director, Legal & Court Services and Commissioner, Corporate Services (or their respective designates in writing) jointly.

Minute Item No. 5.2

CSC-C 18-2019

Regional Development Charge Complaint Process

That Correspondence Item CSC-C 18-2019, being a memorandum from R. Fleming, Senior Tax & Revenue Analyst, dated October 9, 2019, respecting Regional Development Charge Complaint Process, **BE RECEIVED** and the following recommendation **BE APPROVED**:

1. That the Regional Development Charge Task Force Terms of Reference **BE REVISED** to include that Regional Development Charge complaint hearings are to be held at a Special Meeting of Regional Council.

Minute Item No. 9.1

Confidential CSD 67-2019

A Matter Respecting a Proposed Acquisition of Land by the Municipality – Fort Erie Sewage Pumping Station

That Report CSD 67-2019, dated October 9, 2019, respecting A Matter Respecting a Proposed Acquisition of Land by the Municipality – Fort Erie Sewage Pumping Station Expansion, **BE RECEIVED** and the recommendations contained therein **BE APPROVED**.

**THE REGIONAL MUNICIPALITY OF NIAGARA
CORPORATE SERVICES COMMITTEE
OPEN SESSION**

**CSC 10-2019
Wednesday, October 9, 2019
Council Chamber
Niagara Region Headquarters, Campbell West
1815 Sir Isaac Brock Way, Thorold, ON**

Committee: Bradley (Regional Chair), Butters, Campion, Diodati, Easton, Edgar, Fertich, Foster (Committee Chair), Heit, Ip, Redekop, Rigby, Whalen (Committee Vice-Chair)

Absent/Regrets: Gale

Staff: H. Chamberlain, Director, Financial Management & Planning/Deputy Treasurer, R. Fleming, Senior Tax & Revenue Analyst, D. Gibbs, Director, Legal & Court Services, T. Harrison, Commissioner/Treasurer, Enterprise Resource Management Services, K. Lotimer, Legislative Coordinator, B. Menage, Director, Procurement & Strategic Acquisitions, M. Murphy, Associate Director, Budget Planning & Strategy, A.-M. Norio, Regional Clerk, K. Scholtens, Manager, Business Development Expedited Services, R. Tripp, Acting Chief Administrative Officer

1. CALL TO ORDER

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

2. DISCLOSURES OF PECUNIARY INTEREST

There were no disclosures of pecuniary interest.

3. PRESENTATIONS

There were no presentations.

4. DELEGATIONS

There were no delegations.

5. ITEMS FOR CONSIDERATION

5.1 CSD 43-2019

Regional Development Charges Deferral Policy

Moved by Councillor Edgar

Seconded by Councillor Whalen

That Report CSD 43-2019, dated October 9, 2019, respecting Regional Development Charges Deferral Policy, **BE RECEIVED** and the following recommendations **BE APPROVED**:

1. That the Regional Development Charges Payment Deferral Policy as included as Appendix 1 of Report CSD 43-2019, **BE APPROVED**; and
2. That the authority to execute payment deferral agreements in compliance with the Regional Development Charge Payment Deferral Policy **BE DELEGATED** to the Director, Legal & Court Services and Commissioner, Corporate Services (or their respective designates in writing) jointly.

Carried

5.2 CSC-C 18-2019

Regional Development Charge Complaint Process

Moved by Councillor Heit

Seconded by Councillor Fertich

That Correspondence Item CSC-C 18-2019, being a memorandum from R. Fleming, Senior Tax & Revenue Analyst, dated October 9, 2019, respecting Regional Development Charge Complaint Process, **BE RECEIVED** and the following recommendation **BE APPROVED**:

1. That the Regional Development Charge Task Force Terms of Reference **BE REVISED** to include that Regional Development Charge complaint hearings are to be held at a Special Meeting of Regional Council.

Carried

6. CONSENT ITEMS FOR INFORMATION

There were no consent items for information.

7. OTHER BUSINESS

Councillor Butters advised Committee members that she had consulted with staff on implementing a whistleblower policy. Ron Tripp, Acting Chief Administrative Officer, advised that staff would prepare a report on this subject for a future Corporate Services Committee meeting.

8. CLOSED SESSION

Moved by Councillor Redekop
Seconded by Councillor Rigby

That this Committee **DO NOW MOVE** into Closed Session for the purpose of receiving information of a confidential nature respecting:

A Matter Respecting a Proposed Acquisition of Land by the Municipality – Fort Erie Sewage Pumping Station Expansion

Carried

Committee resolved into closed session at 9:46 a.m.

9. BUSINESS ARISING FROM CLOSED SESSION ITEMS

Committee reconvened in open session at 9:52 a.m. with the following individuals in attendance:

Committee: Bradley (Regional Chair), Butters, Campion, Diodati, Easton, Edgar, Fertich, Foster (Committee Chair), Heit, Ip, Redekop, Rigby, Whalen (Committee Vice-Chair)

Absent/Regrets: Gale

Staff: H. Chamberlain, Director, Financial Management & Planning/Deputy Treasurer, D. Gibbs, Director, Legal & Court Services, T. Harrison, Commissioner/Treasurer, Enterprise Resource Management Services, K. Lotimer, Legislative Coordinator, B. Menage, Director, Procurement & Strategic Acquisitions, A.-M. Norio, Regional Clerk, R. Tripp, Acting Chief Administrative Officer

9.1 Confidential CSD 67-2019

A Matter Respecting a Proposed Acquisition of Land by the Municipality –
Fort Erie Sewage Pumping Station

Moved by Councillor Rigby
Seconded by Councillor Ip

That Report CSD 67-2019, dated October 9, 2019, respecting A Matter
Respecting a Proposed Acquisition of Land by the Municipality – Fort Erie
Sewage Pumping Station Expansion, **BE RECEIVED** and the
recommendations contained therein **BE APPROVED**.

Carried

10. **NEXT MEETING**

The next meeting will be held on Wednesday, November 6, 2019 at 9:30 a.m. in
the Council Chamber, Regional Headquarters.

11. **ADJOURNMENT**

There being no further business, the meeting adjourned at 9:56 a.m.

Councillor Foster
Committee Chair

Kelly Lotimer
Legislative Coordinator

Ann-Marie Norio
Regional Clerk

Subject: Regional Development Charges Deferral Policy

Report to: Corporate Services Committee

Report date: Wednesday, October 9, 2019

Recommendations

1. That the Regional Development Charges Payment Deferral Policy as included as Appendix 1 of CSD 43-2019, **BE APPROVED**.
2. That the authority to execute payment deferral agreements in compliance with the Regional Development Charge Payment Deferral Policy **BE DELEGATED** to the Director, Legal & Court Services and Commissioner, Corporate Services (or their respective designates in writing) jointly.

Key Facts

- The purpose of this report is to formalize the Region's process for providing deferral agreements for Regional Development Charges (RDC) as permitted under section 27 of the Development Charges Act, 1997 (DCA).
- Section 27 (1) of the (DCA) provides that a municipality may enter into an agreement with a person who is required to pay a development charge providing for all or any part of a development charge to be paid after it would otherwise be payable.
- Through CSD 63-2017- Regional Development Charges and Proposed By-law, Regional Council previously provided the Director, Legal & Court Services and Commissioner, Enterprise Resource Management Services the authority to execute development charge deferral agreements, however, the report did not establish criteria whereby a RDC deferral agreement would be warranted and was generally only intended for the transitional period between RDC by-laws.
- This report seeks Council's approval on the formalized Regional Development Charges Payment Deferral Policy as included under Appendix 1.

Financial Considerations

Deferral agreements can be considered a useful tool that can be utilized to reduce the administrative burden of both the Region and developers under certain circumstances (i.e., collecting RDC when it is known that a refund will be issued via grant or consideration of a municipal capital facility designation by Council). These agreements also act as an incentive to generate developments that are deemed a Region's priority (i.e., affordable housing).

However, deferring the collection of RDC may result in a loss of interest revenue to be allocated to the development charges reserves as a result of the delayed payment which will reduce the funds available for growth related projects. To compensate, staff are proposing to include a minimum interest rate that would apply to the amount of development charges deferred. The minimum interest rate for the purposes of the policy and associated agreements is the bank of Canada rate.

All applications for a RDC deferral agreement must be accompanied by an application fee as included in the rate and fees by-law to ensure cost recovery for processing of these agreements.

Analysis

Through CSD 63-2017 - Regional Development Charges and Proposed By-law dated October 5, 2017, Regional Council delegated the authority to execute deferral agreements under section 27 of the Development Charges Act, 1997 jointly to the Director, Legal & Court Services and the Commissioner, Enterprise Resource Management Services. At the time when report CSD 63-2017 was approved by Council, there was no formalized policy enacted to guide Regional staff when executing deferral agreements as the delegated authority was primarily intended to address the transitional period between RDC by-laws. Staff have relied on this previous delegation of authority to execute deferral agreements which have mainly been limited to deferrals for affordable housing (as per By-law 2017-98, s. 11(f)).

As a means of formalizing the RDC payment deferral process, Regional staff have developed a policy for Council's consideration and approval which has been included as Appendix 1 of this report. The Policy has been developed in collaboration with the Region's Finance, Legal, Planning and Economic Development staff. This Policy has been created with the intent of clarifying:

- Development types eligible for payment deferrals (Affordable housing, developments pending RDC grant approvals as outlined in the procedure document, and developments subject to a future Municipal Capital Facility agreement);
- The application process and administrative fee requirement;
- Financial security requirements of the Region; and
- Roles and responsibilities.

At the Committee of the Whole meeting held on September 5, 2019, Council endorsed four main categories of incentives that will be implemented starting 2020 (i.e., Affordable housing, brownfield remediation, employment growth and quality of life). This Policy has been developed with those areas of focus in mind.

Staff will also develop a Procedure document to accompany the Policy once approved by Council. The Procedure will be approved by the Commissioner, Corporate Services.

Staff also reviewed the need to develop a RDC pre-payment agreement policy but it was determined to not be warranted at this time. Requests for pre-payment agreements (which are also permitted pursuant to section 27 of the DC Act) have primarily been limited to periods immediately preceding the passing of an updated RDC By-law (which generally occurs ever 5 years). Staff are proposing that Council's approval of any pre-payment agreements be obtained at the time of an updated RDC By-law only.

Alternatives Reviewed

1. That the authority to execute Regional development charges deferral agreements be reverted back to Regional Council to be dealt with on an ad hoc basis. The alternative is **NOT RECOMMENDED**. By continuing to delegate the authority to execute deferral agreements in compliance with the policy to staff, it will create efficiencies from the perspective of developers and builders.
2. That Council not formalize a Regional development charges deferral agreement policy. This alternative is **NOT RECOMMENDED**. A policy would ensure consistency in application and execution of Regional development charges deferral agreements.

Relationship to Council Strategic Priorities

Pending the development of Council's new Strategic Priorities.

Other Pertinent Reports

[CSD 63-2017](#) Regional Development Charges and Proposed By-law

Prepared by:

Rob Fleming, MBA
Senior Tax & Revenue Analyst
Corporate Services

Recommended by:

Todd Harrison, CPA, CMA
Commissioner/Treasurer
Corporate Services

Submitted by:

Ron Tripp, P.Eng.
Acting Chief Administrative Officer

This report was prepared in consultation with Margaret Murphy, Associate Director, Budget Planning & Strategy, and reviewed by Helen Chamberlain, Director, Financial Planning & Management/Deputy Treasurer and Donna Gibbs, Director, Legal & Court Services.

Appendices

Appendix 1 Regional Development Charges Payment Deferral Policy

<i>Policy Category</i>	<i>Name of Policy</i>
FINANCIAL	REGIONAL DEVELOPMENT CHARGES PAYMENT DEFERRAL POLICY

Page 1 of 4

Policy Owner	Corporate Services, Financial Management & Planning, Associate Director, Budget Planning Strategy
Approval Body	Council
Approval Date	
Effective Date	October 24, 2019
Review by Date	Within 2 years or upon expiry of a Regional Development Charges Bylaw.

1. Policy

This policy establishes principles and practices for deferral of Regional development charges.

1.1. The following development types will be eligible for Regional development charges deferral under this policy:

1.1.1. Affordable housing developments that received funding through an agreement with Niagara Regional Housing or designated agency of Niagara Region as per By-Law 2017-98, Section 11. (f).

1.1.2. Developments that have received conditional/pending approval for Regional Development Charge grant and where the total Regional development charges for the project exceeds the minimum threshold. The deferral amount under this clause will be capped at the amount of the conditional/pending grant.

1.1.3. Developments that Regional staff have identified as eligible for a future Municipal Capital Facility Agreement for which Regional Development Charges will be exempted (subject to conditions under Municipal Act, 2001, section 110 and subsequent Regional Council approval).

1.1.4. Developments that are eligible for a transitional provision in an approved Regional development charge by-law.

1.2. Under the terms of this Policy, an individual that is required to make payment of Regional Development Charge may submit a complete application package requesting a Regional development charges deferral agreement prior to the payment of development charges for the development.

1.3. An application made under this policy will only be accepted if complete and the

<i>Policy Category</i>	<i>Name of Policy</i>
FINANCIAL	REGIONAL DEVELOPMENT CHARGES PAYMENT DEFERRAL POLICY

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prescribed administrative fee has been provided to Niagara Region as outlined in the Region's Fee and Charges By-law as amended from time to time.

- 1.4. If the request does not comply with the Policy, Niagara Region will refuse the application and advise the applicant accordingly.
- 1.5. If approved, a deferral agreement will be prepared to include the terms and conditions required by both the Director Legal & Court Services and Commissioner, Corporate Services or designate and to secure payment of the deferred charges.
- 1.6. For developments that are eligible for deferral under paragraph 1.1.2, at the time of execution of a deferral agreement under this policy, the applicant must provide a Letter of Credit for the amount of Regional Development Charges deferred.
- 1.7. If the Regional development charges have already been paid for the development by the applicant, the applicant is not eligible for a deferral agreement under this Policy.
- 1.8. In the event that the development charges become payable, the development charges deferred shall be payable in accordance with the deferral agreement executed with Niagara Region and shall be based on the development charge rate that is in effect at the time of building permit issuance.
- 1.9. An annual interest rate shall apply to the amount of Regional development charges deferred. The interest rate for the purposes of the policy and associated agreements is the Bank of Canada rate.
- 1.10. The maximum deferral term shall not exceed the period as outlined below:
 - 1.10.1. Developments eligible for deferral under 1.1.1 shall see the deferral period capped at the length of time that the units remain affordable housing (as may be outlined in the funding agreement).
 - 1.10.2. Developments eligible for deferral under 1.1.2 shall not see the deferral period exceed 2 years from the date that the Regional development charges are otherwise payable.
 - 1.10.3. Developments eligible for deferral under 1.1.3 shall not see the deferral period exceed the length of time anticipated for the Region to designate the development (or any part thereof) as a Municipal Capital Facility.
 - 1.10.4. Developments eligible for deferral under 1.1.4 shall not see the deferral period exceed the length of time as outlined in the transitional provision of a future Regional development charge by-law.
- 1.11. Notwithstanding the aforementioned eligibility criteria, a deferral request may be

<i>Policy Category</i>	<i>Name of Policy</i>
FINANCIAL	REGIONAL DEVELOPMENT CHARGES PAYMENT DEFERRAL POLICY

Page 3 of 4

refused by the Commissioner, Corporate Service if the net development charge reserve balance is in a deficit.

- 1.12. Authority to execute deferral agreements on behalf of Niagara Region resides jointly with the Director, Legal & Court Services and Commissioner, Corporate Service (or their respective designates authorized in writing to act on their behalf in their absence).
- 1.13. Approval for a Regional development charge deferral under this policy will be rescinded and associated agreement terminated if the building permit for the development is not issued within 6 months of the date of execution of the agreement.
- 1.14. The applicant must register the executed agreement on title of the subject lands at their expense within 30 days of agreement execution or risk default or cancellation of the agreement. Proof of agreement registration on title must be provided within 30 days of the agreement being executed by all parties.
- 1.15. All future deferral requests and agreements entered into by Niagara Region after the effective date of this policy must conform to this Policy. All previous deferral agreements will be grandfathered under the terms and conditions under which they were approved and executed.

2. Purpose

This policy will establish guidelines related to applications for, and the administration and issuance of, Regional development charge deferral agreements pursuant to section 27 of the Development Charge Act, 1997.

3. Scope

This policy applies to all Regional development charge deferral requests.

3.1. Roles and Responsibilities

3.1.1 Regional Council

Approves, by resolution, the development charges deferral policy and any updates as necessary every five years or upon expiry of the Niagara Region Development charges By-law.

3.1.2 Commissioner, Corporate Services or Designate in Writing

Reviews and updates the Regional Development Charge Deferral Policy as necessary every five years or upon the expiry of a Regional Development Charges By-law and submits any necessary changes for Council approval.

Creates necessary guiding strategies, supporting frameworks and procedures as required to administer this policy which may be amended from time-to-time.

<i>Policy Category</i>	<i>Name of Policy</i>
FINANCIAL	REGIONAL DEVELOPMENT CHARGES PAYMENT DEFERRAL POLICY

Page 4 of 4

Monitor compliance and adherence to this policy for future Regional development charge deferral agreements.

Develops and maintains appropriate tracking measures for executed deferral agreements and reports on each annually to Regional Council.

Acts as a co-signatory to Regional development charge deferral agreements jointly with the Director, Legal & Court Services.

3.1.3 Director, Legal & Court Services or designate in writing

Ensures that all Regional development charge deferral agreements satisfy all legal requirements as outlined in appropriate legislation.

Ensures that all Regional development charge deferral agreements appropriately mitigate legal exposure for Niagara Region.

Acts as a co-signatory to Regional development charge deferral agreements jointly with the Commissioner, Corporate Services or designate in writing.

4. References and Related Documents.

4.1. Legislation, By-Laws and/or Directives

4.1.1. Development Charges Act, 1997, S.O. 1997, as amended from time to time.

4.1.2. By-law 2017-98 – A By-law to Establish Development Charges for the Regional Municipality of Niagara Region, as amended from time to time.

5. Related Policies

6. Document Control

The electronic version of this document is recognized as the only valid version.

Approval History

Approver(s)	Approved Date	Effective Date

Revision History

Revision No.	Date	Summary of Change(s)	Changed by

MEMORANDUM

CSC-C 18-2019

Subject: Regional Development Charge Complaint Process

Date: October 9, 2019

To: Corporate Services Committee

From: Rob Fleming, Senior Tax & Revenue Analyst

At the Regional Council meeting held on August 15, 2019, Council approved the minutes from the Procedural By-law Review Committee on July 30, 2019 which provided the below direction to staff:

That Correspondence Item PBLRC-C 7-2019, being a memorandum from Committee members requested a report respecting any policy, procedural or By-law amendments necessary for Development Charge Hearings to be held at a Special Council meeting rather than a Regular Council meeting.

As such, staff are recommending that the Regional Development Charge Task Force (RDCTF) Terms of Reference (TOR) be revised to clearly reflect the request to have Regional Development Charge (RDC) complaint hearings held at a Special Meeting of Regional Council rather than as part of a Regular Council meeting. Staff have also updated the RDC complaint form to reflect the aforementioned change as well. Both the RDCTF TOR and the RDC complaint form can be found as attachments 1 and 2, respectively.

Should Committee be in favour of this, the following is suggested wording:

That the Regional Development Charge Task Force Terms of Reference **BE REVISED** to include that Regional Development Charge complaint hearings are to be held at a Special Meeting of Regional Council.

Respectfully submitted and signed by

Rob Fleming, MBA
Senior Tax & Revenue Analyst
Financial Management & Planning

Attached:

1. Regional Development Charge Task Force Terms of Reference – Revised
2. Regional Development Charge Complaint Form

REGIONAL DEVELOPMENT CHARGES POLICY TASK FORCE (RDCPTF)

TERMS OF REFERENCE

Appendix to Memo CSC-C 18-2018

**Recommended for Approval by the Corporate Services Committee October 9,
2019**

Ratified by Regional Council on <date>

Consolidated Version as of <date>

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1. PREAMBLE

The RDCPTF is a policy advisory committee established by The Regional Municipality of Niagara in accordance with the following Terms of Reference. The RDCPTF has been established to advise the Regional Council, reporting through the Corporate Services Committee on Municipal requirements contained in the Development Charges Act, 1997 and matters related to the Region's Development Charges Study and By-law.

2. MANDATE

To advise The Regional Municipality of Niagara regarding the matters related to development and implementation of policy to be incorporated within the Region's Development Charges Study and By-law including, but not limited to: Alignment of development charge policy with the Region's servicing policy, planning and phased infrastructure, and financing of growth related infrastructure and alignment with the Niagara 2041 growth strategy.

Complaints submitted pursuant to the Development Charges Act, 1997, will be heard at a Special Meeting of Regional Council~~by Regional Council~~.

3. GOALS/PURPOSE

The RDCPTF will advise on capital costs required for infrastructure including how to recover costs and aligning growth with servicing needs; how development charge policies impact the Region's ability to recover growth related capital costs, and the necessity for these costs to be recovered by new growth, and also provide guidance on development charge policy updates.

The RDCPTF will oversee grant programs that exempt DCs (both mandatory and discretionary) and support the budget request of replacement funding for those DCs exempted.

4. REPORTING STRUCTURE

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

5. WORK PLAN

The RDCPTF will provide guidance to staff in the development of the work plan related to the DC By-Law renewal 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

N/A

7. MEMBERSHIP

7.1 Composition

Membership for the RDCPTF shall be a minimum of 16 members of Council.

Membership for the RDCPTF shall include:

- Chair and Vice Chair
- Other Council members

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.

Current RDCPTF Committee members shall indicate their desire to be reappointed to the Committee no later than the last meeting prior to the change in Council.

7.3 Privacy

The meetings of the RDCPTF are public unless confidential matters are discussed.

8. ROLES & RESPONSIBILITIES

8.1 Chair & Vice Chair

A Chair and Vice Chair will be elected from RDCPTF 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 RDCPTF Committee meetings so that its business can be carried out efficiently and effectively, and to act as a liaison between the RDCPTF Committee, the Corporate Service Committee and Regional Council.

It is the role of the Vice Chair to preside over RDCPTF 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 RDCPTF members, including the Chair and Vice Chair, have the responsibility to help achieve the RDCPTF'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 RDCPTF 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 RDCPTF and otherwise complete their assigned tasks.

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

10. RESOURCES

The Enterprise Resource Management Services department is the designated lead department providing resource support for the RDCPTF; 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 RDCPTF Committee shall receive administrative support from the Office of the Regional Clerk for meeting and agenda management.

11. MEETINGS

A meeting schedule following a six week cycle shall be set for the RDCPTF during the 18 months preceding the expiry of the RDC By-Law or at the call of the Chair should a time sensitive matter arise during this time. The schedule will be circulated to the members for approval prior to the 18 month time period. Meetings held outside this 18 month time period will be at the call of the Chair.

The RDCPTF meetings will be held at Regional Headquarters at a time as determined by the members. All meetings will be open to the public unless confidential information is presented.

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 consecutive meetings without authorization 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.

Procedure for Complaints under the Development Charges Act

Parties to a Complaint

A person required to pay a development charge to Niagara Region, or the person's agent, may complain to the Region. The process for development charges complaints is outlined in sections 20-25 of the Development Charges Act.

Time, Form, and Contents of a Complaint

Complaints must be in writing, submitted to the address below, or via email to:

Clerk@niagararegion.ca

The Regional Municipality of Niagara

1815 Sir Isaac Brock Way

P.O. Box 1042

Thorold, ON L2V 4T7

Attention: Regional Clerk

No complaint will be considered if it is received more than 90 days after the date the development charge, or any part of it, is payable to Niagara Region (as per s. 20(2) of the Development Charges Act). All complaints will first be reviewed by Niagara Region staff to confirm the criteria for submitting a complaint as outlined in the Act have been met.

The complaint must contain and allege, as a reason for the complaint, one or more of the following:

1. The amount of the development charge was incorrectly determined;
2. Whether a credit is available to be used against the development charge, or the amount of the credit or the service with respect to which the credit was given, was incorrectly determined; or
3. There was an error in the application of the development charge by-law.

Complaint Hearing

A hearing of the complaint at a Special meeting of Regional Council will be scheduled within 60 days after the complaint is received by the Region as required.

At a hearing before Regional Council, the complainant will be given an opportunity to make representations. Niagara Region Staff may provide a report to Regional Council regarding the complaint. After hearing the evidence and submissions of the complainant, Council may dismiss the complaint or rectify any incorrect determination or error that was the subject of the complaint.

The decision of Council is final, subject to the appeal rights provided in the Development Charges Act.

The notice of hearing of the complaint will be mailed to the complainant at least 14 days before the hearing at the address provided below.

Following the hearing, the notice of Regional Council's decision will be mailed to the complainant at the address provided below no later than 20 days after the date of the decision.

To be completed in advance of filing a Development Charges Complaint with Niagara Region.

Contact Information of Complainant:

Date (yyyy-mm-dd)		
Name of complainant (first, last)		
Address		
City/Town	Province	Postal code
Home phone no.	Business phone no.	Mobile no.
E-mail		

Location of development that the complaint relates to:

Building Permit No.	Regional Development Charge Owing (\$)	
Type of Development		
Address		
City/Town	Province	Postal code

Date Development Charges Paid (mm/dd/yyyy): _____

Date of Building Permit Issuance (mm/dd/yyyy): _____

Has it been more than 90 days after the day that the development charges, or any part of them, were payable (Y/N)? _____

Complaint Type (check all that apply)

<input type="checkbox"/>	The amount of the development charge was incorrectly determined.
<input type="checkbox"/>	Whether a credit is available to be used against the development charge, or the amount of the credit or the service with respect to which the credit was given, was incorrectly determined.
<input type="checkbox"/>	There was an error in the application of the development charge by-law (Click for DC Bylaw).

If any of the above complaint types are applicable, please provide a summary of the complaint below.

Summary of Complaint

Please indicate how the complaint meets at least one of the complaint types noted above and provide the reasons for your complaint. Please be as detailed as possible and provide information as to who was involved, dates, and times. If there is not enough space below to describe the complaint, you may attach extra paper. Please attach any relevant documents such as letters or reports that are relevant to your complaint. Please further indicate the amount of development charges that you believe are payable if there is a difference between the amount calculated by the municipality or Region, and your calculation. Please also explain the basis of your calculation.

The information you provide on this form is collected pursuant to the Development Charges Act and shall be used solely for purposes of processing your complaint and in accordance with the Municipal Freedom of Information and Protection of Privacy Act.

If you have any questions regarding this form, or the Development Charges Complaint process, please contact Rob Fleming (robert.fleming@niagararegion.ca).

Minute Item 3
Cannabis Regulation Framework Presentation

That Regional Staff **BE AUTHORIZED** to coordinate a facilitated workshop with local municipal stakeholders to discuss operational and land use concerns related to cannabis growing facilities and to identify potential local zoning and by-law regulations to address these concerns; and

That following the workshop a summary report **BE PROVIDED** to Planning and Economic Development Committee for consideration.

Minute Item No. 5.1
PDS 31-2019

Proposed Changes to the Provincial Policy Statement

That Report PDS 31-2019, dated October 9, 2019, respecting Proposed Changes to the Provincial Policy Statement, **BE RECEIVED** and the following recommendations **BE APPROVED**:

1. That staff **BE DIRECTED** to continue to provide detailed comments on the Provincial initiatives under the “More Homes, More Choice: Ontario’s Housing Supply Action Plan”, and any associated matters, as warranted; and
2. That a copy of Report PDS 31-2019 **BE CIRCULATED** to local area municipal Planning Directors.

Minute Item No. 5.2
PDS 36-2019

Response to the Town of Grimsby Council’s Resolution Regarding Regional Official Plan Amendment 13 (ROPA 13)

That Report PDS 36-2019, dated October 9, 2019, respecting Response to the Town of Grimsby Council's Resolution Regarding Regional Official Plan Amendment 13 (ROPA 13), **BE RECEIVED** and the following recommendation **BE APPROVED**:

1. That Regional Official Plan Amendment 13 – Transportation Policies **BE ADOPTED** under Section 26 of the Planning Act.

Minute Item 6
Consent Items for Information

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

PDS 35-2019

Employment Policies Update: Project Initiation Report

ED 11-2019

Q3 Economic Development Quarterly Update

PDS-C 16-2019

Combined Sewer Overflow (CSO) Control Policy In-year Application

PDS-C 18-2019

Glendale Niagara District Update Plan

Minute Item 6.4

PDS-C 17-2019

Niagara-on-the-Lake Non-conforming Incentive Request

1. That Correspondence Item PDS-C 17-2019, being a memorandum from R. Mostacci, Commissioner, Planning and Development Services, dated October 9, 2019, respecting Niagara-on-the-Lake Non-conforming Incentive Request, **BE RECEIVED**; and
2. That Smarter Niagara Incentive Program (SNIP) funding of \$4,565.20 for one time retroactive grant to cover work at 16 Queen Street, Niagara-on-the-Lake, **BE APPROVED**.

**THE REGIONAL MUNICIPALITY OF NIAGARA
PLANNING & ECONOMIC DEVELOPMENT COMMITTEE
MINUTES**

PEDC 10-2019

Wednesday, October 9, 2019

Council Chamber

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

Committee: Bradley (Regional Chair), Butters, Bylsma, Campion, Darté (Committee Vice-Chair), Easton, Greenwood, Heit, Huson (Committee Chair), Junkin, Redekop, Rigby, Sendzik, Ugolini, Witteveen, Zalepa

Absent/Regrets: Bellows, Foster

Staff: E. Acs, Manager, Community Planning, I. Banach, Manager, Long Range Planning, P. Busnello, Manager, Development Planning, M. Evelyn, Legislative Coordinator, D. Giles, Director, Community & Long Range Planning, D. Heyworth, Official Plan Policy Consultant, V. Kuhns, Acting Director, Economic Development, P. Lambert, Director, Infrastructure Planning & Development Engineering, D. Morreale, Director, Development Approvals, R. Mostacci, Commissioner, Planning & Development Services, A.-M. Norio, Regional Clerk, R. Tripp, Acting Chief Administrative Officer

1. CALL TO ORDER

Committee Chair Huson called the meeting to order at 1:00 p.m.

2. DISCLOSURES OF PECUNIARY INTEREST

There were no disclosures of pecuniary interest.

3. **PRESENTATIONS**

3.1 **Cannabis Regulation Framework**

Samuel Bouabane, Director of Quality and Regulatory, Cannabis Compliance Inc., provided information respecting Cannabis Regulation Framework. Topics of the presentation included:

- Regulatory Models
- Federal Licenses
 - Types of Cannabis Licenses
 - Cultivation Licenses
 - Processor Licenses
- Federal, Provincial, and Municipal Considerations

At this point in the meeting Committee Vice-Chair Darte assumed the Chair.

Moved by Councillor Huson
Seconded by Councillor Junkin

That Regional Staff **BE AUTHORIZED** to coordinate a facilitated workshop with local municipal stakeholders to discuss operational and land use concerns related to cannabis growing facilities and to identify potential local zoning and by-law regulations to address these concerns; and

That following the workshop a summary report **BE PROVIDED** to Planning and Economic Development Committee for consideration.

Carried

At this point in the meeting Committee Chair Huson assumed the Chair.

4. **DELEGATIONS**

4.1 **Niagara-on-the-Lake Non-conforming Incentive Request (PDS-C 17-2019) (Agenda Item 6.4).**

4.1.1 Denise Horne, Planner II/Heritage Advisor, Town of Niagara-on-the-Lake

Denise Horne, Planner II/Heritage Advisor, Town of Niagara-on-the-Lake, appeared before Committee to request approval for a non-conforming incentive request for a one time retroactive grant of \$4,565.20 to cover work at 16 Queen Street, Niagara-on-the-Lake.

5. ITEMS FOR CONSIDERATION

5.1 PDS 31-2019

Proposed Changes to the Provincial Policy Statement

Moved by Councillor Rigby

Seconded by Councillor Witteveen

That Report PDS 31-2019, dated October 9, 2019, respecting Proposed Changes to the Provincial Policy Statement, **BE RECEIVED** and the following recommendations **BE APPROVED**:

1. That staff **BE DIRECTED** to continue to provide detailed comments on the Provincial initiatives under the “More Homes, More Choice: Ontario’s Housing Supply Action Plan”, and any associated matters, as warranted; and
2. That a copy of Report PDS 31-2019 **BE CIRCULATED** to local area municipal Planning Directors.

Carried

5.2 PDS 36-2019

Response to the Town of Grimsby Council’s Resolution Regarding Regional Official Plan Amendment 13 (ROPA 13)

Moved by Councillor Ugolini

Seconded by Councillor Greenwood

That Report PDS 36-2019, dated October 9, 2019, respecting Response to the Town of Grimsby Council’s Resolution Regarding Regional Official Plan Amendment 13 (ROPA 13), **BE RECEIVED** and the following recommendation **BE APPROVED**:

1. That Regional Official Plan Amendment 13 – Transportation Policies **BE ADOPTED** under Section 26 of the Planning Act.

Carried

6. CONSENT ITEMS FOR INFORMATION

Moved by Councillor Bylsma
Seconded by Councillor Butters

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

PDS 35-2019

Employment Policies Update: Project Initiation Report

ED 11-2019

Q3 Economic Development Quarterly Update

PDS-C 16-2019

Combined Sewer Overflow (CSO) Control Policy In-year Application

PDS-C 18-2019

Glendale Niagara District Update Plan

Carried

Correspondence item PDS-C 17-2019 was considered separately.

6.4 PDS-C 17-2019

Niagara-on-the-Lake Non-conforming Incentive Request

Moved by Councillor Zalepa
Seconded by Councillor Butters

That Correspondence Item PDS-C 17-2019, being a memorandum from R. Mostacci, Commissioner, Planning and Development Services, dated October 9, 2019, respecting Niagara-on-the-Lake Non-conforming Incentive Request, **BE RECEIVED** for information.

Moved by Councillor Zalepa
Seconded by Councillor Bylsma

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

- 1. That Smarter Niagara Incentive Program (SNIP) funding of \$4,565.20 for one time retroactive grant to cover work at 16 Queen Street, Niagara-on-the-Lake, BE APPROVED.***

Carried

Committee Chair Huson called the vote on the motion, as amended, as follows:

1. That Correspondence Item PDS-C 17-2019, being a memorandum from R. Mostacci, Commissioner, Planning and Development Services, dated October 9, 2019, respecting Niagara-on-the-Lake Non-conforming Incentive Request, **BE RECEIVED**; and
2. That Smarter Niagara Incentive Program (SNIP) funding of \$4,565.20 for one time retroactive grant to cover work at 16 Queen Street, Niagara-on-the-Lake, **BE APPROVED**.

Carried

7. OTHER BUSINESS

7.1 Total Solar Eclipse - April 8, 2024

Councillor Rigby informed Committee of the upcoming total solar eclipse to take place on April 8, 2024. He suggested, given that the Niagara region is considered one of the best viewing areas, that Economic Development staff should consider tourism opportunities for the event.

7.2 Niagara Peninsula Conservation Authority (NPCA) Thanksgiving Festival

Councillor Bylsma announced NPCA will be hosting its 45th Annual Ball's Falls Thanksgiving Festival from October 11 to 14, 2019.

7.3 Niagara Official Plan Public Information Centres (PICs)

Councillor Huson informed Committee that the Niagara Region will be hosting four PICs to share key findings from the plans and studies that will inform the new Niagara Official Plan. The dates, times and locations are as follows:

- Wednesday, November 6, 2019 at Regional Headquarters from 5:30 p.m. to 7:30 p.m.
- Thursday, November 7, 2019 at Gale Centre Arena, Niagara Falls from 4:30 p.m. to 7:00 p.m.
- Wednesday, November 13, 2019 at Livingston Activity Centre, Grimsby from 4:30 p.m. to 7:00 p.m.
- Thursday, November 14, 2019 at Leisureplex, Fort Erie from 4:30 p.m. to 7:30 p.m.

8. NEXT MEETING

The next meeting will be held on Wednesday, November 6, 2019 at 1:00 p.m. in the Council Chamber, Regional Headquarters.

9. ADJOURNMENT

There being no further business, the meeting adjourned at 3:17 p.m.

Councillor Huson
Committee Chair

Mark Evely
Legislative Coordinator

Ann-Marie Norio
Regional Clerk



AGENDA

- Introduction
- Cannabis Regulatory Models
- Federal Licence Classes and Permissions
- Federal and Municipal Considerations



Samuel Bouabane
Director – Quality and
Regulatory

WHO IS CCI?

CCI is a global consulting firm with subject matter expertise in the regulated consumer products industry

- A legacy of success based on knowledge of safety and compliance best practice
- Fifteen years of licencing and regulatory expertise
- Successful completion of over 66,000 licences
- The original consulting company in Canada to offer a breadth of cannabis services
- A proud Canadian company with a global presence in more than 25 countries around the world



Regulatory Models

THE FUTURE

Now

(Post -October 17th, 2018)

- Recreational and medicinal
- Craft cannabis

October 2019

- Edible cannabis
- Cannabis extracts
- Cannabis topicals

Post -October 2019

- Cannabis Health Products
- Veterinary Health Products
- Cosmetics and Household Use Products



THE PLAYERS

NEW ACTS & REGS

Federal
Government

Provincial
Government

Municipal
Government

Licence
Holders

Federal – HC, CFIA, PMRA
The Cannabis Act & Regulations
Safe Food for Canadians Act & Regulations
Tobacco and Vaping Act
Pest Management and Regulatory Agency

Provincial – AGCO, OMAFRA
Cannabis Control Act & Regulations
Land Use Act & Regulations

Municipal
Local By -Laws

REGULATORY MODELS

Federal:

- Cultivation and production of safe quality products
- Prevention diversion and protection of young persons
- Establishment of provincial distribution model
- Continuity of access for medicinal use

Provincial:

- Establishment of recreational sale and distribution
- Land use protection guidelines

Municipal:

- Urban planning and development for federally licensed and provincial retail licensed sites
- Local law enforcement



Federal Licences

TYPES OF CANNABIS LICENCES

The Cannabis Act and Regulations, introduced new facility licensing classes to cultivate, manufacture, research, test and sell cannabis and cannabis products.

- Cultivation – Standard
- Cultivation – Micro
- Cultivation – Nursery
- Processor – Standard
- Processor – Micro
- R&D
- Sale for Medical Purposes
- Analytical Testing
- Cannabis Drug
- Industrial Hemp



CULTIVATION LICENCES

The Standard Cultivation Licence allows for the following activities:

- Cultivation, harvesting and drying of cannabis.
- Outdoor cultivation
- Sale of cannabis to licence holders: Cultivation, Processor, R&D, Testing Laboratory, and Cannabis Drug Licence.

The Micro Cultivation Licence allows for the same activities as Standard with the restriction:

- A holder may cultivate a total of 200 m² of cannabis canopy.

The Nursery Licence allows for the same activities as Standard with the following restrictions:

- Unlimited cannabis canopy.
- Up to 50 m² of flower canopy for breeding and testing.
- Obligated to destroy flowers within 30 days.
- Sale of only seeds and plants to other licence holders.

PROCESSOR LICENCES

The Standard Processor Licence allows for the following activities:

- Processing unlimited quantities of cannabis.
- Formulation development, manufacturing, packaging and labelling.
- Sale of Cannabis to licence holders: Cultivation, Processor, R&D, Testing Laboratory, and Cannabis Drug Licence.
- Sale of Cannabis Products to Provinces for recreational distribution and to Federal Medical Sales Licence holders for medical distribution.

The Micro Processor Licence allows for the same activities as Standard with the restriction:

- A holder may process a total of 600 kg of dried cannabis (or equivalent) annually.

OTHER LICENCES TYPES

End -user recreational sale is provincially licensed

Federal Medical Sales Licence:

- Patient registration and prescription processing.
- Direct or indirect sale to patients

R&D Licence:

- Limited cultivation, processing and clinical testing based on protocol.
- Development, manufacturing, packaging and labelling.

Cannabis Drug Licence:

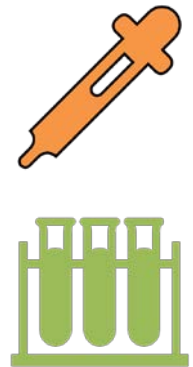
- Cannabis drug development, manufacturing, distribution and sale.
- Traditional pharmacy sale via prescription

Analytical Testing Licence:

- Mandatory third-party analysis
- Product stability trials

Industrial Hemp Licence:

- Cultivation and harvest of select cannabis cultivars
- Distribution and sale of seeds, fiber, leaves and flowers



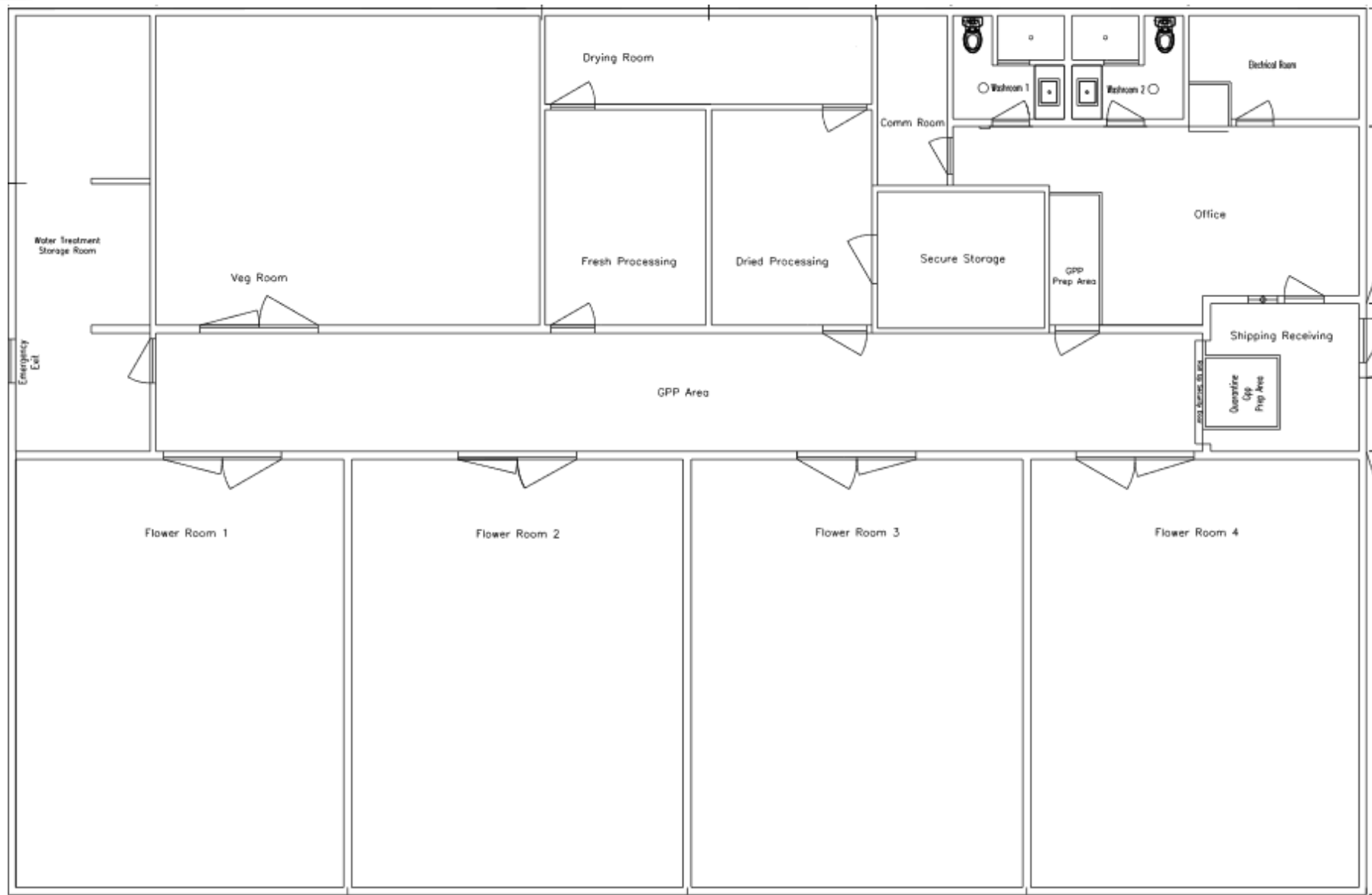
FACILITY LAYOUT

Layout of facility depends on licence type, operations and business scale

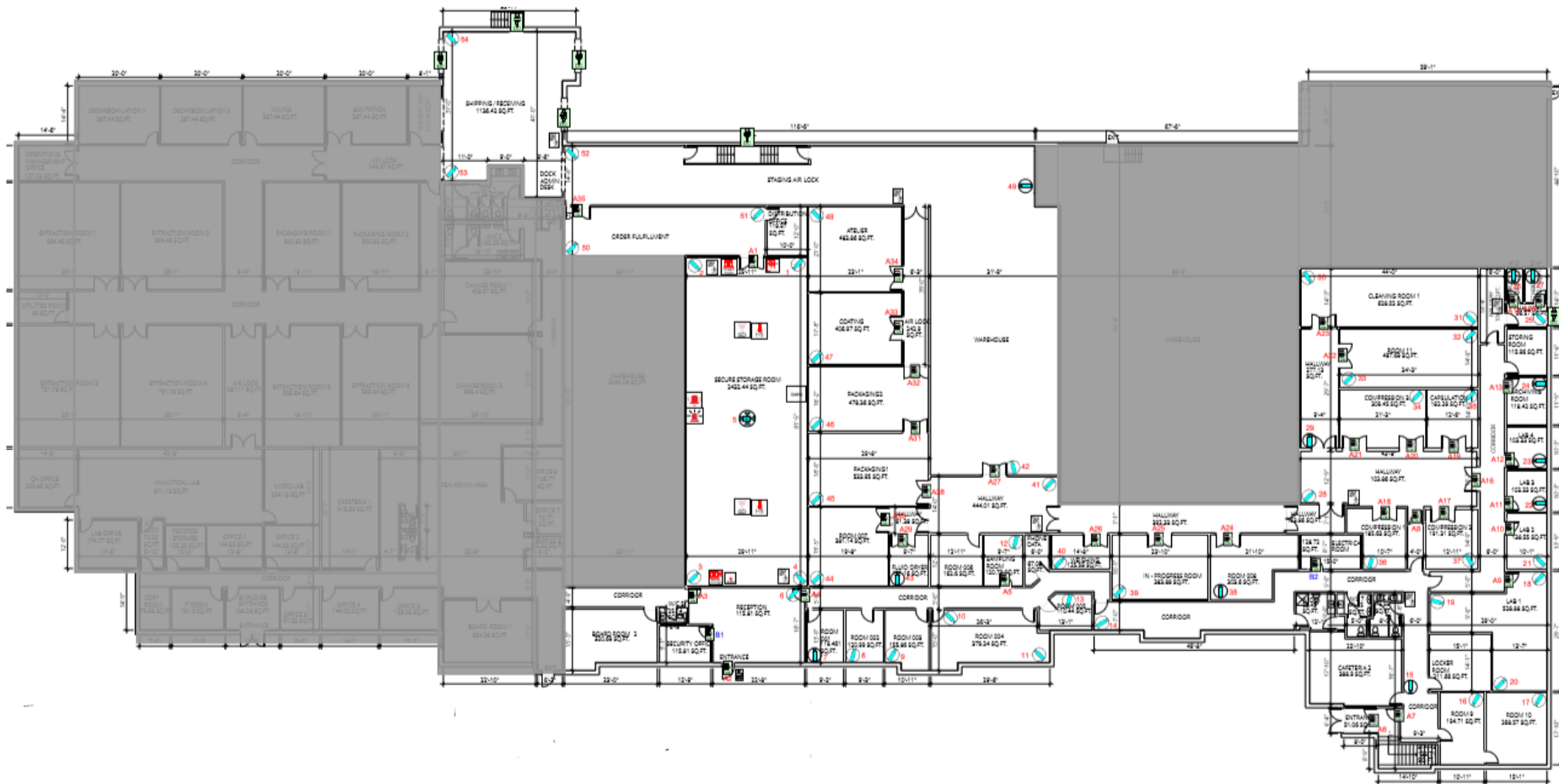
Standard List of Rooms:

Administrative Areas	Cultivator Areas	Processor Areas	Transition and Warehouse Areas	Support Areas
Reception/Security Office	Genetics/Mother Room	Extraction Rooms	Changerooms/ Gowning Areas	Maintenance/ Machine Shop
Offices/Meeting Rooms	Propagation Room	Dispensing/ Mixing Rooms	Transition Corridors	Mechanical/ Utilities Room
Call Center	Vegetative Rooms	Production Rooms	Shipping/ Receiving Areas	Chemical/Hazmat Storage
Washrooms	Flowering Rooms	Packaging/ Labelling Rooms	General Warehouse	Laneways/ Parking Lot
Lunchroom	Outdoor Cultivation Areas	Sanitation Room	Secure Storage Room	
Server Rooms	Trimming Room	Equipment Storage	Destruction Room	
Document Storage	Drying Room	Laboratories		
Corridors	Curing Room			

MICRO SITE LAYOUT



STANDARD SITE LAYOUT



Federal, Provincial & Municipal Considerations

FEDERAL CONSIDERATIONS

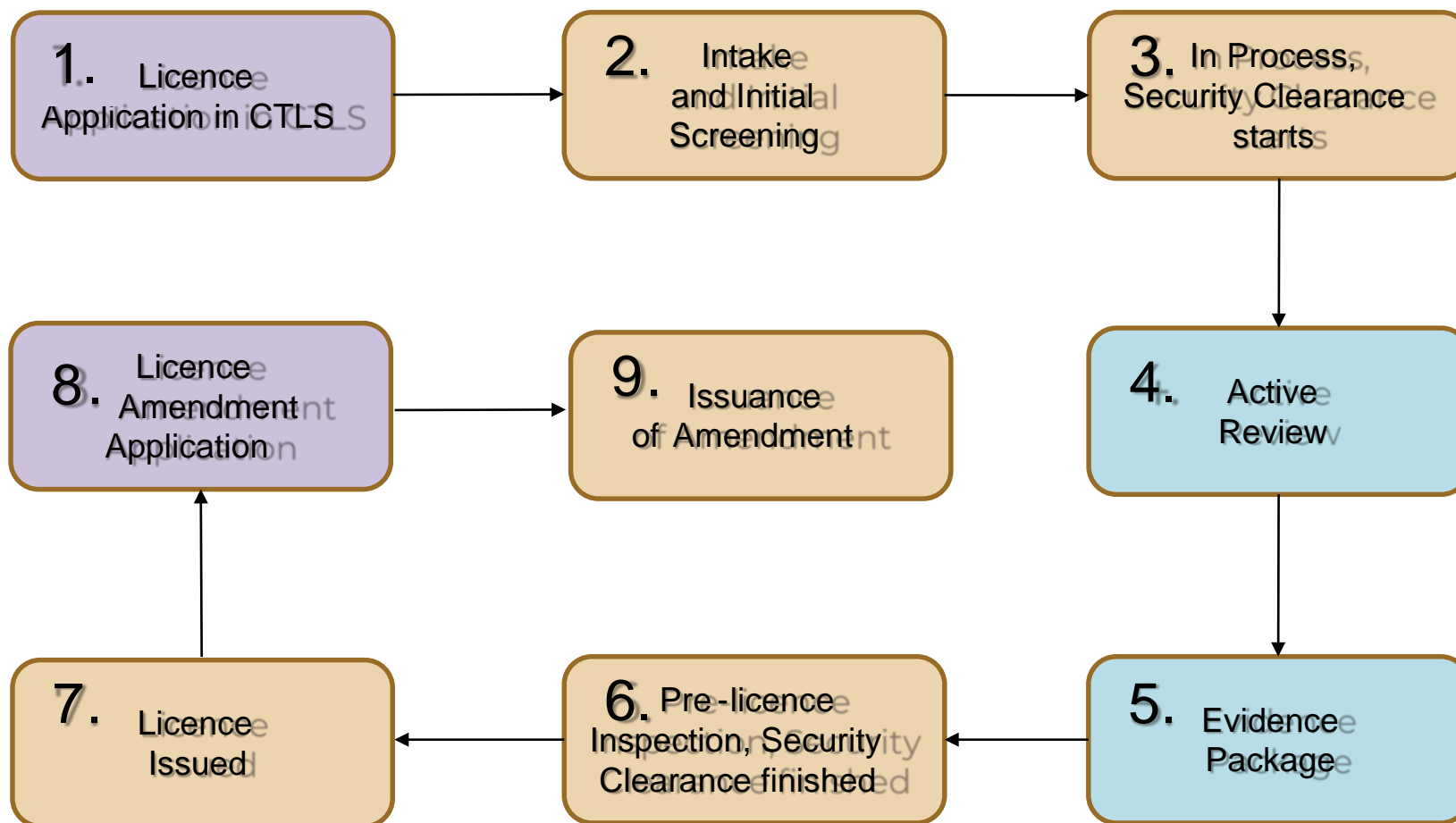
Health Canada ensures public health and safety are paramount.

- **Licensing**
 - Corporation, personnel and business model
 - Physical security
 - Good Production Practices (GPP)
(Sanitation, air, odour control, quality assurance)
 - Mandatory testing for pesticides
 - Packaging and labelling
- **Physical Site Amendments and New Products**
 - Adding/removing operational areas
 - Packaging and labelling
 - Product Notices
- **Promotion**
 - Advertising and promotional prohibitions
 - CRA Excise Tax licence and stamps



HEALTH CANADA LICENSING APPROACH

Application Eligibility: Applicants must have a fully constructed building in place, including evidence that they building meets physical security and Good Production Practices (GPP) requirements



FEDERAL CONSIDERATIONS

For licence holders, compliance is key.

- **Regulatory Inspections**
 - Inspection Types: Pre -licence, Initial, Targeted, Regular
 - Assess compliance to Cannabis Act and Regulations
 - Regional Cannabis Inspectorates issue minor/major/critical observations and compliance rating
 - [https://www.canada.ca/en/health_-canada/services/drugs_-medication/cannabis/compliance_-enforcement/medical_-cannabis_-quarterly_-compliance_-enforcement_-report_-inspection_-data_-summary.html](https://www.canada.ca/en/health/_canada/services/drugs_-medication/cannabis/compliance_-enforcement/medical_-cannabis_-quarterly_-compliance_-enforcement_-report_-inspection_-data_-summary.html)
- **Suspension and Revocation**
 - Four licence suspensions to date
 - One licence revocation
- **Administrative Monetary Penalties (AMPs)**
 - New Notice of Violation and Monetary Penalty Process
 - https://www.canada.ca/en/health_-canada/services/cannabis_-regulations_-licensed_-producers/administrative_-monetary_-penalties.html

FEDERAL CONSIDERATIONS

Health Canada ensures public health and safety are paramount.

For licence holders, compliance is key.

- **Recent HC Guidance Publications:**
 - CTLS User Guide
 - Licensing Application Guides
 - Physical Security Requirements
 - Licence Management Guide
 - Excise Tax Licence and Fees Management
 - Good Production Practices
 - Packaging and Labelling
 - Product Notices
 - Promotional Prohibitions
 - Regulatory Reporting
 - Mandatory Testing Requirements
 - Voluntary Recall Guide
 - Mandatory Testing Requirements



PROVINCIAL CONSIDERATIONS

Health Canada defers urban planning considerations to provincial and municipal governments.

- Provincially Regulated:
- Alcohol and Gaming Commission of Ontario:
 - Sale and Distribution

<https://www.agco.ca/cannabis> -municipalities
- OMAFRA:
 - Guidelines on Permitted Uses in Ontario's Prime Agricultural Land
 - Agricultural Impact Assessments
 - General Environmental Issues
 - Water resources and conservation
- Email concerns to:
ag.info.omafra@ontario.ca



MUNICIPAL CONSIDERATIONS

Cannabis Regulations S. 40: A holder of a licence must not conduct any activity that is authorized by the licence at a dwelling -house.

Municipally Regulated:

- Development and building permits
- Zoning, survey, and land use compatibility
- Neighbouring lots/businesses, communities impact assessment:
 - Noise, traffic, visual disturbance
- Lot size, partitioning/amalgamation and dwelling assessment
- Hazards and obstructions assessment
- Municipal services assessment:
 - Road access and snow removal
 - Utilities: Hydro, gas, water
 - Water and sewage removal



MUNICIPAL CONSIDERATIONS

Health Canada defers urban planning considerations to municipal governments.

- Municipalities can support compliance for federally regulated concerns:
 - Physical security
 - Product diversion
 - Advertising and promotion
 - Public health and sanitation
 - Local disturbances (e.g. odour control)
- Email concerns to:
cannabis@canada.ca
- Or contact:
Benoit P. Seguin
Associate Director
Compliance Issues and Response
Cannabis Legalization and Regulation Branch,
Health Canada
benoitp.seguin@canada.ca



MUNICIPAL CONSIDERATIONS

Exterior Building – North Side

North Side Exterior Cameras Overview



MUNICIPAL CONSIDERATIONS

Exterior Building – East Side

East Side Exterior Cameras

Cam 45



Cam 44



Cam 43

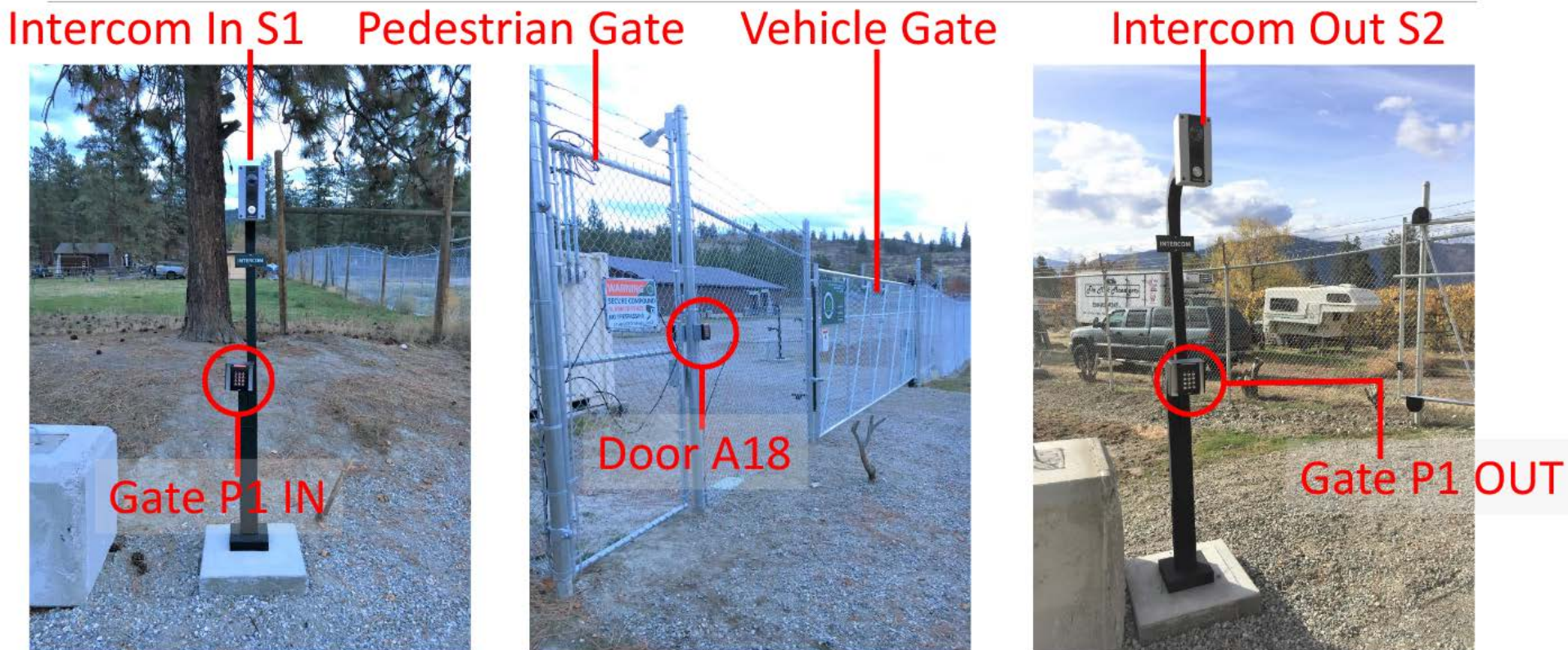


Cam 44 Cam 43



MUNICIPAL CONSIDERATIONS

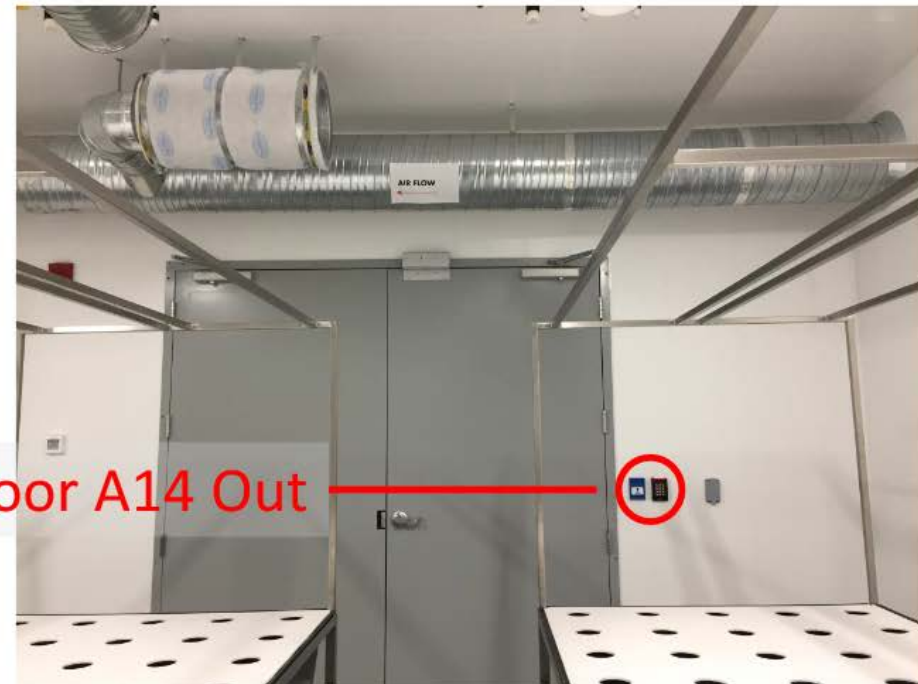
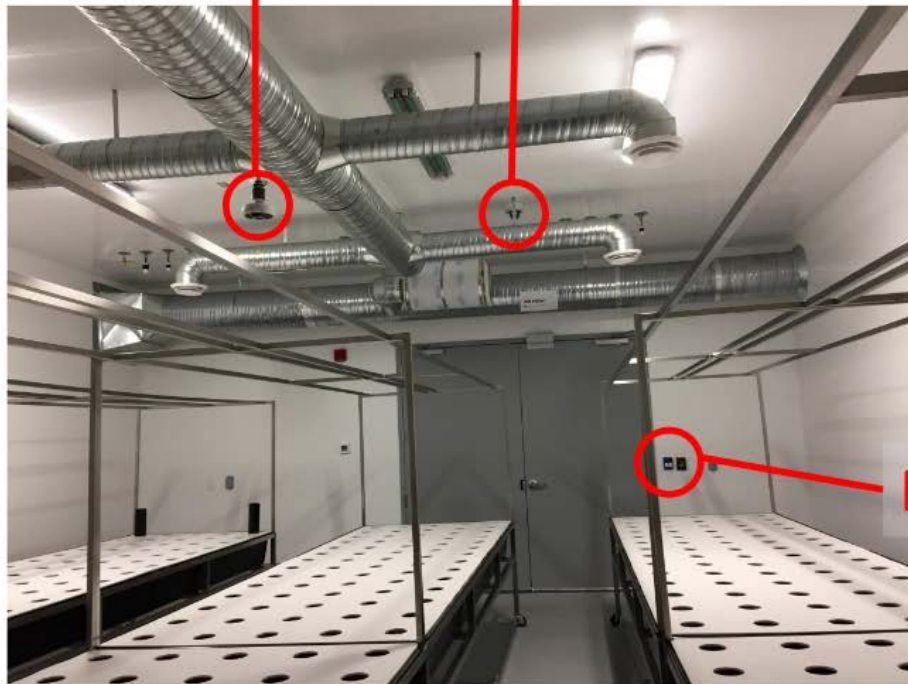
Exterior – Main Perimeter Gate Entrances



MUNICIPAL CONSIDERATIONS

Interior – Flower Room 1 (continued)

Cam 24 Cam 23





Questions?



Thank you.



August 12, 2019

SENT ELECTRONICALLY

Regional Municipality of Niagara
1815 Sir Issac Brock Way, PO Box 1042
Thorold ON L2V 4T7

Attention: Ann-Marie Norio, Regional Clerk

Dear Ms. Norio:

RE: Delegation Request - 16 Queen Street, Heritage Permit H-19-016 Heritage Permit issued under sections 33 or 42 of the Ontario Heritage Act

Please be advised the Council of The Corporation of the Town of Niagara-on-the-Lake, at its regular meeting held on July 15, 2019 approved a Heritage Restoration and Improvement Grant for 16 Queen Street, a Part V designated property in Niagara-on-the-Lake, at \$4,565.20 for exterior painting of the building.

The painting project was completed prior to approval by Town Council and prior to submission of necessary documentation to Regional staff. The matching funding cannot now be approved through the typical process, with delegated Regional Staff authority, because the project was undertaken prior to submission of necessary documentation to the Region.

Town Staff and the Niagara-on-the-Lake Municipal Heritage Committee recommended approval of the grant based on several factors: firstly, the wood windows were restored in 2017 and the advice of the heritage contractor was to paint as soon as possible in order to avoid deterioration of the wood fabric. Furthermore, encroachment permits to erect scaffolding over the sidewalks on Queen Street are not issued by the Town between the months of late May to September, so the applicant was working within a tight timeline in which to complete the necessary painting.

Town staff have inspected the completed project and are satisfied that the project was carried as per best practices in heritage conservation.

Given the above considerations, the Council for the Corporation of the Town of Niagara-on-the-Lake is requesting that matching funding, in the amount of \$4,565.20, be provided to the Town of Niagara-on-the-Lake by the Niagara Region through the Heritage Restoration and Improvement Grant (SNIP) Program.

If you have any questions or require further information please contact our office at 905-468-3266.

Yours sincerely,

A handwritten signature in blue ink, appearing to read 'Peter Todd', with a stylized flourish extending to the right.

Peter Todd, Town Clerk

Encl. June 11, 2019 Municipal Heritage Committee Meeting Minutes

CC: Denise Horne, Planner II /Heritage Advisor, Town of Niagara-on-the-Lake
 Craig Larmour, Director of Community & Development Services Town of
 Niagara-on-the-Lake



MUNICIPAL HERITAGE COMMITTEE MEETING MINUTES

Tuesday June 11, 2019
06:00 PM

PRESENT:

Councillors: Clare Cameron, Al Bisback, Members: Janice Johnston, Amanda Demers, Drew Chapman, Philip Hoad, Rita Trudeau, Ron Dale, David Parker

REGRETS:

STAFF:

Denise Horne	Planner II (Heritage Advisor)
Rick Wilson	Senior Planner
Colleen Hutt	Deputy Clerk

OTHERS:

Gary Zalepa	Regional Councillor
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1. Call to Order

Chair Janice Johnston called the meeting to order at 7:00 p.m.

2. Adoption of Agenda

Moved by David Parker that Reports MHC-19-026 and MHC-19-027 be added to the agenda under New Business

APPROVED.

Moved by Councillor Al Bisback that the agenda be adopted, as amended.

APPROVED.

3. Conflict of Interest

Drew Chapman declared a conflict with MHC-19-023 - 20 Platoff Street as he has quoted on work for the Heritage Grant.

4. Previous Minutes

The Committee reviewed the minutes of April 9, 2019.

5. Presentations

No presentations were made at this time.

6. Announcements

No announcements were made at this time.

7. Correspondence

7.1 On-going Heritage Project List

Denise Horne, Planner II provided an update on the items on the project list.

7.2 Saving the Family Barn

The Committee received this document.

7.3 St. Davids Heritage Conservation District

Denise Horne, Heritage Planner provided an update on the properties highlighted on the list and explained that the best practice was to run the properties through a Ontario Regulation 9/06 assessment prior to listing on the Municipal Register.

Moved by Councillor Clare Cameron that for all properties listed in item 7.3 Correspondence that are not currently designated under the Ontario Heritage Act and are not currently listed on the Municipal Register, that Council add those properties to the Municipal Register, and direct staff to take the steps necessary to do so under Provincial legislation.

APPROVED.

8. Business

8.1 MHC-19-021 - 392 Mississagua Street Heritage Restoration & Improvement Grant Application & Heritage Permit - Exterior Painting

Denise Horne provided an overview of the application for the Committee.

Discussion took place regarding:

- spray painting
- type of paint removal

Moved by Drew Chapman that the recommendations contained in MHC-19-021- 392 Mississagua Street be amended, as follows:

- 1.1 the Heritage Restoration & Improvement Grant and the Heritage Permit for exterior painting of the building in existing colours, as per the quote and specifications provided by Painting the Town at \$7,627.50, with the Town and Region each providing \$1906.88 in grant funding (Regional funding subject to availability) be approved for 392 Mississagua Street, subject to the following conditions:
 - a) the existing paint be removed using the safest and gentlest method possible, as identified in the Standards and Guidelines for the Conservation of Historic Places in Canada, which includes avoiding water-blasting or power-washing;
 - b) the applicant complete a Grant Agreement, to be submitted to the Town prior to release of grant money, for the approved Heritage Restoration & Improvement Grant at 392 Mississagua Street;
 - c) all requirements of the heritage grant program implementing by-law 3989-05, as amended, be met.
- 1.2 *that the work be done by brush not spray painting; and*
- 1.3 *any revised quotes be approved by the Director of Community & Development Services.*

APPROVED, AS AMENDED

8.2 MHC-19-022 - 16 Queen Street Heritage Restoration & Improvement Grant Application - Exterior Painting

Beverly Jones provided the Committee with an overview of the request and application.

Moved by Councillor Al Bisback that the recommendations contained in MHC-19-022- 16 Queen Street be approved, as follows:

- 1.1 the Heritage Restoration & Improvement Grant to permit exterior painting of the building, as per the quote and specifications provided by Tresham Painting at \$18,260.80, with the Town providing \$4,565.20 in grant funding be approved for 16 Queen, subject to the following conditions:
 - a) all requirements of the heritage grant program implementing by-law 3989-05 as amended, be met; and

- b) the applicant complete a Grant Agreement, to be submitted to the Town prior to release of grant money, for the approved Heritage Restoration & Improvement Grant at 16 Queen Street.

- 1.2 Council make a formal request through a delegation to Regional Council via the Planning and Economic Development Committee for the \$4,565.20 matching grant funding for the Heritage Restoration and Improvement Grant for 16 Queen Street.

APPROVED.

**8.3 MHC-19-023 - 20 Platoff Street
Heritage Restoration & Improvement Grant Application
& Heritage Permit - Reconstruct Front Stairs & Stabilize Original Structure**

Drew Chapman previously declared a conflict of interest with MHC-19-023 - 20 Platoff Street as he has quoted on work for the Heritage Grant. Drew Chapman did not vote or take part in any discussion on this matter.

Leslie Kerr provided the Committee with an overview on the application.

Moved by Amanda Demers that the recommendations contained in MHC-19-023 - 20 Platoff Street be approved, as follows:

- 1.1 the Heritage Restoration & Improvement Grant and the Heritage Permit to reconstruct the front stairs and stabilize the original structure, as per the quote and specifications provided by Drew Chapman Carpentry at \$16102.50, with the Town and Region each providing \$4025.63 in grant funding (Regional funding subject to availability) be approved for 20 Platoff Street, subject to the following conditions:
 - a) all requirements of the heritage grant program implementing by-law 3989-05, as amended, be met;
 - b) the applicant complete a Grant Agreement, to be submitted to the Town prior to release of grant money, for the approved Heritage Restoration & Improvement Grant at 20 Platoff Street.

APPROVED.

**8.4 MHC-19-024 - Queen-Picton Heritage Conservation District -
Heritage Permit Application - Wrapping Hydro Boxes**

Denise Horne, Planner II provided the Committee with an overview of the application. This will be a pilot project starting with boxes on King Street, Market Street and Wellington Street.

Discussion took place with:

- length of pilot program & success measures
- look of clutter, artwork may be too much
- safety hazards and warning signs
- control of wear, maintenance problems
- local art or historical building pictures
- Village of Virgil may be a better pilot area

Moved by Amanda Demers that the recommendations contained in MHC-19-024 - Queen-Picton Heritage Conservation District - Wrapping Hydro Boxes be approved, as follows:

- 1.1 The pilot project to wrap hydro boxes in vinyl art in the Queen-Picton Heritage Conservation District be approved subject to the following conditions:
 - a) The hydro box at the corner of King Street and Queen Street be wrapped in historic black and white photos of the adjacent cultural heritage resources to the satisfaction of the Director of Community and Development Services.
 - b) The hydro boxes on Market Street and Wellington Street be wrapped in art that is related to local culture and heritage to the satisfaction of the Director of Community and Development Services.

DEFEATED.

Moved by Councillor Clare Cameron that the following be provided to Council for consideration: identify eligible transformer locations first; locate in another urban area ie. Virgil, St. Davids, Glendale or Chautauqua; use historical photos and/or art for sense of place; ensure safety; establish durations and end date of pilot; establish indicators of success; ensure that Hydro is responsible for maintenance; ensure removal within a reasonable timeframe depending on durability of wrap.

APPROVED.

8.5 MHC-19-025 - Court House - Request for Comments - Bus Shelter Design

The Committee provided the following comments on the Bus Shelter Design:

- base of columns, remove concrete base and bring stone to the ground
- use of Whirlpool sandstone to match court house
- use curved brackets
- use of cedar shingles, same as court house/asphalt shingles alright
- important gathering area, good use of amenity area
- consider two posts on each end
- add benches
- consider relocation beside public washroom away from court house
- good location where buses stop

9. New Business

9.1 MHC-19-026 - 4-8 Queen Street - Heritage Permit Application - Sign Installation

Denise Horne, Planner II provided the Committee with an update that the signs have been installed and there are concerns with how the brackets are designed or are adhered to building. This sign would require a sign variance for location.

Discussion took place regarding:

- colouring of brackets, match existing colour on building
- sign not required, clutter
- signs should be in-line with/on entablature
- hide bracketing, move signs up on brackets
- Hatley sign is too large, not appropriate
- font size to building

Moved by Ron Dale that the recommendations contained in MHC-19-026 - 4-8 Queen Street - Sign Installation

- 1.1 the Heritage Permit Application to install signs at 4 - 8 Queen Street be amended, subject to the following conditions:
- a) the proponent be required to obtain Sign Permits for the proposed signs;
 - b) the proposed signs have a matte finish with no backlighting or neon lighting;
 - c) the signs not project beyond private property limits; and
 - d) the signs be located on the fascia of the building *with no hanging signs*.

APPROVED, AS AMENDED.

The balance of the recommendations were voted on.

- 1.2 that the conditions in Recommendation 1.1 for 4-8 Queen Street be cleared to the satisfaction of the Director of Community and Development Services.

The Committee voted on Report MHC-19-026 as amended.

APPROVED, AS AMENDED.

9.2 MHC-19-027 - 114, 118, 122 & 126 Queen Street, 219 Victoria Street, and 115-119 & 129 Johnson Street - Heritage Permit Application - Lighting Plan

Denise Horne, Planner II provided an overview of the application for a lighting plan for this development but stated staff are recommending a more traditional lighting plan.

Discussion took place regarding:

- lighting warmth
- minimum safety standards
- reduced uplighting

The Committee discussed removing Recommendation 1.1 a) and b). The Committee discussed adding three new additional recommendations dealing with warmth and manufacturer information.

The Committee discussed and voted on each recommendation separately.

Moved by David Parker that the recommendations contained in MHC-19-027 - 114, 118, 122 & 126 Queen Street, 219 Victoria Street, and 115-119 & 129 Johnson Street be approved, as follows:

- 1.1 The Heritage Permit Application for the lighting plan at 114, 118, 122 and 126 Queen Street, 219 Victoria Street, and 115, 117, 119 and 129 Johnson Street be amended, subject to the following conditions:
- a) the lighting for pole mounted and wall mounted lights be carriage style, similar to those on Queen Street, or a similar design to respect the traditional architecture of the surrounding buildings;

DEFEATED.

- b) the lighting standard for bollard lighting match the pole mounted lighting or be simple in design;

DEFEATED.

- c) the recessed wall mounted lights be approved as submitted;

APPROVED.

- d) any new light style and lighting plan shall satisfy photometric plan requirements of the Town;

APPROVED.

The Committee voted to add the following three new recommendations.

- e) accept light fixtures as proposed;

APPROVED.

- f) lamps to be warmer light (2700k)

APPROVED.

- g) manufactures to provide information on how they control the light spread, in the event there is a complaint from a neighbouring land owner.

APPROVED.

The balance of the recommendations were voted on.

- 1.2 That the conditions in Recommendation 1.1 be cleared to the satisfaction of the Director of Community and Development Services for the properties at 114, 118, 122 and 126 Queen Street, 219 Victoria Street, and 115, 117, 119 and 129 Johnson Street.

APPROVED.

The Committee voted on Report MHC-19-027 as amended.

APPROVED, AS AMENDED.

10. Next Meeting Date

Next Meeting Date: July 9, 2019

11. Adjournment

ADJOURNMENT: 08:50 PM

Subject: Proposed Changes to the Provincial Policy Statement

Report to: Planning and Economic Development Committee

Report date: Wednesday, October 9, 2019

Recommendations

1. That Report PDS 31-2019 **BE RECEIVED** for information;
2. That staff **BE DIRECTED** to continue to provide detailed comments on the Provincial initiatives under the “*More Homes, More Choice: Ontario’s Housing Supply Action Plan*”, and any associated matters, as warranted; and
3. That a copy of Report PDS 31-2019 **BE CIRCULATED** to local area municipal Planning Directors.

Key Facts

- This report provides an overview of proposed changes to the Provincial Policy Statement (“PPS”).
- On May 2, 2019, Ministry of Municipal Affairs and Housing (“MMAH”) announced the Housing Supply Action Plan (“Housing Plan”) concurrently with *Bill 108: More Homes, More Choice Act, 2019* (“Bill 108”).
- Earlier reports, PDS 26-2019 and PDS 28-2019, provide an overview and comments on legislative changes to planning-related matters through Bill 108. At the time of those reports, a revised draft PPS had not been released.
- On July 22, 2019, MMAH released the draft PPS and set October 21, 2019 as the consultation deadline.
- Staff prepared comments on the draft PPS for submission to the Environmental Registry of Ontario (“ERO”). A copy is attached as Appendix 1.

Financial Considerations

There are no financial considerations directly linked to this report.

The PPS changes may have a financial impact for the Region. The full cost and administrative burden cannot be determined without further details from the province on

additional consultation requirements and efforts to streamline planning application processes.

Analysis

The Province's Housing Plan

On May 2, 2019, the MMAH announced its Housing Plan:

<https://www.ontario.ca/page/more-homes-more-choice-ontarios-housing-supply-action-plan>.

The stated intent of the Housing Plan is to cut red tape, increase supply and choice to ultimately make housing more affordable. The Housing Plan includes amendments to 13 Acts – through Bill 108 – as well as changes to the Building Code and the introduction of the 2019 *Growth Plan for the Greater Golden Horseshoe* (in effect May 16, 2019).

The amendments and regulations enacted through Bill 108, and the changes to the Building Code and *Growth Plan*, were outlined in earlier reports (see Other Pertinent Reports).

On July 22, 2019, MMAH announced proposed changes to the PPS as part of its initiatives under the Housing Plan. The ERO proposal, including a copy of the draft PPS, can be found at the following link: <https://ero.ontario.ca/notice/019-0279>.

The proposed PPS changes are set out in five themes:

- Increasing housing supply and mix.
- Protecting the environment and public safety.
- Reducing barriers and cost.
- Supporting rural, northern, and Indigenous Communities.
- Supporting certainty and economic growth.

MMAH published five questions to collect feedback:

1. *Do the proposed policies effectively support goals related to increasing housing supply, creating and maintaining jobs, and red tape reduction while continuing to protect the environment, farmland, and public health and safety?*
2. *Do the proposed policies strike the right balance? Why or why not?*
3. *How do these policies take into consideration the views of Ontario communities?*

4. *Are there any other policy changes that are needed to support key priorities for housing, job creation, and streamlining of development approvals?*

5. *Are there other tools that are needed to help implement the proposed policies?*

Staff will submit comments to the ERO in response to these questions. A copy of Staff's comments are attached as Appendix 1.

Draft PPS Changes

The following section highlights key proposed changes to the PPS.

Alignment with Provincial Housing and Homelessness Action Plans

Proposed changes reference Provincial Housing and Homelessness Action Plans.

Changes to housing-related policy require municipalities to establish and implement minimum targets for housing which is affordable to low and moderate income households and which aligns provincial housing and homelessness plans.

New “market-based” approach to development

A new “market-based need” approach to development has been introduced in an effort to encourage development and redevelopment that fill gaps in existing housing supply.

This approach is not clearly defined in the PPS, nor has any guidance been provided for its implementation.

“Housing types” replaced by “housing options”; with a new definition

Proposed changes replace the former term “housing types” with “housing options”. A new definition for Housing Options is provided.

This change is intended to support municipalities in meeting housing supply needs through encouraging a mix of development types and ownership scenarios. Staff note that the term “rental” is absent from the proposed definition.

New term and definition: “impacts of a changing climate”

The phrase “impacts of a changing climate” is proposed in several policies.

The phrase provides direction for municipalities to encourage best practices in new development and redevelopment to prepare for and adapt to more extreme weather events caused by a changing climate.

Added language emphasises the importance of protecting water quality through enhanced stormwater management practices.

New policy emphasizes “priority applications”

The draft PPS contains a new policy requiring municipalities to streamline development processes for planning applications that support housing and job-related growth and development.

Shifted Duty to Consult from the Province to Planning Authorities

Proposed changes shift the Duty to Consult with Indigenous Communities from the Province to applicable Planning Authorities (which are municipalities, generally).

Shifting the Duty to Consult to Niagara’s municipalities will be significant, particularly since they may lack funding, resources, knowledge, and legal authority to carry out the Duty.

Extended municipal planning horizons

Proposed changes adjust planning horizons that municipalities are required to use.

The long-term planning horizon is extended from 20 years to 25 years. The housing land supply horizon is extended from 10 years to 12 years.

Failed rural private servicing are permitted to connect to existing partial systems

Proposed changes would permit existing lots of record that experience failed private servicing to connect to existing partial municipal systems.

The connection must be logical and financially viable, feasibility, and be absent of negative impacts.

Detailed criteria to evaluate feasibility, and responsibility to determine negative impacts, has not been provided.

New policies for employment and sensitive land uses

Proposed changes adjust rules for employment uses, including major facilities such as industrial and manufacturing uses.

New policies are proposed for sensitive land uses where non-employment uses are planned nearby.

Strengthened policy language on transit-supportive practices

Proposed policies direct municipalities to optimize investments in transit-related infrastructure through planning for greater density and intensification around existing or planned transit facilities.

Further, changes promote the integration of land use planning, growth management, municipal infrastructure, and transit-supportive development around transit facilities.

Alternatives Reviewed

The purpose of this report is to provide a summary of proposed changes to the PPS as well as provide Staff's comments to be submitted prior to October 21, 2019.

Relationship to Council Strategic Priorities

Doing Business Differently

Proposed changes to the PPS will impact the way Niagara Region conducts its core planning function. Proposed policy changes will change how the Region and its Local Area Municipalities conduct consultation and process planning matters.

Other Pertinent Reports

- CWCD 176-2019
- CWCD 215-2019
- CWCD 289-2019
- CWCD 320-2019
- PDS 26-2019
- PDS 28-2019

Prepared by:

Isaiah Banach
Manager, Long Range Planning
Planning and Development Services

Recommended by:

Rino Mostacci
Commissioner
Planning and Development Services

Submitted by:

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

This report was prepared in consultation with Alexander Morrison, Planner, and reviewed by Doug Giles, Director of Community and Long Range Planning, Lyndsey Ferrell, Program Financial Analyst, and Donna Gibbs, Director of Legal and Court Services.

Appendices

Appendix 1	Niagara Region's submission: proposed changes to the Provincial Policy Statement (ERO #019-0279)	Pages 7 - 48
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Delivered electronically

Subject: Niagara Region's submission: proposed changes to the Provincial Policy Statement (ERO #019-0279)

Date: October 21, 2019

To: Planning Consultation
Provincial Planning Policy Branch, Ministry of Municipal Affairs and Housing

From: Rino Mostacci, MCIP, RPP
Commissioner of Planning and Development Services, Niagara Region

Thank you for the opportunity to comment on proposed changes to the Provincial Policy Statement (PPS).

Kindly accept this submission in response to Environmental Registry of Ontario (ERO) posting #019-0279 on behalf of the Commissioner of Planning and Development Services of the Regional Municipality of Niagara (the "Region").

The Region's submission contains two parts:

1. This cover letter responding to the five questions on the ERO posting.
2. A table containing policy-specific comments to the draft PPS.

Response to ERO questions

Question 1

Do the proposed policies effectively support goals related to increasing housing supply, creating and maintaining jobs, and red tape reduction while continuing to protect the environment, farmland, and public health and safety?

The Region supports proposed changes that increase the focus on affordable housing options and creates a connection between the PPS and Housing and Homelessness Action Plans.

However, some proposed changes do not achieve the stated objectives to increase housing supply, create and maintain jobs, and reduce red tape.

Addition language is needed for "rental housing"

Proposed changes do not explicitly recognize rental housing. The development of rental housing is critical and policies must promote this directly.

The PPS contains a new term “housing options”, which is generally supported by the Region. However, the definition does not include the term “rental”. In our view, the definition should include “rental” in order to capture the housing options that will be provided.

Similarly, the PPS should have greater emphasis on purpose-built affordable rental housing, which has a high need in Niagara.

A recent analysis of housing supply and demand in Niagara by the Canadian Centre for Economic Analysis (CANCEA) identified more than 8,500 Niagara households need affordable housing (i.e. that costs no more than \$484 per month for total housing costs).

The Region understands the challenges for private entities to provide housing at an affordable cost level. Therefore, it is crucial for the Province to support the development of non-market rental housing through specific PPS policies to this effect.

Clarification is needed on “market-based need”

The Region requests the Province to clarify roles, responsibilities, and expectations associated to the new term “market-based need”.

Draft policies require municipalities to provide housing options and densities to meet projected market-based needs (at s. 1.4.3).

As proposed, the applicable market geography that would be used to determine a market-based need is unclear. In Niagara, there are at least four market geographies that could be used:

1. Settlement area market area.
2. Local municipal market area.
3. Regional market area.
4. Provincial market area.

Further, the Region is concerned about the introduction of a market-based approach that may undermine certain planning initiatives that are intended to transition an area to different market conditions.

For example, currently Niagara is predominantly composed of privately owned single-detached dwellings. In absence of a clearly defined “market-based need”, the term could be misinterpreted to help justify continuation of single-detached dwelling construction as the only housing option supported by the market.

Municipalities are responsible to define areas that may be suitable for higher densities of housing, consistent with policy, regardless of whether or not the current market

supports that housing form. Long-range planning requires an influence in the market to allow for a desirable outcome in the future.

The Region requests the Province to clarify municipal expectations related to implementing a market-based need approach to development. More specifically, how municipalities can ensure that housing supply is balanced between various housing options and ownership (including rental), and to ensure that planning is based on best practice including fiscally responsible and transit-supportive development beyond what is economically viable in the current market.

Some proposed changes will create red tape

Some proposed changes will not have the desired effect of streamlining development application reviews and approvals.

For example, proposed changes to s. 1.2.2 shifts the Duty to Consult with Indigenous Communities from the Province to applicable Planning Authorities.

This is a significant undertaking for Niagara's Planning Authorities, who may lack funding, resources, knowledge, and legal authority to carry out the Duty. The Duty is better left to the Province since they are the direct representatives of the Crown.

Proposed changes will require consultation during any instance where an archaeological resource is identified. This has the potential to cause significant delays to the review and approval of development applications from both a private and municipal perspective.

Additionally, the Region has concerns with proposed changes in s. 1.2.6 "Land Use Compatibility".

The revisions require an applicant to evaluate all alternative sites for development. This would significantly burden the development application review process from both a private and municipal perspective. The applicant would have to identify and evaluate each site, which would then be subsequently reviewed by municipal staff for completeness or if further work is required.

Better policy is needed for "priority applications"

The Region supports the concept set out in proposed s. 4.7 which requires municipalities increase housing supply by streamlining priority applications

However, the operative part of the policy is too broad: "...priority applications which support housing and job-related growth and development...". This phrase covers practically any type of development application.

The policy should be revised to specifically establish that single- and upper-tier municipalities can identify eligibility requirements for an application to be considered a priority. In Niagara's case, this may include filling a municipally-identified market demand, provide for a variety of housing options, and/or be located within a municipally-identified priority area (i.e. Major Transit Station Area).

The best way to have priority applications move faster would be a new delegated authority to the Chief Planning Official (and their delegates).

A municipal Official Plan could be amended to define what would qualify as a *priority development* and what *type of application* would qualify. For example, a below-market rental development could meet the priority development type requirement and a minor variance application under section 45 of the *Planning Act, 1990* could meet the qualifying application type.

In this case, the application would be processed as a priority application and would *not* proceed to the Committee of Adjustment in the normal course of non-priority applications. Instead, through delegated authority, the Chief Planning Official would approve the application if he or she was satisfied that the required tests under section 45 of the *Planning Act, 1990* were satisfied (which is the same tests that would be considered by the Committee of Adjustment for non-priority applications).

Proceeding this way would save weeks or months for priority applications – an applicant would not need to wait for the Committee of Adjustment schedule.

Notice requirements and appeal rights could remain the same. The applicant and interested parties could appeal to the LPAT in the normal course, if it deems appropriate to do so.

The above process could be accomplished by amending the *Planning Act, 1990* concurrently with updating the PPS.

Question 2

Do the proposed policies strike the right balance? Why or why not?

Municipalities are delegated more responsibility and have less time to consult

The proposed changes are imbalanced and favour private applicants. As proposed, Planning Authorities are delegated more responsibilities in the PPS and have less time to make decisions on certain planning matters (when considering the PPS with recent amendments to the *Planning Act, 1990*).

Further, certain new terms and phrases lack definition which increases the likelihood of interpretation beyond the intended purpose. This could result in private applications undermining existing municipal policy designed to protect the public interest.

Concern over greater infrastructure deficit

The Region does not support proposed changes to s. 1.6.6.5, as added language could permit all rural lots to connect to existing partial services.

The Region is concerned that this change has the potential to significantly undermine infrastructure-related financing projections and growth capacity for settlement areas.

Firstly, Development Charges do not collect for water and wastewater in rural areas because they have not been traditionally serviced.

Secondly, Niagara has a vast rural area, and if services are extended, it has the potential to undermine planned capacity for urban area growth.

Further, Staff are concerned with how this will be implemented in a two-tier water and wastewater system.

For example, if a lower-tier municipality determined that it was logically and financially acceptable, to allow, indiscriminately, owners in the rural area to connect to existing partial services with a statement that there are no negative impacts, the policy would be met regardless of any analysis of the upper-tier system. A conflict arises in those cases where the upper-tier system would be negatively impacted.

Concern with current “market” language

As previously mentioned in Question 1, new policies relating to a market-based need may be interpreted to mean reflective of the current market, such as homeownership over rental, or singles over multiple unit buildings.

The Region is concerned that a market-based need approach could undermine long-range planning work intended to influence the market to meet other desired outcomes, like increased densities and the protection of environmental features.

Question 3

How do these policies take into consideration the views of Ontario communities?

Mineral aggregate expansions should have municipal involvement

The Region recommends s. 2.5.2.4 be revised to clarify that municipalities will be included during any application to expand the area of a mineral aggregate operation.

Proposed changes should specify that the municipal land use approvals process must continue to apply for any new or expanding mineral aggregate operations.

Support for the inclusion of references to “climate change”

The Region supports the addition of the term “impacts of a changing climate”.

The Region acknowledges an increase in climate change-related instances across Ontario communities and supports directive to implement best practices that will help municipalities adapt to the impacts of a changing climate.

A “market-based need” may only work in certain municipalities

As proposed, a market-based need approach to offering a variety of housing options will likely only work in municipalities that currently have a diversified housing supply.

As previously mentioned in Question 1, proposed changes fail to specify how a market-based need will be determined and whether it is based on current or transitioning market conditions.

The Province must provide additional direction on the correct implementation of a market-based need to ensure that new development does not solely reflect the existing composition of housing supply within a municipality.

Add a definition for “rural settlements”

The Region suggests a new definition be included for “rural settlements” that is the same as “rural settlements” in the 2019 Growth Plan.

Inclusion of this term would ensure consistency between Provincial Plans and improve clarity to policies that protect urban and rural views, values, and considerations of Ontario’s communities.

Question 4

Are there any other policy changes that are needed to support key priorities for housing, job creation, and streamlining of development approvals?

More changes are needed to speed up the planning process.

The Province should improve its internal review and approval service

The Province must ensure that its internal review and approval services are able to meet the same expectations as municipalities.

Municipalities are required to circulate and consult with a variety of parties depending on the type, scale, and complexity of the planning application. Therefore, the timeliness of the process is largely dependent on the ability for all parties – including provincial ministries and agencies – to complete their review and provide comments back to the municipality within prescribed timelines.

On many occasions, delays have been caused by the Province’s inability to meet service delivery expectations. Given proposed PPS changes, and the recent changes

under Bill 108 to reduce municipal review times, it is incumbent on the Province to improve its response time.

The Region recommends adding a new PPS policies that outlines Provincial responsibility and timelines to meet expectations for streamlined service delivery. The policy should recognize all processes that involve Ministries and its agencies, such as those relating to Environmental Compliance Approvals, archaeology clearances, Records of Site Condition, Niagara Escarpment Permits, and Section 26 Approvals.

Province should strengthen its own staffing compliment

The Region recommends the Province strengthen its own ministry and agency resourcing to improve its ability to achieve service delivery expectations.

Currently, one of the largest complaints received from Niagara's development industry involves the time it takes for developers to receive feedback from the Ministry of Natural Resources and Forestry (MNRF) on information requests submitted to local district offices. This becomes especially problematic for the assessment of species that require field work at specific times-of-year.

For example, bats may require acoustic monitoring that can only occur in the month of June. If an applicant submits an information request to the MNRF in April and does not receive a response until July, the bat monitoring cannot be done until the following year. This can have significant implications on development schedules.

The Region recommends that the Province hire topic-specific experts to assist with various planning matters; for example, those that specialize in Environmental Site Assessment applications.

Question 5

Are there other tools that are needed to help implement the proposed policies?

Update the Land Needs Assessment Methodology

The Region understands that revisions to Land Needs Assessment Methodology is under consideration by the Province to align with the revised 2019 *Growth Plan*. If the market-based need policies remain in the PPS, the Methodology should contain direction on how to account for this.

"Duty to Consult" is problematic and requires more guidance

The Region interprets proposed changes as a significant shift in the roles and responsibilities for Planning Authorities when consulting Indigenous Communities.

As discussed in Question 1, policy changes delegate the Duty to Consult from the Province to Planning Authorities. If this is the intent of the change, the Region requests

the Province provide guidance and other tools to support Planning Authorities with undertaking this responsibility, as well as to ensure consistent practice across Ontario.

Additionally, the Province should provide resources and support to Planning Authorities during the transition period where the Duty to Consult has been delegated and guidance materials are being prepared.

Criteria for determining feasibility of rural service connections

The addition of the term “feasibility” to s. 1.6.6 “Sewage, Water and Stormwater” will require its own set of criteria to determine how it will be considered and measured.

The addition of this term places the onus on upper- and lower-tier municipalities to assess and justify whether municipal services can be connected to rural partial services.

The Region requests the Province to clarify who is responsible to determine the feasibility of this servicing connections, as well as establish the criteria that can be evaluated to determine feasibility.

Update the “Natural Heritage Reference Manual”

The Province should update its “Natural Heritage Reference Manual”, which has not been revised since the 2005 PPS.

The Manual is a critical tool for the implementation of the PPS policies on natural heritage and water resource, in part.

Finalize “Watershed Planning Guidelines”

To assist with implementing policies within s. 2.2 “Water” of the PPS, the Region recommends the Province to finalize its Watershed Planning Guidelines, which have been in draft form since February 2018.

This guideline is an important tool to ensure proper implementation of best practices and to improve timeliness of planning decisions.

Finalize “Client’s Guide to Preliminary Screening for Species at Risk”

The Province should finalize its “Client’s Guide to Preliminary Screening for Species at Risk”, which remains in draft at time of these comments.

This guidance tool will help clarify the relationship on how environment-related matters should be addressed between the PPS and *Endangered Species Act, 2007*.

Finalize “Agricultural Impact Assessment Guidelines”

The Province should finalize its “Agricultural Impact Assessment Guidelines”, which remains in draft at time of these comments.

This guideline will improve the interpretation of policies on matters dealing with competing provincial interests. Particularly, matters relating to adjustments / expansions of settlement areas in s. 1.1.3, or non-agricultural uses in prime agriculture areas in s. 2.3.6.

Modernize the "D-Series" Guidelines

The Province should review and update its D-Series compatibility guidelines to reflect modern technology and practice.

Best practices are continuously evolving and the effect of negative impacts such as odours, noise, lighting, and dust should be considered based on current best practice.

The D-Series guidelines should be modernized to ensure mitigation of negative impacts and reasonable land use separation and transition between uses.

Create "Specialty Crop Area Guidelines"

The definition for "specialty crop area" – which remains unchanged in the draft PPS – mentions that areas are designated using guidelines developed by the Province.

Niagara has a significant portion of land designated as specialty crop area. Presently, there are many instances in Niagara where lands are designated as specialty crop area where, in fact, those lands are unsuitable for any type of agriculture-related use.

The Region requests the Province to create its referenced guideline and review existing specialty crop areas to accurately reflect existing uses through ground-truthed analysis.

Create "Wetland Guidelines"

The Province should create Wetland Guidelines as soon as possible to assist with implementing proposed s. 2.1.10.

These guidelines are required to support natural environment planning currently being undertaken by the Region.

Create "Excess Soil Guidelines"

The Province should create "Excess Soil Guidelines" to provide direction and support implementation of the re-use of excess soil as it relates to new s. 3.2.3.

Consistent use of terminology across Provincial Plans

The Province should ensure that the inclusion of new terms and definitions used in the PPS are amended in other Provincial Plans where the intention is to have the same meaning.

Another area of concern is where certain descriptors are used in one section but not another. For instance, proposed changes to s. 1.7.1 reference a “dynamic market-based need”, which is the only time that the word “dynamic” is used before the word “market”. This phrase adds an interpretation concern that may lead to perverse interpretations of this policy and others that use the word “market” without the word “dynamic”.

Provincial guidelines and tools should be updated every five years

The Province should update its guidance tools every five years to better align with municipal official plan update cycles.

The five year review cycle would offer a consistent timeline to update provincial tools to reflect emerging trends and new best practices.

Municipalities could better rely on these tools for planned updates to its official plan and other policy work if the timing of revised guidelines were transparent.

Conclusion

Additional comments on policy-specific changes to the PPS are provided in the enclosed table.

Please contact myself if you have questions or require additional information.

Respectfully submitted and signed by



Rino Mostacci, MCIP, RPP
Commissioner of Planning and Development Services
Niagara Region

Attachment:

- Comment table: Niagara Region's submission – proposed changes to the Provincial Policy Statement (ERO #019-0279)

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PART I: Preamble	
<p>...</p> <p><u>Within the Great Lakes – St. Lawrence River Basin, there may be circumstances where planning authorities should consider agreements related to the protection or restoration of the Great Lakes – St. Lawrence River Basin. Examples of these agreements include Great Lakes agreements between Ontario and Canada, between Ontario and Quebec and the Great Lakes States of the United States of America, and between Canada and the United States of America.</u></p> <p>...</p>	<p>Staff recommend incorporating the key considerations from the Great Lakes agreements between Ontario and Canada, between Ontario and Quebec and the Great Lakes States of the United States of America, and between Canada and the United States of America directly into Part I: Preamble of the PPS.</p>
PART IV: Vision for Ontario's Land Use Planning System	
<p>...</p> <p>Efficient development patterns optimize the use of land, resources and public investment in infrastructure and public service facilities. These land use patterns promote a mix of housing, including affordable housing, employment, recreation, parks and open spaces, and transportation choices that increase the use of active transportation and transit before other modes of travel. They also support the financial well-being of the Province and municipalities over the long term, and minimize the undesirable effects of development, including impacts on air, water and other resources. <u>They also permit better adaptation and response to the impacts of a changing climate, which will vary from region to region.</u> Strong, liveable and healthy communities promote and enhance human health and social well-being, are economically and environmentally sound, and are resilient to climate change.</p> <p>...</p>	<p>Staff supports the notion that the "impacts of climate change" will vary from region to region. The work of municipalities and planning authorities related to mitigation and adaptation would be greatly supported by strong Provincial direction and policy.</p>

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PART V: Policies		
1.0 Building Strong Healthy Communities		
1.1 Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns		
1.1.1	<p>Healthy, liveable and safe communities are sustained by:</p> <ul style="list-style-type: none"> a) promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term; b) accommodating an appropriate <u>market-based</u> range and mix of residential <u>types</u> (including second<u>single-detached, additional residential</u> units, <u>multi-unit housing</u>, affordable housing and housing for older persons), employment (including industrial and commercial), institutional (including places of worship, cemeteries and long-term care homes), recreation, park and open space, and other uses to meet long-term needs; c) avoiding development and land use patterns which may cause environmental or public health and safety concerns; d) avoiding development and land use patterns that would prevent the efficient expansion of settlement areas in those areas which are adjacent or close to settlement areas; e) promoting <u>the integration of land use planning, growth management, transit-supportive development, intensification and infrastructure planning to achieve cost-effective development patterns, optimization of transit investments</u>, and standards to minimize land consumption and servicing costs; 	<p>Staff requests that the term “market-based” be defined with criteria to clarify its meaning. The Province should issue guidelines on this matter.</p> <p>Further, Staff supports the addition of sub-bullet “i)” which includes reference to “regional and local impacts of a changing climate.” This is consistent with the vision of efficient development patterns permit better adaptation and response to the impacts of a changing climate, as mentioned in Part IV of the PPS.</p> <p>However, Staff observe an inconsistency between the terms “adaptation” and “preparing for” referenced in Part IV and s. 1.1.1.i, respectively.</p> <p>The interpretation of “preparing for” is different from “adaptation”. “Adaptation” can be defined as adapting to changes already occurring (e.g. building flood defenses, etc.), while “preparing for” implies readying for something before it has occurred.</p> <p>Proposed language in the policy suggests that climate change is imminent and the impacts have not been felt yet. This is not the case in Ontario. In fact, the government's position in the revised <i>Growth Plan for the Greater Golden Horseshoe, 2019</i> that specifically sets out</p>

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	<p>f) improving accessibility for persons with disabilities and older persons by identifying, preventing and removing<u>addressing</u> land use barriers which restrict their full participation in society;</p> <p>g) ensuring that necessary infrastructure, electricity generation facilities and transmission and distribution systems, and public service facilities are or will be available to meet current and projected needs; and</p> <p>h) promoting development and land use patterns that conserve biodiversity; and consider</p> <p>i) <u>preparing for</u> the <u>regional and local</u> impacts of a changing climate.</p>	<p>that the impacts of climate change are already being felt (at s.1.1.1).</p> <p>Staff recommends the following revision to sub-bullet "i)" to clarify that climate change is happening now and actions are being taken to address the impacts:</p> <p>"i) <u>preparing for adapting to</u> the <u>regional and local</u> impacts of a changing climate", which helps to.</p>
1.1.3 Settlement Areas		
1.1.3.2	<p>Land use patterns within settlement areas shall be based on:</p> <p>a) densities and a mix of land uses which:</p> <p><u>a)</u> 1- efficiently use land and resources;</p> <p><u>b)</u> 2- are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion;</p> <p><u>c)</u> 3- minimize negative impacts to air quality and climate change, and promote energy efficiency;</p> <p><u>d)</u> <u>prepare for the impacts of a changing climate;</u></p> <p><u>e)</u> 4- support active transportation;</p> <p><u>f)</u> 5- are transit-supportive, where transit is planned, exists or may be developed; <u>and</u></p> <p><u>g)</u> 6- are freight-supportive; and.</p> <p><u>b)</u> <u>Land use patterns within settlement areas shall also be based on</u> a range of uses and opportunities for intensification and redevelopment in accordance with</p>	<p>For the reasons set out in s. 1.1.1 above, Staff recommends revising the language of sub-bullet "d)" from "prepare" to "adapt" in order to recognize change based on current climatic trends:</p> <p><u>"d) prepare <u>adapt</u> to the impacts of a changing climate;"</u></p>

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	the criteria in policy 1.1.3.3, where this can be accommodated.	
1.1.3.6	New development taking place in designated growth areas should occur adjacent to the existing built-up area and shall <u>should</u> have a compact form, mix of uses and densities that allow for the efficient use of land, infrastructure and public service facilities.	Staff recommends the Province not implement this revision. This revision creates more permissive policy language and will make it difficult for municipalities to achieve density / intensification targets on an individual application basis, particularly within strategic growth areas.
1.1.3.7	Planning authorities shall <u>should</u> establish and implement phasing policies to ensure: a) that specified targets for intensification and redevelopment are achieved prior to, or concurrent with, new development within designated growth areas; and b) the orderly progression of development within designated growth areas and the timely provision of the infrastructure and public service facilities required to meet current and projected needs.	Staff recommends the Province not implement this revision. The word "shall" is more effective in ensuring that municipalities maintain a responsible long-term approach to accommodate forecasted growth.
1.1.3.8	A planning authority may identify a settlement area or allow the expansion of a settlement area boundary only at the time of a comprehensive review and only where it has been demonstrated that: a) sufficient opportunities for <u>to accommodate</u> growth <u>and to satisfy market demand</u> are not available through intensification, redevelopment and designated growth areas to accommodate the projected needs over the identified planning horizon; b) the infrastructure and public service facilities which are planned or available are suitable for the development over the long term, are financially viable over their life	Staff generally supports these revisions, as it aligns with the recently amended <i>Growth Plan</i> . Staff observes that proposed language in sub-bullet "e)" will assist municipalities with developing criteria to review and process settlement area boundary expansions and adjustments outside of a Municipal Comprehensive Review (MCR) process. However, "complexity" and "scale" are subjective to a site's context and will be difficult to measure consistently.

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	<p>cycle, and protect public health and safety and the natural environment;</p> <p>c) in prime agricultural areas:</p> <ol style="list-style-type: none"> 1. the lands do not comprise specialty crop areas; 2. alternative locations have been evaluated, and <ol style="list-style-type: none"> i. there are no reasonable alternatives which avoid prime agricultural areas; and ii. there are no reasonable alternatives on lower priority agricultural lands in prime agricultural areas; <p>d) the new or expanding settlement area is in compliance with the minimum distance separation formulae; and</p> <p>e) <u>impacts</u> from new or expanding settlement areas on agricultural operations which are adjacent or close to the settlement area are <u>avoided, and where avoidance is not possible, impacts are minimized and</u> mitigated to the extent feasible <u>in accordance with provincial guidelines. In undertaking a comprehensive review the level of detail of the assessment should correspond with the complexity and scale of the settlement boundary expansion or development proposal</u> in determining the most appropriate direction for expansions to the boundaries of settlement areas or the identification of a settlement area by a planning authority, a planning authority shall apply the policies of Section 2: Wise Use and Management of Resources and Section 3: Protecting Public Health and Safety.</p>	<p>Staff requests clarification on how municipalities are expected to “satisfy market demand”; for example, who is responsible to determine the market demand.</p>
<u>1.1.3.9</u>	<p><u>Notwithstanding policy 1.1.3.8, municipalities may permit adjustments of settlement area boundaries outside a comprehensive review provided:</u></p>	<p>Staff requests clarification on whether “no net increase”, as mentioned in sub-bullet “a)” applies to the subject settlement area, the lower- or single-tier municipalities total settlement area, or upper-tier municipalities total</p>

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	<p>a) <u>there would be no net increase in land within the settlement areas;</u> b) <u>the adjustment would support the municipality's ability to meet intensification and redevelopment targets established by the municipality;</u> c) <u>prime agricultural areas are addressed in accordance with 1.1.3.8 (c), (d) and (e); and</u> d) <u>the settlement area to which lands would be added is appropriately serviced and there is sufficient reserve infrastructure capacity to service the lands.</u></p>	<p>settlement area. This clarification is critical to ensure appropriate interpretation and implementation of the PPS and <i>Growth Plan</i>.</p> <p>Further, Staff requests clarification on whether municipal servicing has to exist outside of the settlement area boundary in order to qualify for an expansion, or planned for within a Master Servicing Plan.</p>
1.2 Coordination		
1.2.1	<p>A coordinated, integrated and comprehensive approach should be used when dealing with planning matters within municipalities, across lower, single and/or upper-tier municipal boundaries, and with other orders of government, agencies and boards including:</p> <p>a) managing and/or promoting growth and development <u>that is integrated with infrastructure planning;</u> b) <u>economic development strategies;</u> c) managing natural heritage, water, agricultural, mineral, and cultural heritage and archaeological resources; d) infrastructure, electricity generation facilities and transmission and distribution systems, multimodal transportation systems, public service facilities and waste management systems; e) ecosystem, shoreline, watershed, and Great Lakes related issues; f) natural and human-made hazards; g) population, housing and employment projections, based on regional market areas; and</p>	<p>Staff recommends that the wording, "energy supply" as mentioned in PPS s. 1.6.11, be added to sub-bullet "d)", as shown below:</p> <p>"d) infrastructure, <u>energy supply</u>, electricity generation facilities and transmission and distribution systems, multimodal transportation systems, public service facilities and waste management systems;"</p>

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	h) addressing housing needs in accordance with provincial policy statements such as the Ontario Housing Policy Statement: <u>Service Manager Housing and Homelessness Plans</u> .	
1.2.2	Planning authorities are encouraged to <u>shall engage with Indigenous communities</u> and coordinate <u>on land use</u> planning matters with Aboriginal communities .	<p>Staff disagrees with this proposed change since it is an inappropriate shift of the Duty to Consult with Indigenous Communities from the Province to local municipalities (and other Planning Authorities).</p> <p>Municipalities are creatures of the Province rather than direct representatives of the Crown. Thus, municipalities are third party to the Crown's Duty to Consult and may only be expressly given this authority by the Crown.</p> <p>Should the changes to this policy be implemented, Staff cautions that an engagement program of this type will be a significant undertaking for Niagara's municipalities, who may lack funding, resources, knowledge, and legal authority to meaningfully carry out the Duty.</p> <p>If the Province revises the PPS as proposed, Staff recommend that it prepare a series of guidelines and other tools to support Planning Authorities with undertaking consultation efforts to ensure consistency in practices across Ontario. Additionally, the Province should provide resources and support to municipalities during the transition period where these guidance materials are being prepared.</p>
1.2.4	Where planning is conducted by an upper-tier municipality, the upper-tier municipality in consultation with lower-tier municipalities shall:	Staff recommend consistent alignment and reference to terms used amongst the PPS and other Provincial Plans

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	<ul style="list-style-type: none"> a) identify, coordinate and allocate population, housing and employment projections for lower-tier municipalities. Allocations and projections by upper-tier municipalities shall be based on and reflect Provincial Plans where these exist <u>and informed by provincial guidelines</u>; b) identify areas where growth or development will be directed, including the identification of nodes and the corridors linking these nodes; c) identify targets for intensification and redevelopment within all or any of the lower-tier municipalities, including minimum targets that should be met before expansion of the boundaries of settlement areas is permitted in accordance with policy 1.1.3.8; d) where <u>major</u> transit corridors exist or are to be developed, identify density targets for areas adjacent or in proximity to these corridors <u>and stations</u>, including minimum targets that should be met before expansion of the boundaries of settlement areas is permitted in accordance with policy 1.1.3.8; and e) identify and provide policy direction for the lower-tier municipalities on matters that cross municipal boundaries. 	<p>(i.e. Growth Plan, Greenbelt Plan, and Niagara Escarpment Plan).</p> <p>Specifically for PPS s. 1.2.4, the terms "Major Transit Station Area", "Higher Order Transit" and "Planned Corridor" are not used in a consistent manner. As currently proposed, a "major transit corridor" is not defined in any Provincial Plan and is confusing when considering the similar above-referenced terms.</p>
1.2.6 Land Use Compatibility		
<u>1.2.6.2</u>	<u>Where avoidance is not possible in accordance with policy 1.2.6.1, planning authorities shall ensure that the planning and development of sensitive land uses adjacent to existing or planned industrial, manufacturing, or other uses that are particularly vulnerable to encroachment are only permitted if:</u>	<p>Staff requests clarification on the meaning of "particularly vulnerable to encroachment". Additionally, what is meant by the types of "other uses" is unclear.</p> <p>Staff are of the view that sub-bullet "a)" is an unreasonable test to satisfy.</p>

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	<p>a) <u>alternative locations for the proposed sensitive land uses have been evaluated and there are no reasonable alternative locations; and</u></p> <p>b) <u>potential impacts of these uses are minimized and mitigated in accordance with provincial guidelines, standards and procedures.</u></p>	As proposed, this policy requires an evaluation of all alternative sites for development. This could burden application review processes, inadvertently contradicting the Province's objective to streamline development and eliminate red tape.
1.3 Employment		
1.3.2 Employment Areas		
<u>1.3.2.2</u>	<p><u>At the time of the official plan review or update, planning authorities should assess employment areas identified in local official plans to ensure that this designation is appropriate to the planned function of the employment area.</u></p> <p><u>Employment areas planned for industrial and manufacturing uses shall provide for separation or mitigation from sensitive land uses to maintain the long-term operational and economic viability of the planned uses and function of these areas.</u></p>	<p>Staff recommends that this policy be revised to be more prescriptive to ensure that employment area designations and their planned functions are aligned. Staff propose the following modification:</p> <p><u>"At the time of the official plan review or update, planning authorities shall should assess employment areas.."</u></p> <p>Staff recognize that not all employment areas are the same. Making the specific distinction that some employment areas are planned for industrial and manufacturing uses is appropriate.</p>
<u>1.3.2.5</u>	<u>Notwithstanding policy 1.3.2.4, and until the official plan review or update in policy 1.3.2.4 is undertaken and completed, lands within existing employment areas may be converted to a designation that permits non-employment uses provided the area has not been identified as provincially significant through a Provincial Plan exercise or as regionally-significant by a regional economic development corporation working together with affected upper- and single- tier municipalities and subject to the following:</u>	<p>Staff recommends the Province clarify the term "regional economic development corporation" to improve overall policy interpretation.</p> <p>Further, depending on who this entity is, it may not be appropriate to delegate the authority to designate "regionally significant employment" area(s).</p>

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	<p>a) <u>there is an identified need for the conversion and the land is not required for employment purposes over the long term;</u></p> <p>b) <u>the proposed uses would not adversely affect the overall viability of the employment area; and</u></p> <p>c) <u>existing or planned infrastructure and public service facilities are available to accommodate the proposed uses.</u></p>	
1.4 Housing		
1.4.3	<p>Planning authorities shall provide for an appropriate range and mix of housing types<u>options</u> and densities to meet projected requirements<u>market-based needs</u> of current and future residents of the regional market area by:</p> <p>a) establishing and implementing minimum targets for the provision of housing which is affordable to low and moderate income households <u>and which aligns with applicable housing and homelessness plans</u>. However, where planning is conducted by an upper-tier municipality, the upper-tier municipality in consultation with the lower-tier municipalities may identify a higher target(s) which shall represent the minimum target(s) for these lower-tier municipalities;</p> <p>b) permitting and facilitating:</p> <ol style="list-style-type: none"> 1. all forms of housing <u>options</u> required to meet the social, health, <u>economic</u> and well- being requirements of current and future residents, including special needs requirements <u>and needs arising from demographic changes and employment opportunities</u>; and 2. all form<u>types</u> of residential intensification, including second<u>additional residential</u> units, 	<p>Staff requests the Province to clarify roles, responsibilities, and expectations associated to the newly introduced term "market-based".</p> <p>Further, Staff:</p> <ul style="list-style-type: none"> • requests the Province to establish a guidance document on how the market-based approach is intended to be implemented, and providing direction to municipalities in relation to managing the approach. • cautions that shifting to a market-based approach may undermine certain planning initiatives which have the purpose of transitioning areas to improve market conditions in the future. • cautions that some municipalities may struggle to meet other Provincial policies if their existing housing supply base is pre-dominantly one housing type. • requests the Province to revise its Land Needs Assessment Methodology to reflect proposed elements, including "market-based" approach, and

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	<p>and redevelopment in accordance with policy 1.1.3.3;</p> <p>c) directing the development of new housing towards locations where appropriate levels of infrastructure and public service facilities are or will be available to support current and projected needs;</p> <p>d) promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation and transit in areas where it exists or is to be developed;</p> <p>e) <u>requiring transit-supportive development and prioritizing intensification, including potential air rights development, in proximity to transit, including corridors and stations; and</u></p> <p>f) e) establishing development standards for residential intensification, redevelopment and new residential development which minimize the cost of housing and facilitate compact form, while maintaining appropriate levels of public health and safety.</p>	<p>adjusted horizons for calculating vacant residential land supply.</p> <ul style="list-style-type: none"> requests clarification on whether the municipality or private applicant is responsible to undertake a market study to determine "market-based need". Further, the geography used to determine a "market-based need" itself should be specified as to whether this relates to the single, upper- or lower-tier market, or other geography.
1.6 Infrastructure and Public Service Facilities		
1.6.1	<p>Infrastructure, electricity generation facilities and transmission and distribution systems, and public service facilities shall be provided in a coordinated, <u>an</u> efficient and cost-effective manner that considers <u>prepares for the</u> impacts from of a changing climate change while accommodating projected needs.</p> <p>Planning for infrastructure, electricity generation facilities and transmission and distribution systems, and public service</p>	<p>For the reasons previously described relating to climate change, Staff recommends that the first half of s. 1.6.1 be revised as follows:</p> <p>'Infrastructure, electricity generation facilities and transmission and distribution systems, and public service facilities shall be provided in a coordinated, <u>an</u> efficient and cost-effective manner that considers <u>prepares for is adaptive to the</u> impacts from of a changing climate change while accommodating projected needs. ..."</p>

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	facilities shall be coordinated and integrated with land use planning <u>and growth management</u> so that they are: <ol style="list-style-type: none"> financially viable over their life cycle, which may be demonstrated through asset management planning; and available to meet current and projected needs. 	
1.6.6 Sewage, Water and Stormwater		
1.6.6.1	Planning for sewage and water services shall: <ol style="list-style-type: none"> direct and accommodate expected<u>forecasted</u> growth or development in a manner that promotes the efficient use and optimization of existing: <ol style="list-style-type: none"> municipal sewage services and municipal water services; and private communal sewage services and private communal water services, where municipal sewage services and municipal water services are not available <u>or feasible</u>; ensure that these systems are provided in a manner that: <ol style="list-style-type: none"> can be sustained by the water resources upon which such services rely; <u>prepares for the impacts of a changing climate</u>; is feasible, <u>and</u> financially viable and complies with all regulatory requirements<u>over their lifecycle</u>; and protects human health <u>and safety</u>, and the natural environment; promote water conservation and water use efficiency; integrate servicing and land use considerations at all stages of the planning process; and 	<p>Staff supports the addition of references to “climate change” in s. 1.6.6.1. Staff recognize the impacts of climate change already exists, thus the addition of climate change in this section is well intentioned.</p> <p>Separate to climate change, Staff notes the term “feasible” adds a new dimension to the consideration of municipal service extensions and the use of communal and partial services. Specifically, the addition of the term “feasible” places the onus on upper- and lower-tier municipalities to assess and justify whether municipal services can be extended and/or connected.</p> <p>This is an onerous addition that lacks clarity in application. Staff requests the Province to establish assessment criteria to determine how “feasibility” will be considered and measured.</p>

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	e) be in accordance with the servicing hierarchy outlined through policies 1.6.6.2, 1.6.6.3, 1.6.6.4 and 1.6.6.5. <u>For clarity, where municipal sewage services and municipal water services are not available, planned or feasible, planning authorities have the ability to consider the use of the servicing options set out through policies 1.6.6.3, 1.6.6.4, and 1.6.6.5 provided that the specified conditions are met.</u>	
1.6.6.3	Where municipal sewage services and municipal water services are not provided <u>available</u> , municipalities may allow the use of <u>planned or feasible</u> private communal sewage services and private communal water services <u>are the preferred form of servicing for multi- unit/lot development to support protection of the environment and minimize potential risks to human health and safety.</u>	Consistent with the above comment, Staff are concerned with the term "feasible" and request assessment criteria.
1.6.6.4	Where municipal sewage services and municipal water services or private communal sewage services and private communal water services are not provided <u>available, planned or feasible</u> , individual on-site sewage services and individual on-site water services may be used provided that site conditions are suitable for the long-term provision of such services with no negative impacts. In settlement areas, these <u>individual on-site sewage services and individual on-site water</u> services may only be used for infilling and minor rounding out of existing development. <u>At the time of the official plan review or update, planning authorities should assess the long-term impacts of individual on-site sewage services and individual on-site water services on the environmental health and the character of rural settlement areas. Where planning is conducted by an</u>	Consistent with the above comment, Staff are concerned with the term "feasible" and request assessment criteria. Also, Staff are concerned with implementing this new section. Staff requests: <ul style="list-style-type: none"> • clarification as to whether municipalities are expected to complete an assessment of all individual on-site sewage systems and on-site water systems. • clarification on measuring and determining the impact on the environmental health without groundwater sampling and analyses.

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	<u>upper-tier municipality, the upper-tier municipality should work with lower- tier municipalities at the time of the official plan review or update to assess the long-term impacts of individual on-site sewage services and individual on- site water services on the environmental health and the desired character of rural settlement areas and the feasibility of other forms of servicing set out in policies 1.6.6.2 and 1.6.6.3.</u>	<ul style="list-style-type: none"> clarification on the assessment to determine adverse or negative environmental health impacts found in a rural area.
1.6.6.5	<p>Partial services shall only be permitted in the following circumstances:</p> <ol style="list-style-type: none"> where they are necessary to address failed individual on-site sewage services and individual on-site water services in existing development; or within settlement areas, to allow for infilling and minor rounding out of existing development on partial services provided that site conditions are suitable for the long-term provision of such services with no negative impacts. <p><u>Where partial services have been provided to address failed services in accordance with subsection (a), infilling on existing lots of record in rural areas in municipalities may be permitted where this would represent a logical and financially viable connection to the existing partial service and provided that site conditions are suitable for the long-term provision of such services with no negative impacts. In accordance with subsection (a), the extension of partial services into rural areas is only permitted to address failed individual on-site sewage and individual on-site water services for existing development.</u></p>	<p>Staff notes this new policy would allow all rural lots to connect to existing partial services, which could significantly undermine infrastructure-related financing projections and growth capacity for settlement areas.</p> <p>The Region has several concerns. One is the effect on finances. For instance, Development Charges do not collect for water and wastewater in rural areas because they have not been traditionally serviced. Second, because of the significant rural area in Niagara, if services are extended, it has the potential to undermine planned capacity for urban area growth.</p> <p>Further, Staff are concerned with how this will be implemented in a two-tier water and wastewater system.</p> <p>For example, if a lower-tier municipality determined that it was logically and financially acceptable, to allow, indiscriminately, owners in the rural area to connect to existing partial services with a statement that there are no negative impacts, the policy would be met regardless of any analysis of the upper-tier system.</p> <p>Staff are concerned that this policy allows established lots of record to connect to existing partial services even if it is</p>

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		unable to be determined why the partial service exists (i.e. to address failed on-site water and sewage system or not).
1.6.6.7	<p>Planning for stormwater management shall:</p> <ul style="list-style-type: none"> a) <u>be integrated with planning for sewage and water services and ensure that systems are optimized, feasible and financially viable over the long term;</u> b) a) minimize, or, where possible, prevent increases in contaminant loads; c) b) minimize <u>erosion and</u> changes in water balance, and erosion <u>prepare for the impacts of a changing climate through the effective management of stormwater;</u> d) e) not increase <u>mitigate</u> risks to human health and safety and property damage <u>and the environment;</u> e) d) maximize the extent and function of vegetative and pervious surfaces; and f) e) promote stormwater management best practices, including stormwater attenuation and re-use, <u>water conservation and efficiency,</u> and low impact development. 	<p>Staff observes redundant text in sub-bullet "c)" and suggests the following revision:</p> <p>"c) minimize <u>erosion and</u> changes in water balance, and <u>prepare for the impacts of a changing climate through effective management of stormwater.</u>"</p>
1.6.8 Transportation and Infrastructure Corridors		
<u>1.6.8.5</u>	<u>The co-location of linear infrastructure should be promoted, where appropriate.</u>	Staff supports this proposed policy, as the co-location of infrastructure will assist with minimizing negative impacts to adjacent and nearby parcels.
1.7 Long-Term Economic Prosperity		
1.7.1	<p>Long-term economic prosperity should be supported by:</p> <ul style="list-style-type: none"> a) <u>promoting</u> opportunities for economic development and community investment-readiness; 	Staff recommends the term "dynamic" be removed from sub-bullet "b)", as this is not defined or used in any other instance:

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<ul style="list-style-type: none"> <u>b)</u> <u>encouraging residential uses to respond to dynamic market-based needs and provide necessary housing supply and range of housing options for a diverse workforce;</u> <u>c)</u> b) optimizing the long-term availability and use of land, resources, infrastructure, electricity generation facilities and transmission and distribution systems, and public service facilities; <u>d)</u> e) maintaining and, where possible, enhancing the vitality and viability of downtowns and mainstreets; <u>e)</u> d) encouraging a sense of place, by promoting well-designed built form and cultural planning, and by conserving features that help define character, including built heritage resources and cultural heritage landscapes; <u>f)</u> e) promoting the redevelopment of brownfield sites; <u>g)</u> f) providing for an efficient, cost-effective, reliable multimodal transportation system that is integrated with adjacent systems and those of other jurisdictions, and is appropriate to address projected needs to support the movement of goods and people; <u>h)</u> g) providing opportunities for sustainable tourism development; <u>i)</u> h) <u>sustaining and enhancing the viability of the agricultural system through protecting agricultural resources, minimizing land use</u> conflicts, providing opportunities to support local food, and promoting <u>maintaining and improving</u> the sustainability of agri-food <u>network</u> and agri-product businesses by protecting agricultural resources, and minimizing land use conflicts; <u>j)</u> i) promoting energy conservation and providing opportunities for development of renewable <u>increased</u> 	<p><u>"b) encouraging residential uses to respond to dynamic market-based needs and provide necessary housing supply and range of housing options for a diverse workforce;"</u></p> <p>As noted earlier, terms used in the PPS should be consistent with all other Provincial Plans.</p>

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	energy supply systems and alternative energy systems, including district energy; k) j) minimizing negative impacts from a changing climate and considering the ecological benefits provided by nature; and l) k) encouraging efficient and coordinated communications and telecommunications infrastructure.	
1.8 Energy Conservation, Air Quality and Climate Change		
	Planning authorities shall support energy conservation and efficiency, improved air quality, reduced greenhouse gas emissions, and <u>preparing for impacts of a changing</u> change adaptation through land use and development patterns which: <ul style="list-style-type: none"> a) promote compact form and a structure of nodes and corridors; b) promote the use of active transportation and transit in and between residential, employment (including commercial and industrial) and institutional uses and other areas; c) focus major employment, commercial and other travel-intensive land uses on sites which are well served by transit where this exists or is to be developed, or designing these to facilitate the establishment of transit in the future; d) focus freight-intensive land uses to areas well served by major highways, airports, rail facilities and marine facilities; e) <u>encourage transit-supportive development and intensification to</u> improve the mix of employment and 	Staff do not support proposed revision to replace "climate change adaptation" by "preparing for impacts of a changing climate" for the following reasons: <ul style="list-style-type: none"> • This change implies climate change has not yet occurred, as we are now 'preparing for' as oppose to 'adapting to' climate change. Existing PPS language is more consistent with the <i>Growth Plan</i>, which states under s. 4.2.10.1 "upper/single tier municipalities will develop policies in their official plans to identify actions that will reduce greenhouse gas (GHG) emissions and address climate change adaptation goals". • Climate change is a recently referenced topic within provincial policy, as introduced within the PPS 2014 and the 2017-coordinated Provincial Plan review. Already, there is a lot of terminology associated to "climate change" (i.e. "adaptation", "mitigation", "resilience") and now, "preparing for". Replacing "climate change adaptation" with "preparing for the impacts of a changing climate" adds more language to an already complex topic and is not consistent with the

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	housing uses to shorten commute journeys and decrease transportation congestion; f) promote design and orientation which: maximizes energy efficiency and conservation, and considers the mitigating <u>effects</u> of vegetation; and 1. maximizes opportunities for the use of renewable energy systems and alternative energy systems; and g) maximize vegetation within settlement areas, where feasible.	climate change language presented in other provincial documents. Staff recommends reference to "adapting to the impacts of a changing climate" to create better conformity across the Provincial Plans. Further, Staff recommend including language to recognize agriculture. Staff suggest including a new sub-bullet "h)" that reads as: <u>"h) protect the agricultural land base."</u>
2.0 Wise Use and Management of Resources		
2.1 Natural Heritage		
<u>2.1.10</u>	<u>Municipalities may choose to manage wetlands not subject to policy 2.1.4 and 2.1.5, in accordance with guidelines developed by the Province.</u>	Staff supports clarification related to wetlands that are not subject to s. 2.1.4 and s. 2.1.5, as this topic has historically been difficult to interpret. Staff recommends that the "guidelines developed by the province" be done as soon as possible. Staff emphasize that these guidelines will be required to support the natural environment planning that is currently being completed by many municipalities as part of ongoing MCR. Similarly, Staff notes that there has been ongoing discussions over the past several years regarding updates to the 'Natural Heritage Reference Manual' which was last updated for the 2005 PPS. This is one of the most important tools for the implementation of the natural heritage and, to some extent, the Water Resource policies to the PPS. Staff recommend that the Province commit to a work plan to update this document.

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2.2 Water		
2.2.1	<p>Planning authorities shall protect, improve or restore the quality and quantity of water by:</p> <ul style="list-style-type: none"> a) using the watershed as the ecologically meaningful scale for integrated and long-term planning, which can be a foundation for considering cumulative impacts of development; b) minimizing potential negative impacts, including cross-jurisdictional and cross-watershed impacts; <u>c) evaluating and preparing for the impacts of a changing climate to water resource systems at the watershed level;</u> <u>d) e)</u> identifying water resource systems consisting of ground water features, hydrologic functions, natural heritage features and areas, and surface water features including shoreline areas, which are necessary for the ecological and hydrological integrity of the watershed; <u>e) d)</u> maintaining linkages and related functions among ground water features, hydrologic functions, natural heritage features and areas, and surface water features including shoreline areas; <u>f) e)</u> implementing necessary restrictions on development and site alteration to: <ul style="list-style-type: none"> a. protect all municipal drinking water supplies and designated vulnerable areas; and b. protect, improve or restore vulnerable surface and ground water, sensitive surface water features and sensitive ground water features, and their hydrologic functions; 	<p>Staff supports the inclusion of additional direction related to climate change and watershed planning.</p> <p>In 2018, the Province released Draft Guidelines for Watershed Planning as a result of additional requirements for watershed planning in the Provincial Plans. To date, those guidelines have not yet been finalized.</p> <p>Given the importance of this issue, Staff recommends that the Draft Guidelines be updated as soon as possible to reflect changes to the PPS and Provincial Plans.</p>

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	<p><u>g)</u> f) planning for efficient and sustainable use of water resources, through practices for water conservation and sustaining water quality;</p> <p><u>h)</u> g) ensuring consideration of environmental lake capacity, where applicable; and</p> <p><u>i)</u> h) ensuring stormwater management practices minimize stormwater volumes and contaminant loads, and maintain or increase the extent of vegetative and pervious surfaces.</p>	
2.3.3 Permitted Uses		
2.3.3.3	New land uses, <u>in prime agricultural areas</u> , including the creation of lots, and new or expanding livestock facilities shall comply with the minimum distance separation formulae.	Staff requests for a similar policy to this one be included in the <i>Growth Plan's</i> "Rural Area" policy section. More specifically, within s. 2.2.9.7 which relates to rural settlement minor rounding out.
2.3.5 Removal of Land from Prime Agricultural Areas		
2.3.5.1	Planning authorities may only exclude land from prime agricultural areas for expansions of or identification of settlement areas in accordance with policy 1.1.3.8.	<p>Staff recommends that a reference to proposed s. 1.1.3.9 of the PPS be added to this policy to improve overall interpretation and readability.</p> <p>Currently, s. 1.1.3.8 of the PPS speaks to instances during a MCR, whereas newly proposed s. 1.1.3.9 speaks to instances outside of a MCR. As proposed, s. 1.1.3.9 reads as, "Notwithstanding policy 1.1.3.8..."</p> <p>Therefore, PPS s. 2.3.5.1 requires clarification to recognize both applicable policies.</p>

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2.5 Mineral Aggregate Resources		
2.5.2 Protection of Long-Term Resource Supply		
2.5.2.2	<p>Extraction shall be undertaken in a manner which minimizes social, economic and environmental impacts.</p> <p><u>Outside of the Greenbelt Area, extraction may be considered in the natural heritage features listed in section 2.1.5, 2.1.6 and 2.1.7, provided that the long-term rehabilitation can demonstrate no negative impacts on the natural features or their ecological functions.</u></p>	<p>Should this proposed change be accepted, Staff recommends the Province undertake an immediate amendment to the <i>Growth Plan</i>.</p> <p>As proposed, this change would create a conflict with s. 4.2.8.2 of the <i>Growth Plan</i> which prohibits new aggregate operations within several natural heritage features.</p> <p>Further, Staff recommends that a new sub-bullet clause be added to the PPS's "negative impacts" definition in regard to this policy and the term "long-term rehabilitation."</p>
2.5.2.4	<p>Mineral aggregate operations shall be protected from development and activities that would preclude or hinder their expansion or continued use or which would be incompatible for reasons of public health, public safety or environmental impact. Existing mineral aggregate operations shall be permitted to continue without the need for official plan amendment, rezoning or development permit under the <i>Planning Act</i>. <u>Where the Aggregate Resources Act applies, processes under the Aggregate Resources Act shall address the depth of extraction of new or existing mineral aggregate operations or their expansions.</u> When a license for extraction or operation ceases to exist, policy 2.5.2.5 continues to apply.</p>	<p>The intent of this proposed change should be clarified.</p> <p>Staff interpret this to mean that the depth of a mineral aggregate operation (whether new or expanded) is under the <i>Aggregate Resources Act, 1990</i> process and outside of the scope of the municipal land use process.</p> <p>However, Staff are concerned if this change is intended to mean that any "horizontal" expansion of a mineral aggregate operation is outside of the scope of the municipal land use process.</p> <p>Staff strongly recommend that the municipal land use approvals process continue to apply to new mineral aggregate operations, or for any "horizontal" expansions of an existing mineral aggregate operation.</p>

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		Staff propose that added language to s. 2.5.2.4 be revised as follows, "Where <u>mineral aggregate operations</u> the Aggregate Resources Act applies, processes under the Aggregate Resources Act shall address the depth of extraction of new or existing mineral aggregate operations or their expansions. <u>Municipalities shall remain involved in any application to extend a mineral aggregate operation beyond the existing licensed area.</u> "
2.6 Cultural Heritage and Archaeology		
2.6.5	Planning authorities shall <u>engage with Indigenous communities and</u> consider the <u>their</u> interests of Aboriginal communities in conserving <u>when identifying, protecting and managing</u> cultural heritage and archaeological resources.	Similar to comments to s. 1.2.2, Staff request clarification on consultation requirements. Staff note that the identification of archaeological resources through a development application could be considered as "identifying, protecting and managing cultural heritage and archaeological resources". This would mean that Indigenous Communities would have to be engaged in each of these instances, potentially delaying the review and approval of development applications. As proposed, changes to this policy conflict with the Province's objective to streamline development review and approval processes.

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3.0 Protecting Public Health and Safety		
Preamble	<u>(Note: policies in this section related to natural hazards are subject to ongoing review by the Province's Special Advisor on flooding. Further changes may be considered as a result of this review)</u>	Niagara requests the opportunity to comment on any further changes proposed as a result of the Special Advisor's recommendations.
3.1 Natural Hazards		
3.1.3	Planning authorities shall consider <u>prepare for</u> the potential impacts of <u>a changing</u> climate change that may increase the risk associated with natural hazards.	Staff requests clarification on whether it is the responsibility of single and upper-tier municipalities to ensuring floodplain mapping addresses preparation for the impacts of a changing climate.
3.2 Human-Made Hazards		
<u>3.2.3</u>	<u>Planning authorities should support, where feasible, on-site and local re-use of excess soil through planning and development approvals while protecting human health and the environment.</u>	Staff supports the inclusion of additional direction related to the re-use of excess soil, and recommend the Province to finalize guidelines and other tools required for the implementation of this policy.
4.0 Implementation and Interpretation		
<u>4.7</u>	<u>Planning authorities shall take action to support increased housing supply and facilitate a timely and streamlined process for local development by:</u> a) <u>identifying and fast-tracking priority applications which support housing and job-related growth and development; and</u> b) <u>reducing the time needed to process residential and priority applications to the extent practical.</u>	Staff requests the Province to either remove or define the term "priority applications". The definition could include priority residential applications that fill a market demand and provide housing options, or identify areas where priority applications may occur (i.e. Major Transit Station Areas). Should the term "priority applications" be retained without definition, Staff cautions that this policy could become

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		<p>problematic and complex in a politically-sensitive environment.</p> <p>Regional processes are regularly reviewed to improve timeliness. Further, prescribed planning matter timelines have also been shortened by enacted amendments to the <i>Planning Act, 1990</i> through Bill 108. Given the current planning review structure after Bill 108, the Region is having difficulty conceptualizing the mechanism to fast-track applications that are deemed priority.</p> <p>Staff recommends simplifying the policy as follows:</p> <p><u>"Planning authorities shall take action to support increased housing supply and facilitate a timely and streamlined process for local development, by:</u></p> <ul style="list-style-type: none"> <u>a) identifying and fast-tracking priority applications which support housing and job-related growth and development; and</u> <u>b) reducing the time needed to process residential and priority applications to the extent practical."</u>
4.159	Municipalities are encouraged to establish performance indicators to monitor <u>and report on</u> the implementation of the policies in their official plans, <u>in accordance with any reporting requirements, data standards and any other guidelines that may be issued by the Minister.</u>	Staff requests to be notified and consulted in future initiatives undertaken by the Province when developing reporting requirements, data standards, and any other guidelines.
6.0 Definitions		
<u>Agricultural System</u>	<u>A system comprised of a group of inter-connected elements that collectively create a viable, thriving agricultural sector. It has two components:</u>	Staff supports this change, as the definition aligns with the <i>Growth Plan</i> and <i>Greenbelt Plan</i> .

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	a) <u>an agricultural land base comprised of prime agricultural areas, including specialty crop areas, and rural lands that together create a continuous productive land base for agriculture; and</u> b) <u>an agri-food network which includes infrastructure, services, and assets important to the viability of the agri- food sector.</u>	
<u>Agri-food network</u>	<u>Within the Agricultural System, a network that includes elements important to the viability of the agri-food sector such as regional infrastructure and transportation networks; on-farm buildings and infrastructure; agricultural services, farm markets, distributors, and primary processing; and vibrant, agriculture-supportive communities.</u>	Staff supports this change, as the definition aligns with the <i>Growth Plan</i> and <i>Greenbelt Plan</i> .
Areas of archaeological potential	Means areas with the likelihood to contain archaeological resources. Methods <u>Criteria</u> to identify archaeological potential are established by the Province, but municipal approaches which achieve the same objectives may also be used. The Ontario Heritage Act requires archaeological potential to be confirmed <u>by a licensed archaeologist</u> through archaeological <u>assessment and/or</u> fieldwork.	Staff recommends the following revision: "... The Ontario Heritage Act requires archaeological potential to be confirmed <u>by a licensed archaeologist</u> through archaeological <u>assessment</u> . <u>Archaeological Master Plan, and/or</u> fieldwork."
Built heritage resource	Means a building, structure, monument, installation or any manufactured <u>or constructed part or</u> remnant that contributes to a property's cultural heritage value or interest as identified by a community, including an Aboriginal <u>Indigenous</u> community. <u>Most</u> built heritage resources are generally located on property that has been designated under Parts IV or V of the Ontario Heritage Act, or <u>has been</u> included on local, provincial, <u>federal</u> and/or federal <u>international</u> registers.	Staff recommends the <i>Growth Plan</i> 's "built heritage resource" definition be amended to reflect this change.

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Comprehensive review	Means a) for the purposes of policies 1.1.3.8, <u>1.1.3.9</u> and 1.3.2.2, an official plan review which is initiated by a planning authority, or an official plan amendment which is initiated or adopted by a planning authority, which ...	Staff requests consistent use and reference to the term "Municipal Comprehensive Review" within all Provincial Plans.
Conserved	Means the identification, protection, management and use of built heritage resources, cultural heritage landscapes and archaeological resources in a manner that ensures their cultural heritage value or interest is retained under the Ontario Heritage Act . This may be achieved by the implementation of recommendations set out in a conservation plan, archaeological assessment, and/or heritage impact assessment <u>that has been approved or adopted by the planning authority or decision-maker</u> . Mitigative measures and/or alternative development approaches can be included in these plans and assessments.	Staff recommends the <i>Growth Plan's</i> "conserved" definition also be amended to reflect this change.
Cultural heritage landscape	Means a defined geographical area that may have been modified by human activity and is identified as having cultural heritage value or interest by a community, including an A <u>Indigenous</u> community. The area may involve <u>include</u> features such as <u>buildings</u> , structures, spaces, <u>views</u> , archaeological sites or natural elements that are valued together for their interrelationship, meaning or association. Examples may include, but are not limited to, heritage conservation districts designated <u>Cultural heritage landscapes may be properties that have been determined to have cultural heritage value or interest</u> under the Ontario Heritage Act villages, parks, gardens, battlefields, mainstreets and neighbourhoods, cemeteries, trailways, viewsheds, natural areas and industrial complexes of heritage	Staff recommends the <i>Growth Plan's</i> "cultural heritage landscape" definition also be amended to reflect this change.

Proposed revisions to the Provincial Policy Statement
Niagara Region's comments to ERO #019-0279
Attachment 2

Proposed revisions Text = Province removed <u>Text</u> = Province added		Niagara's comments Text = Province removed <u>Text</u> = Province added Text = Niagara removed <u>Text</u> = Niagara added
	significance; and areas recognized by, or have been included on federal and/or international designation authorities (e.g. a National Historic Site or District designation, or a UNESCO World Heritage Site); registers, or protected through official plan, zoning by-law, or other land use planning mechanisms.;	
Habitat	<p>Of endangered species and threatened species: means <u>habitat within the meaning of Section 2 of the Endangered Species Act, 2007</u></p> <p>a) with respect to a species listed on the Species at Risk in Ontario List as an endangered or threatened species for which a regulation made under clause 55(1)(a) is in force, the area prescribed by that regulation as the habitat of the species; or</p> <p>b) with respect to any other species listed on the Species at Risk in Ontario List as an endangered or threatened species, an area on which the species depends, directly or indirectly, to carry on its life processes, including life processes such as reproduction, rearing, hibernation, migration or feeding, as approved by the Ontario Ministry of Natural Resources; and</p> <p>c) places in the areas described in clause (a) or (b), whichever is applicable, that are used by members of the species as dens, nests, hibernacula or other residences.</p>	<p>Staff requests the Province to finalize guidance on how to comply with the new <i>Endangered Species Act, 2007</i>.</p> <p>Staff notes that the Ministry of Environment, Conservation and Parks, Species at Risk Branch, has drafted a "Client's Guide to Preliminary Screening for Species at Risk" (Draft, May 2019) which remains in draft at time of these comments.</p>
<u>Housing options</u>	<u>Means a range of housing types such as, but not limited to single-detached, semi-detached, rowhouses, townhouses, stacked townhouses, multiplexes, additional residential units, tiny homes, multi- residential buildings and uses such as, but not limited to life lease housing, co- ownership housing, co-operative housing, community land trusts, affordable housing.</u>	<p>Staff recommends that "rental" housing be explicitly mentioned in this definition in order to reflect market-demand and housing options.</p> <p>Additionally, Staff requests clarification as to whether "additional residential units" still includes "second units" and "garden suites". If not, Staff requests that these terms</p>

Proposed revisions to the Provincial Policy Statement
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	<u>housing for people with special needs, and housing related to employment, institutional or educational uses.</u>	be added to align with terms used in the <i>Planning Act, 1990</i> .
<u>Impacts of a changing climate</u>	<u>means the potential for present and future consequences and opportunities from changes in weather patterns at local and regional levels including extreme weather events and increased climate variability.</u>	<p>Staff supports the inclusion of a climate change definition, although it is too simplistic in its current form since it is attempting to define two large topics, "climate change" and the impacts of a "changing climate".</p> <p>As proposed, this definition does not address:</p> <ul style="list-style-type: none"> • the global responsibility of climate change; • the recognition that human activity is largely responsible for climate change; and • natural disasters and rising temperatures as part of resulting changes. <p>Staff recommends adding two separate definitions - one defining climate change and one defining the impacts associated with that change.</p> <p>Staff proposes the following new definition for Climate Change consistent with the accepted international standard set out by the UN Framework on Climate Change:</p> <p><u>"Climate change: a change in climate that alters the composition of the global atmosphere and natural climate variability observed over time due directly or indirectly by human activity"</u></p>

Proposed revisions to the Provincial Policy Statement
Niagara Region's comments to ERO #019-0279
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		<p>And the Region suggests revising the existing definition to one that refers to the impacts of climate change, as follows:</p> <p><u>"Impacts of a changing climate: means potential for the present and future consequences and opportunities from changes in climate weather patterns at local and regional levels including extreme weather events, rising temperatures, natural disasters, and climate variability."</u></p>
Negative impacts	<p>Means</p> <ul style="list-style-type: none"> a) in regard to policy 1.6.6.4 and 1.6.6.5, <u>potential risks to human health and safety and</u> degradation to the quality and quantity of water, sensitive surface water features and sensitive ground water features, and their related hydrologic functions, due to single, multiple or successive development. Negative impacts should be assessed through environmental studies including hydrogeological or water quality impact assessments, in accordance with provincial standards; b) in regard to policy 2.2, degradation to the quality and quantity of water, sensitive surface water features and sensitive ground water features, and their related hydrologic functions, due to single, multiple or successive development or site alteration activities; c) in regard to fish habitat, any permanent alteration to, or destruction of fish habitat, except where, in conjunction with the appropriate authorities, it has been authorized under the Fisheries Act; and d) in regard to other natural heritage features and areas, degradation that threatens the health and integrity of the natural features or ecological functions for which 	<p>Staff recommends that the definition for "negative impact" be revised to include the "long-term rehabilitation" of mineral aggregate resource extraction areas, as mentioned in PPS s. 2.5.2.2.</p>

Proposed revisions to the Provincial Policy Statement
Niagara Region's comments to ERO #019-0279
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	an area is identified due to single, multiple or successive development or site alteration activities.	
On-farm diversified uses	Means uses that are secondary to the principal agricultural use of the property, and are limited in area. On-farm diversified uses include, but are not limited to, home occupations, home industries, agri- tourism uses, and uses that produce value-added agricultural products. <u>Ground-mounted solar facilities are permitted in prime agricultural areas and specialty crop areas only as on-farm diversified uses.</u>	Staff note that if this term is included within the “on-farm diversified uses” definition, the use may be counted towards the 2% of all permitted on-farm diversified uses, as per Provincial Publication #851.
Planned corridors	Means corridors or future corridors which are required to meet projected needs, and are identified through Provincial Plans, preferred alignment(s) determined through the Environmental Assessment Act process, or identified through planning studies where the Ontario Ministry of Transportation, <u>Metrolinx</u> , Ontario Ministry of Energy, Northern Development and Mines or Independent Electricity System Operator (IESO) or any successor to those ministries or entities is actively pursuing the identification of a corridor. Approaches for the protection of planned corridors may be recommended in guidelines developed by the Province.	Staff recommends the <i>Growth Plan's</i> “planned corridor” definition also be amended to reflect this change.
Public service facilities	Means land, buildings and structures for the provision of programs and services provided or subsidized by a government or other body, such as social assistance, recreation, police and fire protection, health and educational programs, <u>long-term care services</u> , and cultural services. Public service facilities do not include infrastructure.	Staff recommends the <i>Growth Plan's</i> “public service facility” definition also be amended to reflect this change.
Threatened species	Means a species that is listed or categorized <u>classified</u> as a “Threatened Species” on the Ontario Ministry of Natural	Staff requests the Province to finalize guidance on how to comply with the new <i>Endangered Species Act, 2007</i> .

Proposed revisions to the Provincial Policy Statement
 Niagara Region's comments to ERO #019-0279
 Attachment 2

Proposed revisions Text = Province removed <u>Text</u> = Province added		Niagara's comments Text = Province removed <u>Text</u> = Province added Text = Niagara removed <u>Text</u> = Niagara added
	Resources' official Species at Risk <u>in Ontario</u> List, as updated and amended from time to time.	Staff notes that the Ministry of Environment, Conservation and Parks, Species at Risk Branch, has drafted a "Client's Guide to Preliminary Screening for Species at Risk" (Draft, May 2019) which remains in draft at time of these comments.
Transit-supportive	In regard to land use patterns, means development that makes transit viable, <u>optimizes investments in transit infrastructure</u> , and improves the quality of the experience of using transit. It often refers to compact, mixed-use development that has a high level of employment and residential densities, <u>including air rights development, in proximity to transit stations, corridors and associated elements within the transportation system</u> . Approaches may be recommended in guidelines developed by the Province or based on municipal approaches that achieve the same objectives.	Staff recommend that the <i>Growth Plan's</i> "transit-supportive" definition also be amended to reflect this change.

Subject: Response to the Town of Grimsby Council's Resolution Regarding Regional Official Plan Amendment 13 (ROPA 13)

Report to: Planning and Economic Development Committee

Report date: Wednesday, October 9, 2019

Recommendations

1. That Regional Official Plan Amendment 13 – Transportation Policies **BE ADOPTED** under Section 26 of the *Planning Act*.

Key Facts

- The purpose of this report is to seek the adoption of Regional Official Plan Amendment 13 (ROPA 13) pursuant to Regional Council's deferral of June 20, 2019.
- This Amendment is required to implement the goals, vision, and recommendations of the Niagara Region Transportation Master Plan (TMP), which was approved by Regional Council on July 20, 2017, and to ensure conformity with the new Provincial Growth Plan.
- The motion to adopt Regional Official Plan Amendment No. 13 (ROPA 13) was approved by the Planning and Economic Development Committee on June 12, 2019, and was subsequently brought forward for final consideration at the following Regional Council meeting on June 20, 2019.
- Regional Council deferred the decision of this motion in order for Regional staff to respond to a resolution from the Town of Grimsby regarding the relationship of ROPA 13 to the Livingston Avenue Extension Municipal Class Environmental Assessment (EA).
- Niagara Region Planning and Development Services and Public Works Departments met with the Town's Mayor and Chair of the Planning and Development Committee as well as the Regional Councillor. As a result, staff prepared a response to this resolution, which was presented to Grimsby Council on September 16, 2019.
- Policy 9.H.2 of ROPA 13 has been revised to address concerns by the Town Council, clarifying the Municipal Class Environmental Assessment process and alignment of the policy to the Greenbelt Plan.

Financial Considerations

There are no direct financial implications arising from this report as the cost to process the Amendment was included in the Planning and Development Services Department's Council approved 2019 Operating Budget.

Background

The recommended policies and mapping of ROPA 13 were brought forward for consideration at the Planning and Economic Development Committee (PEDC) meeting on June 12, 2019, with the recommendation that the Amendment be adopted under Section 26 of the *Planning Act*, 1990. This motion was approved by the PEDC for final consideration at the next Regional Council meeting on June 20, 2019. A copy of the recommendation report has been attached as Appendix I.

Prior to the Regional Council meeting, however, the Town of Grimsby passed a resolution at its meeting on June 17, 2019, requesting that the proposed Amendment be deferred until revisions were made to both the proposed Amendment and the Niagara Region Transportation Master Plan that acknowledged Town Council's concerns with the Livingston Avenue Extension Municipal Class EA. In order to address the Town's concerns and allow staff to prepare an appropriate response to the resolution, Regional Council agreed to defer adoption of ROPA 13 for a minimum two (2) month period.

In response, Planning and Development Services and Public Works staff prepared a coordinated response to clarify the history of Livingston Avenue Extension, the need for the Municipal Class EA, and the policy and legislation that directs ROPA 13 and the five-year review of the Transportation Master Plan, and the relationship between these three (3) projects. Specifically, the response clarifies that ROPA 13 is independent of the Municipal Class EA process and has no bearing on the results of the Environmental Assessment. This information was presented to Town Council on September 16, 2019, with staff available to answer any comments and questions. A copy of the narrated slide deck is available on the Region's website:
<https://www.niagararegion.ca/projects/livingston-ea/default.aspx>.

The comment matrix (Appendix III) has been revised to include Town Council's comments, and save for the modification below, the recommended policies and mapping of ROPA 13 (Appendix II) have remained unchanged. Regional staff, therefore, have attached the original copy of the recommendation report as Appendix I, and continue to recommend the adoption of ROPA 13 by Regional Council.

Modification to Policy 9.H.2

Sub-bullets a) and b), as outlined below, have been added to Policy 9.H.2 of the proposed Amendment in order to clarify alignment with the policies of the Greenbelt Plan and the role of the Municipal Class Environmental Assessment process. This policy now states:

“The Niagara Region and its local municipalities will ensure the protection of lands adjacent to or near major goods movement facilities and corridors, including those outside of settlement areas and/or within the Greenbelt Area for the expansion of infrastructure and uses ancillary to that of the principle major goods movement facility and/or corridor use while:

- a) requiring a Municipal Class Environmental Assessment to demonstrate the need and alternative options for the infrastructure required for the expansion;*
- b) avoiding specialty crop areas, and other prime agricultural areas in that order of priority, unless need has been demonstrated and it has been established that there is no reasonable alternative for the location of the infrastructure as determined through the applicable Municipal Class Environment Assessment;*
- c) avoiding, or where avoidance is not possible, minimizing and mitigating adverse impacts to the agricultural system or other sensitive land uses vulnerable to encroachment;*
- d) requiring an agricultural impact assessment during instances where infrastructure or uses are proposed within, adjacent to, or near the Greenbelt Area or agricultural system; and*
- e) considering subject lands for designation as provincially significant employment zones.”*

Relationship to Council Strategic Priorities

The policies and mapping of ROPA 13 (Appendix II) support Council’s Strategic Priorities for “Responsible Growth and Infrastructure Planning”, specifically, Objectives 3.1 Advancing Regional Transit and GO Rail Services and Objective 3.4 Facilitating the Movement of People and Goods.

Other Pertinent Reports

- **PDS 2-2017**, Project Initiation Report, Regional Official Plan Amendment 13 (ROPA 13) -- Transportation Policies, February 22, 2017
- **PDS 50-2017**, Public Meeting Information Report, Regional Official Plan Amendment 13 (ROPA 13) --- Transportation Policies, November 29, 2017

- **PDS 27-2018**, Statutory Public Meeting for Regional Official Plan Amendment No. 13, June 6, 2018

Prepared by:

Alexandria Tikky
Planner
Planning and Development Services

Recommended by:

Rino Mostacci, MCIP, RPP
Commissioner
Planning and Development Services

Submitted by:

Ron Tripp, P.Eng.
Acting Chief Administrative Officer

This report was prepared in consultation with Alexander Morrison, Planner, Long Range Planning, and reviewed by Doug Giles, MCIP, RPP, Director of Community and Long Range Planning.

Appendices

- Appendix I Recommendation Report for Regional Official Plan Amendment 13 (PDS 23-2019)
- Appendix II Draft Regional Official Plan Amendment 13
- Appendix III Agency and Public Comments Received
- Appendix IV Agency Comment Response Matrix

APPENDIX I

RECOMMENDATION REPORT FOR REGIONAL OFFICIAL PLAN AMENDMENT 13

Subject: Recommendation Report for Regional Official Plan Amendment (ROPA) 13 – Transportation Policies

Report to: Planning and Economic Development Committee

Report date: Wednesday, June 12, 2019

Recommendations

1. That Regional Official Plan Amendment 13 – Transportation Policies **BE ADOPTED** under Section 26 of the *Planning Act*.

Key Facts

- This Amendment is required to implement the goals, vision, and recommendations of the Niagara Region Transportation Master Plan (TMP), which was approved by Regional Council on July 20, 2017, and to ensure conformity with the new Provincial Growth Plan.
- A clear and focused set of transportation policies in the Regional Official Plan is necessary to support prosperity and growth in the Niagara Region.
- This Amendment will repeal the existing policies of the Regional Official Plan and replace them with a new set of transportation policies.
- Changes to the Amendment were made in response to the comments received from stakeholders and public agencies, including Regional Active Transportation Advocates, several local municipalities, the Ministry of Municipal Affairs and Housing, the Niagara Parks Commission, and the Niagara Escarpment Commission.
- The Minister for the Ministry of Municipal Affairs and Housing is the approval authority for ROPA 13.

Financial Considerations

There are no direct financial implications arising from this report as the cost to process the Amendment was included in the Planning and Development Services Department's Council approved 2019 Operating Budget.

Analysis

Background

In 2015, the "Niagara 2041" initiative launched a series of studies in order to guide population and employment growth to a 2041 planning horizon, and to mitigate the

resulting impact on Regional infrastructure. Specifically, the Region began development of a Transportation Master Plan to define policies, programs, and infrastructure improvements needed to address the Region's transportation requirements, and the undertaking of a Municipal Comprehensive Review to assess the Region's population, housing and employment growth trends in order to inform the policies of the new Regional Official Plan.

The Transportation Master Plan (TMP) received Regional Council approval on July 20, 2017. Its policies emphasize the need to integrate and co-ordinate transportation planning, land use planning, and urban design as part of its implementation. Accordingly, the Region has undertaken the proposed Regional Official Plan Amendment to ensure the recommendations identified in the TMP are properly implemented.

Proposed Regional Official Plan Amendment 13 (ROPA 13) addresses the following key areas:

- Co-ordinated Transportation System Planning;
- Public Transit;
- Active Transportation;
- Complete Streets;
- Transportation Demand Management;
- Regional Road System; and
- Goods Movement.

The draft policies of ROPA 13, which are outlined in Appendix I, will replace the existing policies within Chapter 9 of the Regional Official Plan. These new policies will align with the direction of the TMP, and conform to the new 2019 Provincial Growth Plan for the Greater Golden Horseshoe, which was brought into effect on May 16, 2019. The Amendment further includes additional schedules, updated definitions, and minor adjustments to other sections of the Regional Official Plan to allow for the needed integration between transportation planning, land use planning, and urban design.

If approved, ROPA 13 will equip Niagara Region with current and sound transportation policies to ensure best practices are utilized across the Region in alignment with the ongoing comprehensive review for the new Regional Official Plan.

It is warranted that the existing transportation policies of the Regional Official Plan are revised to align with the TMP to ensure that the direction and recommendations identified in the study are properly implemented. The new Regional Official Plan and its background studies are just commencing, and as such, it is appropriate for the proposed Amendment to the Regional Official Plan to be brought forward at this time.

Public and Stakeholder Consultation

An extensive consultation and engagement strategy was employed as part of the development of the TMP in order to obtain input on relevant transportation issues, constraints, and opportunities. Specifically, the consultation process involved two (2) online surveys, over a dozen public information centres, multiple meetings with stakeholder advisory groups and local area municipalities, and additional meetings with transportation agencies and other stakeholders, including First Nations and Métis representatives.

Following the approval of the TMP, the draft policies and mapping of ROPA 13 were circulated for comment to local municipalities, prescribed agencies, and key stakeholders. In order to answer questions and receive feedback on the draft Amendment from the public, a copy of the Amendment was made available on the Region's website and an Open House was held on November 8, 2017. A Public Meeting was then held during the Planning and Economic Development Committee meeting on November 29, 2017, which provided members of the public an opportunity to speak to the proposed policies and mapping, and allowed staff to provide the Committee with an overview of the Amendment's contents and direction.

On June 6, 2018, an additional Public Meeting was held during the Planning and Economic Development Committee Meeting in accordance with Section 17 of the *Planning Act*. This statutory Public Meeting allowed for further questions and input to be provided by the public and Committee regarding the Amendment. Delegations were made at the Public Meeting by a representative from the Regional Active Transportation Advocacy group, and residents from the Town of Grimsby and City of St. Catharines. These delegations spoke to recommended changes to the policy set in support of active transportation infrastructure. The comments received from the public have been considered as part of the final recommendation.

Additionally, Regional staff has received comments from seven (7) local municipalities, the Ministry of Municipal Affairs and Housing, the Niagara Escarpment Commission, the Niagara Parks Commission, internal departments and committees, and active transportation advocates. A matrix (Appendix II) has been prepared by Regional staff to respond to the comments received. The following section highlights key issues that prescribed commenting agencies and stakeholders have identified in the review of the Amendment.

Planned Corridors Mapping and Policies

Multiple local area municipalities, including the City of Niagara Falls, the Town of Fort Erie, and the Township of West Lincoln, have requested that the Amendment include policies and/or mapping related to planned Provincial and Regional corridors, such as the Niagara-Greater Toronto Area (NGTA) East Corridor.

At the request of the Ministry of Municipal Affairs and Housing, Regional staff has added broad infrastructure corridor policies to ROPA 13 that mirror the requirements of the Provincial Growth Plan. Further, the Amendment identifies the development and planning of specific transportation corridors and their associated infrastructure (Policy 9.B.2).

To add mapping to the Amendment that delineates these identified corridors prior to the determination of their exact boundaries (i.e. through further studies and/or environmental assessments) is premature and is not recommended. The mapping of these corridors may inadvertently date the document and reduce the effectiveness of its policies and mapping.

Complete Streets Approach

Several municipalities, including the City of Niagara Falls, the City of Welland, the Town of Fort Erie, and the Town of Pelham, have requested that policies in the Amendment that direct local municipalities to develop specific Official Plan and/or Zoning By-law provisions be removed or reworded with more flexible terminology. In particular, local municipalities expressed concerns with the required implementation of a complete streets approach.

Policy 3.2.2.3 of the Provincial Growth Plan requires all municipalities to adopt a complete streets approach for the design, refurbishment, or reconstruction of a municipality's existing or planned street network. The Niagara Region has done so through the development of Complete Streets Guidelines that will be used as part of roadway construction and improvements.

The initial circulation of ROPA 13 directed the Region and local municipalities to identify priority corridors for complete streets implementation. Based on Ministry of Municipal Affairs and Housing feedback, the Amendment has been reworded to ensure that complete streets elements are considered for the entire street network (Policy 9.E.1 and Policy 9.E.3). The Amendment continues to provide local municipalities the flexibility of either utilizing the Niagara Region's Complete Streets Design Guidelines or creating their own guidelines that direct the required "complete streets approach". The implementation of complete streets elements will be determined through an evaluation of alternatives as directed by the Municipal Class Environmental Assessment process.

Timeline and Budgeting Commitments

Active transportation groups had requested that the Region strengthen the wording of Policy 9.D.4 to ensure that funding commitment to cycling facilities is provided through the Bicycle Facilities Grant. This matter was discussed by members of the Planning and Economic Development Committee at the Public Meeting held on November 29, 2017.

Additionally, Correspondence Item TSC-C 6-2018 from the Transportation Sub-Committee was brought forward to the Planning and Economic Development Committee for consideration at the statutory Public Meeting in June 2018 regarding funding of bicycle facilities. This item was received and referred to staff for the preparation of this final report.

The Regional Official Plan is a land use planning document and, as such, is not the appropriate vehicle for prioritizing budget items and capital works projects. The purpose of the Regional Official Plan is to provide an overall vision for the Region's transportation infrastructure, and outline its relationship to surrounding land uses and urban design. The TMP, on the other hand, provides both general goals and guidelines for its implementation, and specific measures to realize this vision. Accordingly, Planning and Public Works staff believe that it is more appropriate for matters related to the timing and funding of the Region's Capital Works program to be outlined within the TMP.

The TMP will be reviewed every five (5) years, resulting in potential changes to the Niagara Bikeways Master Plan, the Strategic Cycling Network, and its infrastructure phasing plan. To add these plans to the Amendment may inadvertently date the document and reduce the effectiveness of its policies and mapping. A new policy has been added to the Amendment to reference the recommended actions and schedules of the TMP (Policy 9.F.14).

Modifications to Draft Policies and Schedules

There were approximately 30 modifications made to the draft Amendment following the statutory Public Meeting report (Report No. PDS 27-2018), all of which have been identified in Appendix I. The modifications made were largely minor in nature. Detailed explanations of the more significant revisions are outlined below.

Modification 7: Policy 9.C.2 b)

A new sub-bullet of Policy 9.C.2 has been added to the proposed Amendment. This policy states:

"The Niagara Region supports the expansion of public transit across the region through:

[...]

- b) Permitting infrastructure, including municipal water and wastewater systems, on lands adjacent to or near settlement areas for uses principle or ancillary to transit-supportive uses abutting higher order transit facilities"*

Expanding upon section 4.2.1.2 of the Greenbelt Plan, Policy 9.C.2 b) will provide the Niagara Region better ability to construct and service higher order transit stations near

or adjacent to settlement areas, further facilitating the provision of public transit to, from and within the Niagara Region.

Modification 8: Policy 9.C.8

A new policy has been added to Section 9.C (Public Transit) of the proposed Amendment. The policy states:

“The Niagara Region and its local municipalities should plan lands adjacent to or near existing and planned frequent transit or higher order transit facilities, including those within the Greenbelt Area where such lands have been approved through a Municipal Class Environmental Assessment, to:

- a) provide transit-supportive uses that enable opportunities for improved transit service integration;*
- b) facilitate multimodal connections that encourage a more evenly distributed modal share; and*
- c) support active transportation.”*

Policy 9.C.8 will expand upon policy 2.2.4.10 of the Provincial Growth Plan, increasing the Region’s ability to implement transit-supportive uses on parcels adjacent to or near higher order transit facilities. This policy would also improve the viability of public private partnership opportunities for higher-order transit facilities on these sites.

Modification 25: Policy 9.H.2

A new policy has been added to Section 9.H (Goods Movement) of the proposed Amendment. This policy states:

“The Niagara Region and its local municipalities will ensure the protection of lands adjacent to or near major goods movement facilities and corridors, including those outside of settlement areas and/or within the Greenbelt Area for the expansion of infrastructure and uses ancillary to that of the principle major goods movement facility and/or corridor use while:

- a) avoiding, or where avoidance is not possible, minimizing and mitigating adverse impacts to the agricultural system or other sensitive land uses vulnerable to encroachment;*
- b) require an agricultural impact assessment during instances where infrastructure or uses are proposed within, adjacent to, or near the Greenbelt Area or agricultural system; and*
- c) considering subject lands for designation as provincially significant employment zones.”*

Policy 9.H.2 will provide clarification regarding uses ancillary to major goods movement facilities, such as the Niagara District Airport, as well as the due diligence requirements needed to avoid or minimize adverse impacts of these uses to the Agricultural System and other sensitive land uses. Permitting ancillary uses to major goods movements and facilities would better allow the Region to cater to the demands and stresses associated with projected population and employment growth.

Planning Review

The proposed Amendment has been assessed against the approved planning policy framework and staff is of the opinion that the amendment is consistent with and implements the *Planning Act*, the 2014 Provincial Policy Statement, and the 2019 Growth Plan. Further, the Amendment has been revised to address the comments provided by the Ministry of Municipal Affairs and Housing to ensure alignment with Provincial direction.

Process and Next Steps

After Council adoption, staff will submit the Amendment to the Ministry of Municipal Affairs and Housing for approval under Section 26 of the *Planning Act*. Staff will also issue a notice of adoption in accordance with the *Planning Act* and its regulations. Through the review process, the Province has the ability to make modifications to the Amendment.

Through the approval of Bill 139 (PDS 26-2018), several changes were made to Section 17 of the *Planning Act* with regards to appeals for Official Plans and Official Plan Amendments. Specifically, Subsection 17 (36.5) states that there will be no appeals with respect to a decision on new Official Plans or Official Plan Amendments that are brought forward under Section 26 of the *Planning Act* as they will be subject to the approval authority of the Ministry of Municipal Affairs and Housing. As such, no appeals can be brought forward for ROPA 13.

Local municipalities will be expected to update their local official plans and zoning by-laws following the approval of the Amendment in order to ensure alignment with Provincial and Regional policies and mapping. Given that this Amendment is being brought forward for approval prior to the remaining comprehensive review of the Regional Official Plan, local municipalities will not be expected to update their Official Plans until the new Regional Official Plan is complete.

Alternatives Reviewed

1. **Do not adopt Regional Official Plan Amendment 13.** This alternative is not recommended. This Amendment has been processed to expedite the implementation of the TMP prior to the development of the new Regional Official Plan.
2. **Adopt Regional Official Plan Amendment 13 (Recommended).** This alternative is recommended. ROPA 13 will equip Niagara Region with current and sound transportation policies to ensure best practices are utilized across the region in alignment with the ongoing comprehensive review of the Regional Official Plan. The proposed Amendment was developed through an in-depth and collaborative process with several Regional Departments and local municipalities, and Regional staff is of the opinion that it represents the interests of the municipalities, good planning, and addresses the unique circumstances within Niagara.

Relationship to Council Strategic Priorities

This report supports Council's Business Plan Theme 2 "Healthy Communities" and Theme 5 "Integrated Transportation System".

Other Pertinent Reports

- **PDS 2-2017**, Project Initiation Report, Regional Official Plan Amendment 13 (ROPA 13) -- Transportation Policies, February 22, 2017
- **PDS 50-2017**, Public Meeting Information Report, Regional Official Plan Amendment 13 (ROPA 13) --- Transportation Policies, November 29, 2017
- **PDS 27-2018**, Statutory Public Meeting for Regional Official Plan Amendment No. 13, June 6, 2018

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Recommended by:
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Commissioner
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Submitted by:

Ron Tripp, P.Eng.
Acting Chief Administrative Officer

This report was prepared in consultation with Alexander Morrison, Planner, Long Range Planning, and reviewed by Doug Giles, MCIP, RPP, Director of Community and Long Range Planning.

Appendices

Appendix I	Draft Regional Official Plan Amendment 13
Appendix II	Agency and Public Comments Received
Appendix III	Agency Comment Response Matrix

APPENDIX II

DRAFT REGIONAL OFFICIAL PLAN AMENDMENT 13

AMENDMENT NO. 13
TO THE OFFICIAL PLAN
FOR THE NIAGARA PLANNING AREA

PART “A” - THE PREAMBLE

The preamble provides an explanation of the Amendment including the purpose, location, background, and basis of the policies, and implementation, but does not form part of this Amendment. The Preamble includes:

- Title and Components
- Purpose of the Amendment
- Location of the Amendment
- Background
- Basis for the Amendment
- Implementation

PART “B” – THE AMENDMENT

The Amendment describes the additions and/or modifications to the Official Plan for the Niagara Planning Area, which constitute Regional Official Plan Amendment No. 13.

- Schedule Changes
- Table Changes
- Text Changes

PART “C” – THE APPENDICES

The Appendices provide information, public participation and agency comments relevant to the Amendment, but do not form part of this Amendment.

PART “A” - THE PREAMBLE

TITLE AND ITS COMPONENTS:

This document, when approved in accordance with Section 26 of the Planning Act, 1990, shall be known as Amendment 13 to the Regional Official Plan of the Niagara Planning Area. Part “A” – The Preamble, contains background information and does not constitute part of this Amendment. Part “B” – The Amendment, which consists of text and map changes, constitutes Amendment 13 to the Regional Official Plan of the Niagara Planning Area. Part “C” – The Appendices, does not constitute part of the Amendment. These Appendices contain information related to public involvement and agency comments associated with the Amendment and do not form part of this Plan.

PURPOSE OF THE AMENDMENT

The purpose of this Amendment is to update the existing transportation mapping, definitions and policies of the Regional Official Plan. Specifically, this Amendment is intended to:

1. Conform to the applicable policies of the Provincial Policy Statement (2014) and the Provincial Growth Plan for the Greater Golden Horseshoe (2017).
2. Equip the Niagara Region with current and sound transportation policies that implement and promote best practices for the movement of goods and people throughout the Niagara Region’s transportation system.
3. Ensure that the Regional Official Plan is consistent with the goals, vision, and recommendations identified in the Niagara Region Transportation Master Plan, approved by Regional Council in 2017.

LOCATION OF THE AMENDMENT

This Amendment applies to the entire Niagara Planning Area.

BACKGROUND

In accordance with Section 26 (3) of the *Planning Act*, a special meeting of Regional Council was held on October 10, 2013 in order to initiate a public engagement process known as “Imagine Niagara”, which would inform the comprehensive review of the Regional Official Plan. Through consultation with key community stakeholders, “Imagine Niagara” sought to generate public interest in the review process and provide an opportunity for Niagara residents to outline the future vision for their communities.

Following this public engagement process, the Niagara Region launched the “Niagara 2041” initiative, which included the development of a Transportation Master Plan (TMP). The TMP, which was approved by Regional Council on July 20, 2017, is a comprehensive study that defines policies, programs, and infrastructure improvements needed to address the Region’s transportation and growth requirements until the year 2041. The TMP emphasizes the need to integrate and co-ordinate transportation planning, land use planning, and urban design as part of its implementation in order to reflect the unique needs of the Region’s urban and rural communities.

Accordingly, it is imperative that the existing transportation policies of the Regional Official Plan are revised in co-ordination with the TMP to ensure that the direction and recommendations identified in the study are properly implemented. Given that the new Regional Official Plan and its background studies are only just commencing, it is appropriate for the proposed Amendment to the Regional Official Plan to be brought forward at this time.

BASIS FOR THE AMENDMENT

1. This Amendment implements and conforms to the Provincial Growth Plan for the Greater Golden Horseshoe (2017) and other Provincial Plans with respect to transportation planning across the Niagara Region. The Amendment is consistent with the Provincial Policy Statement (2014) and the Niagara Region Transportation Master Plan.
2. The policies proposed through this Amendment will provide consistency with the goals, vision, and recommendations identified in the TMP, and equip the Region with current and sound transportation policies that will strategically align with the ongoing comprehensive review of the Regional Official Plan.
3. This Amendment will provide new transportation policies which implement and promote best practices for the movement of goods and people throughout the Niagara Region’s transportation system.
4. The new transportation policies within the Amendment will replace the existing policies within Chapter 9 of the Regional Official Plan. The Amendment will also include

new mapping schedules, definitions, and minor modifications to policies in other sections of the Regional Official Plan that will improve its structure and organization.

5. The Amendment is divided into sections, which constitute the Amendment:
 - a) Part I: Modifications to Existing Policies
 - b) Part II: New Policies
 - c) Part III: Definitions
 - d) Part IV: Mapping
6. The Amendment was the subject of a Public Open House and Statutory Public Meeting held under the *Planning Act*. Public and agency comments were addressed as part of the preparation of this Amendment.
7. Based on the Region's review of the *Planning Act*, the Growth Plan for the Greater Golden Horseshoe (2017), the Provincial Policy Statement (2014), the Regional Official Plan, and the Niagara Region Transportation Master Plan, Regional staff is of the opinion that the Amendment is consistent with and aligns with Provincial and Regional policies and plans and, therefore, represents good planning.

IMPLEMENTATION

Chapter 14 – Implementation of the Official Plan for the Niagara Planning Area, shall apply where applicable.

PART “B” – THE AMENDMENT

Amendment 13 To The Official Plan for the Niagara Planning Area

Schedule Changes (attached)

1. “Schedule E – Niagara Region Bicycle Network” is repealed.
2. “Schedule E1 – Transportation Infrastructure” is added to the Plan as “**Schedule E1 – Transportation Infrastructure**”.
3. “Schedule E2 – Strategic Cycling Network” is added to the Plan as “**Schedule E2 – Strategic Cycling Network**”.

Table Changes (attached)

1. Table 9-1 is modified to include “Regional Roads – Minimum Sight Triangle Requirements Table”.

Text Changes

The Official Plan for the Niagara Planning Area is amended as follows:

Part I – Modifications to Existing Policies

1. **Policy 2.D.2.8** is repealed.
2. **Policy 2.D.2.9** is renumbered as **Policy 2.D.2.8**.
3. **Policy 2.D.2.10** is renumbered as **Policy 2.D.2.9**.
4. **Policy 2.D.2.11** is renumbered as **Policy 2.D.2.10**.
5. **Policy 3.A.3.22 c)** is modified to “Preparation of a Regional Goods Movement Study”.
6. **Section 4.G.13 Transportation Corridors** is removed.
7. **Policy 4.G.13.1** is repealed.

8. **Section 4.G.14 District Plans** is renumbered as **Section 4.G.13 District Plans**.

Modification 2

9. Objective 4.G.14.A.1 to Objective 4.G.14.A.3 is renumbered to **Objective 4.G.13.A.1 to Objective 4.G.14.A.3**.

Modification 3

10. Policy 4.G.14.B is renumbered to **Policy 4.G.13.B**.

Modification 4

~~7.11.~~ **Policy 4.G.14.C.1** is renumbered to **Policy 4.G.14.C.11**.

~~8.12.~~ **Policy 10.C.2.3.3** is modified to “When developing or redeveloping leased, operated or owned facilities (buildings or structures) the Region will consider and apply the Region’s Model Urban Design Guidelines and Facility Accessibility Design Standards”.

~~9.13.~~ **Policy 10.C.2.3.6** is repealed.

~~10.14.~~ **Policy 10.C.2.3.7** is renumbered as **Policy 10.C.2.3.6**.

Part II – New Policies

1. With the exception of Table 9-1, Chapter 9 is repealed in its entirety and replaced with the following policies and objectives:

9. Transportation: Moving People and Goods

The Provincial Growth Plan for the Greater Golden Horseshoe identifies where and provides direction on how growth will occur amid its single- and upper-tier municipalities **to a 2041 planning horizon**. The Niagara Region is an upper-tier municipality located within the Provincial Growth Plan area and is responsible for the dissemination of its provincially-forecasted growth number amongst its local area municipalities. In order to appropriately accommodate forecasted growth, the Region must plan for and implement a sustainable *transportation system* that has the ability to withstand stresses associated **to** **with** population growth.

This chapter provides for a safe and efficient *transportation system* for *multimodal* travel for all users. Objectives and policies reflect direction and recommendations outlined within the Niagara Region’s Transportation Master Plan. The Region is committed to improving social equity, protecting short- and long-term economic competitiveness, and reducing greenhouse gas emissions by advancing initiatives which enable comprehensive *active transportation* networks, interconnected public transit systems, and efficient goods movement networks. The Niagara Region remains dedicated to working with its local area municipal partners, agencies, and other public entities on cross-jurisdictional transportation-related matters.

9.A General Objectives

- Objective 9.A.1** Promote and support for a *multimodal transportation system* to enable the movement of goods and people of all ages and abilities to jobs, housing, school, cultural destinations, *public service facilities*, recreational and tourist opportunities, and other *major trip generators*, especially in *strategic growth areas*.
- Objective 9.A.2** Reduce single-occupant vehicle trips by enhancing opportunities for residents, workers, and visitors of all ages and abilities to walk, cycle, take transit and carpool.
- Objective 9.A.3** Support a connected and convenient public transit network throughout the region.
- Objective 9.A.4** Create and enhance interconnected *active transportation* systems and programs.
- Objective 9.A.5** Support the implementation of *complete streets* at regional and local levels.
- Objective 9.A.6** Encourage the most cost-effective and environmentally appropriate modes of sustainable transportation to reduce greenhouse gas emissions.
- Objective 9.A.7** Ensure that agricultural vehicles and equipment are accommodated within the *transportation system* where appropriate.

9.B Coordinated Transportation System Planning

- Policy 9.B.1** The Niagara Region will encourage the implementation of a comprehensive *transportation system* through the co-ordination of land use planning and strategic investments in *infrastructure*.
- Policy 9.B.2** The Niagara Region will work with the *Province*, agencies and local municipalities to plan for, improve, and protect the following *planned corridors* and facilities:
- a) Queen Elizabeth Way (QEW) widenings from Hamilton to Highway 406 and from McLeod Road to Mountain Road;
 - b) Interchanges at Highway 406 and Third Avenue Louth, the Queen Elizabeth Way (QEW) and Glendale Avenue, and Highway 405 and Concession 6/Mewburn Road;
 - c) the Niagara Escarpment Crossing ;

- d) the Niagara-Hamilton Trade Corridor;
- e) the South Niagara East-West Arterial Road/Niagara Greater Toronto Area (NGTA) East Corridor;
- f) the Highway 406 extension to the South Niagara East-West Arterial Road/NGTA East Corridor; and
- g) The roads of the Niagara Parks Commission.

Policy 9.B.3 The Niagara Region, in consultation with local municipalities, will work with the Federal government, the *Province*, Metrolinx, and other stakeholders to improve linkages between the Niagara Regional Transit System and GO Transit.

Policy 9.B.4 The Niagara Region will work with Federal, Provincial and municipal governments to help strengthen the provision of an efficient and safe Provincial Highway network throughout the region.

Policy 9.B.5 The Niagara Region will ensure there is suitable transportation *infrastructure* to support the Region's growth and economic strategy.

Policy 9.B.6 The Niagara Region will ensure that transportation *infrastructure* within the boundaries of the Niagara Escarpment Plan will be designed and located so that the least possible impact occurs on the Escarpment's scenic quality, landform, and existing environmental features.

Policy 9.B.7 The Niagara Region will work with the Niagara Parks Commission to improve linkages between the Niagara Region's *transportation system* and the Niagara Park Commission's *transportation system*.

9.C Public Transit

Policy 9.C.1 Public transit will be a priority for transportation *infrastructure* planning and major transportation investments.

Policy 9.C.2 The Niagara Region supports the expansion of public transit across the region through:

- a) Prioritizing investment in transit *infrastructure* to *strategic growth areas* to optimize return on investment and the efficiency and viability of existing and planned transit service levels;
- a)b) Permitting infrastructure, including municipal water and wastewater systems, on lands adjacent to or near settlement areas for uses principle or ancillary to transit-supportive uses abutting higher order transit facilities;

- ~~b)c)~~ c) Improving linkages from nearby neighbourhoods to *major trip generators*, including: the Downtown St. Catharines Urban Growth Centre, locally designated *strategic growth areas*, *employment areas*, including tourism destinations, *public service facilities*, post-secondary institutions, and *major transit station areas*;
- ~~e)d)~~ d) Providing transit linkages within and between *settlement areas* in and outside of the Region to increase the *modal share* of transit;
- ~~d)e)~~ e) Improving accessibility to public transit;
- ~~e)f)~~ f) Providing park-and-ride facilities that support *multimodal* travel by offering linkages to pedestrian and transit routes, *bicycle infrastructure*, and priority spaces for carpool and car-share vehicles;
- ~~f)g)~~ g) Establishing fare and *transit service integration* between local agencies; and
- ~~g)h)~~ h) Considering the role public transit plays in reducing greenhouse gas emissions.

- Policy 9.C.3** The Niagara Region will leverage public transit to promote *transit-supportive development*.
- Policy 9.C.4** The Niagara Region will encourage the provision of *demand-responsive transit service*, where operationally and economically feasible, in local municipalities to serve low-density areas.
- Policy 9.C.5** The Niagara Region supports *transit service integration* of municipal transit agencies to provide *frequent transit service*.
- Policy 9.C.6** The Niagara Region will ensure *transit service integration* as part of the implementation of inter-municipal regional transit, and will work with transit operators, including the *Province* and Metrolinx, where applicable.
- Policy 9.C.7** The Niagara Region will support transit investment for improved services to provide *multimodal* access to *major transit station areas* and reduce *modal share* by single-occupant vehicles.

Policy 9.C.8 The Niagara Region and its local municipalities should plan lands adjacent to or near existing and planned *frequent transit or higher order transit facilities*, including those within the *Greenbelt Area* where such lands have been approved through a Municipal Class Environmental Assessment, to:

- a) provide *transit-supportive uses* that enable opportunities for improved *transit service integration*;

- b) *facilitate multimodal connections that encourage a more evenly distributed modal share; and*
- a)c) *support active transportation.*

Policy 9.C.98

Modification 9

The Niagara Region will prioritize and expedite *higher order transit* connections to the Greater Toronto Hamilton Area (GTHA), *including the GO Transit Stations*, to promote *intensification* and new employment markets.

Policy 9.C.109

Modification 10

Modification 11

The Niagara Region shall plan to ensure *GO Transit Stations* *higher order transit facilities* are supported by and serve adjacent *intensification areas* and *employment areas* *new employment markets*.

Policy 9.C.110

Modification 12

The Niagara Region will examine the feasibility of establishing a West Niagara *T*ransit *T*erminal in order to facilitate *multimodal* connections within the Niagara Region and to the Greater Toronto Hamilton Area (GTHA).

Policy 9.C.121

Modification 13

Modification 14

Local municipalities shall develop secondary plans, or undertake an equivalent planning exercise, *for identified major transit station areas* with reference to the Province's Transit-Supportive Guidelines, *to delineate major transit station areas for any confirmed or identified future potential higher order transit facility*. These plans shall include policies that, where appropriate: ÷

- a) support *transit service integration*;
- b) support the implementation of *active transportation-friendly* facilities;
- c) provide for a diverse mix of uses;
- d) prohibit land uses and a built form that would adversely affect the achievement of *transit-supportive* densities; and,
- e) provide alternative *development* standards that promote *transit-supportive development uses* and redevelopment.

Policy 9.C.132

Modification 16

The Niagara Region will work with the *Province*, local municipalities, and Metrolinx, where applicable, to support the integration of *cycling active transportation* and public transit. Improvements may include: permitting bicycles on transit vehicles, providing bicycle racks on buses, and providing *bicycle infrastructure* at and to transit *facilities*, public and institutional areas, and *employment areas*.

9.D Active Transportation

Policy 9.D.1

The Niagara Region and local municipalities will ensure that comprehensive *active transportation* networks are integrated into

transportation systems to enable safe and convenient inter- and intra-municipal travel for *active transportation* users.

Policy 9.D.2 The Niagara Region will prioritize the implementation of the Strategic Cycling Network as identified in the Niagara Region's Transportation Master Plan to advance the implementation of the Niagara Bikeways Master Plan as shown in Schedule E2.

Policy 9.D.3 The Niagara Region will fund the implementation of the Strategic Cycling Network network along Regional Roads through the Niagara Region's *public works projects* and other funding or cost-sharing opportunities.

Policy 9.D.4 The Niagara Region will support local municipalities in implementing sections of the Strategic Cycling Network that are within their jurisdiction.

Policy 9.D.5 Local municipalities are encouraged to develop Official Plan policies which support *bicycle infrastructure* to ensure a connected and extended bicycle network within the region.

Policy 9.D.6 Local municipalities are encouraged to establish *transit-supportive development* standards *for transit-supportive uses* within *strategic growth areas* that achieve *compact built forms* to promote *active transportation*.

Policy 9.D.7 The Niagara Region supports the re-purpose of abandoned rail and other linear corridors, including hydro corridors, for off-road trails and recommends that local municipalities consider various means to protect and/or acquire such corridors. The Niagara Region will require early pre-consultation with relevant stakeholders, including TransCanada Pipeline or its designated representative, in the acquisition of abandoned rail and other linear corridors.

Policy 9.D.8 The Niagara Region will work with the Ministry of Transportation and other stakeholders for the provision of *active transportation* infrastructure across the QEW, 400 Series Highways, and other highways.

Policy 9.D.9 The Niagara Region will work with the Niagara Escarpment Commission, local municipalities, property owners, and other stakeholders, where applicable, to protect a continuous pedestrian route generally following the Bruce Trail along the Niagara Escarpment. The role and function of off-road-trails within the Niagara Escarpment Planning Area will be subject to the policies of the Niagara Escarpment Plan.

- Policy 9.D.10** The Niagara Region will implement the recommendations of the Travel Demand Management Study with respect to *active-transportation friendly* facilities.
- Policy 9.D.11** The Niagara Region will have regard to the Niagara Region's Wayfinding Signage for Cyclists Guidelines as part of the design, refurbishment or reconstruction of Regional Roads.
- Policy 9.D.12** The Niagara Region will develop guidelines for local Official Plans and Zoning By-laws that outline minimum provisions for accommodating *active transportation-friendly* facilities in new *development*, redevelopment, and *public work projects*.

9.E Complete Streets

- Policy 9.E.1** The Niagara Region's *Complete Streets Design Guidelines* shall be used in the design, refurbishment, or reconstruction of the Niagara Region's *transportation system* to ensure the needs and safety of all road users are considered and appropriately accommodated.
- Policy 9.E.2** The Niagara Region shall ensure that the Niagara Region's *Complete Streets Design Guidelines* is included as a reference document within the Request for Proposal (RFP) process for Municipal Class Environmental Assessments.
- Policy 9.E.3** Local municipalities shall include policies within Official Plans that ensure that a *complete streets* approach is used in the design, refurbishment, or reconstruction of their planned or existing street network.
- Policy 9.E.4** In the absence of local *complete street* guidelines, local municipalities shall refer to the Niagara Region's *Complete Streets Design Guidelines* for the design, refurbishment or reconstruction of their existing and planned local street network.
- Policy 9.E.5** *Complete streets* elements within local jurisdiction shall be maintained by the *local municipality*.

9.F The Regional Road System

- Policy 9.F.1** As conditions of the approval of a *development* application:
- a) The Niagara Region may acquire from the landowner land required for the *road allowance* as identified in Table 9-1 at no

- cost to the Region free of all encumbrance, encroachments, and improvements unless otherwise agreed to by the Region; and,
- b) The Niagara Region is to be provided with a certificate of an Ontario Land Surveyor noting that all legal survey documentation on the widened *road allowance* is in place.

Policy 9.F.2

The Niagara Region shall require the conveyance of land, at no cost to the Region, as condition of the approval of a *development* application, beyond the designated *road allowance* widths identified in Table 9-1, to accommodate items such as sight triangles, turning lanes, channelization, grade separations, traffic control devices, rapid transit, public transit facilities and rights-of-way, *active transportation facilities* cuts, fills and storm drainage requirements, as required to meet accepted/current engineering design criteria/standards. These do not require an amendment to this Plan.

Policy 9.F.3

Land for Regional Road widenings will be required equally from both sides of the centreline of the designated Regional Road unless existing land uses, topographic features or other physical or environmental constraints necessitate taking greater widening on one side than the other.

Policy 9.F.4

The Niagara Region may acquire, at its own expense, additional land that exceeds the *road allowance* widths identified in Table 9-1, without an amendment to this Plan.

Policy 9.F.5

The Niagara Region will consider the need for noise mitigation measures to address traffic noise from Regional Roads, where required, premised on noise study recommendations per Ministry of the Environment, *Conservation, and Parks and Climate Change* guidelines for the following situations:

- a) New *development* adjacent to a Regional Road; or,
- b) Impact of noise generated by increased traffic on Regional Roads adjacent to established *development*.

Policy 9.F.6

As part of the *development* application process, a *road allowance* not yet owned by the Niagara Region and identified in the Niagara Region's Transportation Master Plan should be protected in the following cases:

- a) A local street that could be ultimately assumed by the Region; and,
- b) Plans for the extension of an existing *road allowance*.

Policy 9.F.7 The Niagara Region will have regard to the Niagara Region's Model Urban Design Guidelines, *Complete Streets Design Guidelines*, and Wayfinding Signage for Cyclists Guidelines when providing comments on *development* applications located along Regional Roads.

Policy 9.F.8 The Niagara Region will plan and protect rights-of-way for the Niagara Region's *transportation system, major goods movement facilities and corridors, active transportation* corridors and transit facilities to meet current and projected needs, while ensuring that *development* is not permitted in *planned corridors* that could preclude or negatively affect the purposes of the corridor.

Policy 9.F.9 Local municipalities, in consultation with the Niagara Region and the Province, shall develop **Official Plan** policies that provide protection for *planned corridors* to ensure that decisions on *development* applications will not preclude or negatively affect the use of the corridor for the purpose(s) for which it was identified. .

Modification 21

Policy 9.F.10 The Niagara Region will encourage the co-location of linear *infrastructure* along Regional Roads, where applicable.

Policy 9.F.11 The Niagara Region will consider the separation of transportation modes within corridors.

Policy 9.F.12 As part of the construction, optimization, or expansion of transportation *infrastructure* within the Niagara Region's *agricultural area* and *natural heritage system*, the Niagara Region will require, where applicable:

- a) the preparation of an agricultural impact assessment, or equivalent analysis as part of a Municipal Class Environmental Assessment, that demonstrates that any impacts on the agricultural system have been avoided or, if avoidance is not possible, minimized, and, to the extent feasible, mitigated; and/or
- b) the preparation of an environmental impact study, or equivalent analysis as part of a Municipal Class Environmental Assessment, that demonstrates that any impacts on the ***natural heritage system*** have been avoided or, if avoidance is not possible, minimized, and to the extent feasible, mitigated.

Policy 9.F.13 The Niagara Region and local municipalities shall conform to National Energy Board regulations and provisions in relation to the requirements for *development* within proximity to its pipelines and corridors.

Policy 9.F.14 The Niagara Region's *transportation system* will be implemented as per the recommended actions and schedules of the Niagara Region Transportation Master Plan.

9.G Transportation Demand Management

Policy 9.G.1 The Niagara Region will develop and implement a Travel Demand Management **(TDM)** Study that is consistent with the recommendations of the Niagara Region's Transportation Master Plan and the Provincial Growth Plan for the Greater Golden Horseshoe.

Policy 9.G.2 Local municipalities shall develop and implement *TDM* policies to be incorporated into local official plans that are consistent with the future Niagara Region's **Travel Demand Management DM** Study.

9.H Goods Movement

Policy 9.H.1 The Niagara Region, in partnership with local municipalities, will develop and implement a Goods Movement Study that is consistent with the recommendations of the Niagara Region's Transportation Master Plan and the Province's Freight-Supportive Guidelines. The Goods Movement Study will take advantage of cross-border trade opportunities, including the Foreign Free Trade Zone, support employment **area** activity, and maximize the use of the Gateway Economic Zone and Gateway Economic Centre.

Policy 9.H.2 The Niagara Region and its local municipalities will ensure the protection of lands adjacent to or near major goods movement facilities and corridors, including those outside of *settlement areas* and/or within the *Greenbelt Area* for the expansion of *infrastructure* and uses ancillary to that of the principle major goods movement facility and/or corridor use while:

- a) requiring a Municipal Class Environmental Assessment to demonstrate the need and alternative options for the infrastructure required for the expansion;
- b) avoiding specialty crop areas, and other prime agricultural areas in that order of priority, unless need has been demonstrated and it has been established that there is no reasonable alternative for the location of the infrastructure as determined through the applicable Municipal Class Environment Assessment;

Newly Added Modification
(October 9, 2019)
Sub-bullets a) and b)

- c) avoiding, or where avoidance is not possible, minimizing and mitigating adverse impacts to the agricultural system or other sensitive land uses vulnerable to encroachment;
- d) requiring an agricultural impact assessment during instances where infrastructure or uses are proposed within, adjacent to, or near the Greenbelt Area or agricultural system; and
- e) considering subject lands for designation as provincially significant employment zones.

Policy 9.H.32

Modification 26

The Niagara Region and its local municipalities will ensure that *development* of lands adjacent to or in close proximity to, or near major goods movement facilities and corridors will be compatible with the goods movement function of those facilities and be designed to avoid, mitigate or minimize negative impacts on and from the facilities and corridors.

Policy 9.H.43

The Niagara Region will support the implementation of a *multimodal transportation system*, which accommodates the movement of goods, where identified through the Goods Movement Study.

Policy 9.H.54

The Niagara Region will work with the *Province*, local municipalities, agencies, and transportation service providers to implement a *transportation system* which is able to accommodate agricultural vehicles and equipment, where appropriate.

Policy 9.H.65

The Niagara Region will continue to advocate for highway capacity improvements to address inter-regional and international trade related demands for the purposes of goods movement.

Policy 9.H.76

The Niagara Region will consider, where possible, the protection of abandoned rail corridors for future *freight-supportive* activity.

Part III – Definitions

1. The following definitions are added to Chapter 15 of the Plan:

Airports

means all Ontario *airports*, including designated lands for future *airports*, with Noise Exposure Forecast (NEF)/Noise Exposure Projection (NEP) mapping. (PPS 2014)

Bicycle Infrastructure

means all *infrastructure* and facilities used for cycling, including bicycle routes (dedicated, buffered, and separated bike lanes, multi-use paths, and off-road trails), and trip end facilities such as bicycle parking and storage (e.g. such as bicycle racks and lockers).

Modification 27

Complete Streets

means streets that are planned to balance the needs of all road users, including pedestrians, cyclists, transit-users, and motorists, and are designed for the safety of people of all ages and abilities. (Based on Growth Plan, 2017 and modified for this Plan)

Complete Streets Design Guidelines

means guidelines developed as part of the Niagara Region's Transportation Master Plan which define Regional Road typologies and provide guidance on the implementation of complete streets elements that fall within the public right-of-way.

Demand-responsive Transit Service

means door-to-door transportation service which has flexible routing and scheduling, and can operate either as an "on-demand" service or a "fixed-schedule" service, such as airport shuttles or paratransit services for people with disabilities and the elderly.

Freight-supportive

means *transportation systems* and facilities that facilitate the movement of goods, including policies or programs intended to support efficient freight movement through the planning, design and operation of land use and *transportation systems*. (Based on Growth Plan, 2017 and modified for this Plan)

Frequent Transit

means a public transit service that runs at least every 15 minutes in both directions throughout the day and into the evening every day of the week. (Growth Plan, 2017)

Modification 28

Major Goods Movement Facilities and Corridors

means transportation facilities and corridors associated with the inter- and intra-provincial movement of goods. Examples include: inter-modal facilities, ports, *airports*, *rail facilities*, truck terminals, freight corridors, freight facilities, and haul routes and primary transportation corridors used for the movement of goods. Approaches that are *freight-supportive* may be recommended in guidelines developed by the Province or based on municipal approaches that achieve the same objectives. (PPS, 2014)

Major Trip Generators

means origins and destinations with high population densities or concentrated activities which generate many trips (e.g. *urban growth centres* and other downtowns, *major office* and office park, major retail, *employment areas*, community hubs, *large parks and recreational destinations, post-secondary institutions, and* other public service facilities, and other mixed-use areas). (Growth Plan, 2017)

Modification 29

Marine Facilities

means ferries, harbours, ports, ferry terminals, canals and associated uses, including designated lands for future marine facilities. (PPS, 2014)

Natural Heritage System

means the system **mapped and issued by the Province in accordance with this Plan**, comprised of natural heritage features and areas, and linkages intended to provide connectivity (at the regional or site level) and support natural processes which are necessary to maintain biological and geological diversity, natural functions, viable populations of indigenous species, and ecosystems. The system can include key natural heritage features, key hydrologic features, federal and provincial parks and conservation reserves, other natural heritage features and areas, lands that have been restored or have the potential to be restored to a natural state, associated areas that support hydrologic functions, and working landscapes that enable ecological functions to continue.

Planned Corridors

means corridors or future corridors which are required to meet projected needs, and are identified through this Plan, preferred alignment(s) determined through the Environmental Assessment Act process, or identified through planning studies where the Ministry of Transportation, Ministry of Energy, Metrolinx or Independent Electricity System Operator (IESO) or any successor to those Ministries or entities, is actively pursuing the identification of a corridor. (Based on Growth Plan, 2017 and modified for this Plan)

Public Service Facilities

means lands, buildings and structures for the provision of programs and services provided or subsidized by a government or other body, such as social assistance, recreation, police and fire protection, health and educational programs, and cultural services. Public service facilities do not include **infrastructure**. (Growth Plan, 2017)

Rail Facilities

means rail corridors, rail sidings, train stations, inter-modal facilities, rail yards and associated uses, including designated lands for future *rail facilities*. (PPS, 2014)

Road Allowance

means widths that are intended to accommodate travel lanes, turning lanes, intersections, sidewalks, bicycle lanes, public transit lanes, transit facilities, utilities, *active transportation*, noise control measures, snow storage, drainage measures, curb and gutters, fencing, sidewalks, *cultural tourism* features, landscaping, illumination, signage, street enhancements and other elements noted as compatible with the transportation *system*.

Sensitive Land Uses

means buildings, amenity areas, or outdoor spaces where routine or normal activities occurring at reasonably expected times would experience one or more adverse effects from contaminant discharges generated by a nearby major facility. *Sensitive land uses* may be a part of the natural or built environment. Examples may include, but are not limited to: residences, day care centres, and educational and health facilities. (Growth Plan, 2017)

Strategic Growth Areas

means, within *settlement areas*, nodes, corridors, and other areas that have been identified by municipalities or the Province to be the focus for accommodating intensification and higher-density mixed uses in a more *compact built form*. *Strategic growth areas* include *urban growth centres*, *major transit station areas*, mobility hubs and other major opportunities that may include infill, *redevelopment*, *brownfield sites*, the expansion or conversion of existing buildings, or *greyfields*. Lands along major roads, arterials or other areas with existing or planned *frequent transit* service or *higher-order transit* corridors may also be identified as *strategic growth areas*. (Growth Plan, 2017)

Transit Service Integration

means the co-ordinated planning or operation of transit service between two or more agencies or services that works to facilitate seamless service for riders. *Transit service integration* can include considerations of service schedules, service routes, information, fare policy, and fare payment. (Growth Plan, 2017)

2. The following definitions in Chapter 15 of the Plan will be modified to the following:

Active Transportation

means any form of self-propelled transportation that relies on the use of human energy such as walking, cycling, inline skating, jogging, or travel with the use of mobility aids, including motorized wheelchairs and other power-assisted devices at a comparable speed. (Growth Plan, 2017)

Compact Built Urban Form

means a land-use pattern that encourages efficient use of land, walkable neighbourhoods, mixed land uses (residential, retail, workplace and institutional all within one neighbourhood), active transportation, proximity to transit and reduced need for *infrastructure*. *Compact built form* can include detached and semi-detached houses on small lots as well as townhouses and walk-up apartments, multistorey commercial developments, and apartments or offices above retail. Walkable neighbourhoods can be characterized by roads laid out in a well-connected network, destinations that are easily accessible by transit and *active transportation*, sidewalks with minimal interruptions for vehicle access, and a pedestrian-friendly environment along roads to encourage *active transportation*. (Growth Plan, 2017)

Major Transit Station Areas

means the area including and around any existing or planned *higher order transit station* or stop within a settlement area; or the area including and around a major bus depot in an urban core. Major transit station areas generally are defined as the area within an approximate 500 to 800 metre radius of a transit station, representing about a 10-minute walk.

Multimodal

means the availability or use of more than one form of transportation, such as automobiles, walking, cycling, buses, rapid transit, rail (such as commuter and freight), trucks, air, and marine. (Growth Plan, 2017)

Transit-supportive

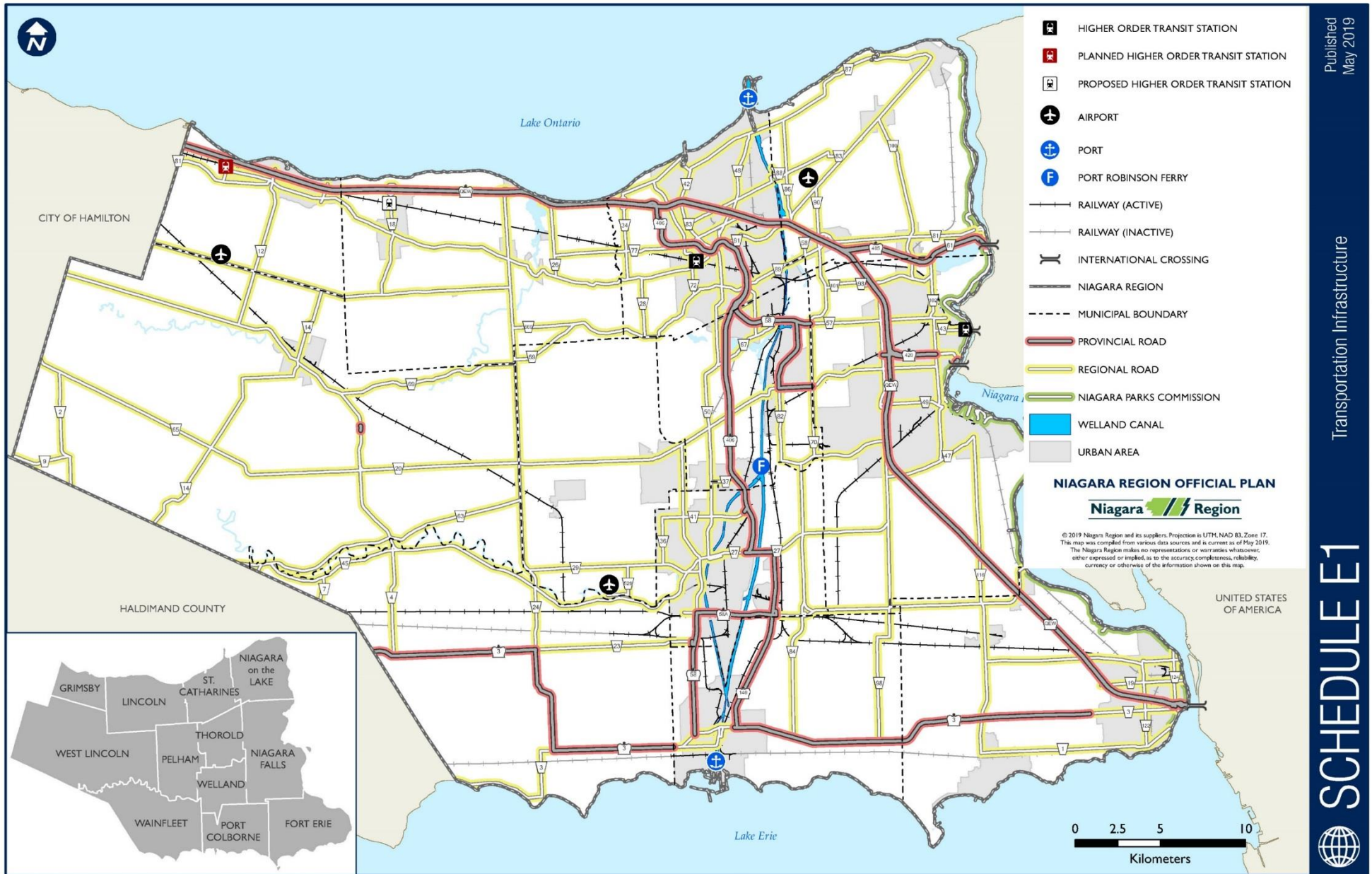
Relating to *development* that makes transit viable and improves the quality of the experience of using transit. It often refers to compact, mixed-use *development* that has a high level of employment and residential densities. *Transit-supportive development* will be consistent with Ontario's Transit Supportive Guidelines. (Growth Plan, 2017)

Part IV: Table 9-1 – Road Allowance Widths

1. That the following “minimum sight triangle requirements” table be added to Table 9-1 of the Plan:

Regional Intersection Type	Minimum Sight Triangle Dimension Requirements
Urban (signalized)	10 metres x 10 metres
Urban (non-signalized)	6 metres x 6 metres
Rural	15 metres x 15 metres

Schedule E1 – Transportation Infrastructure

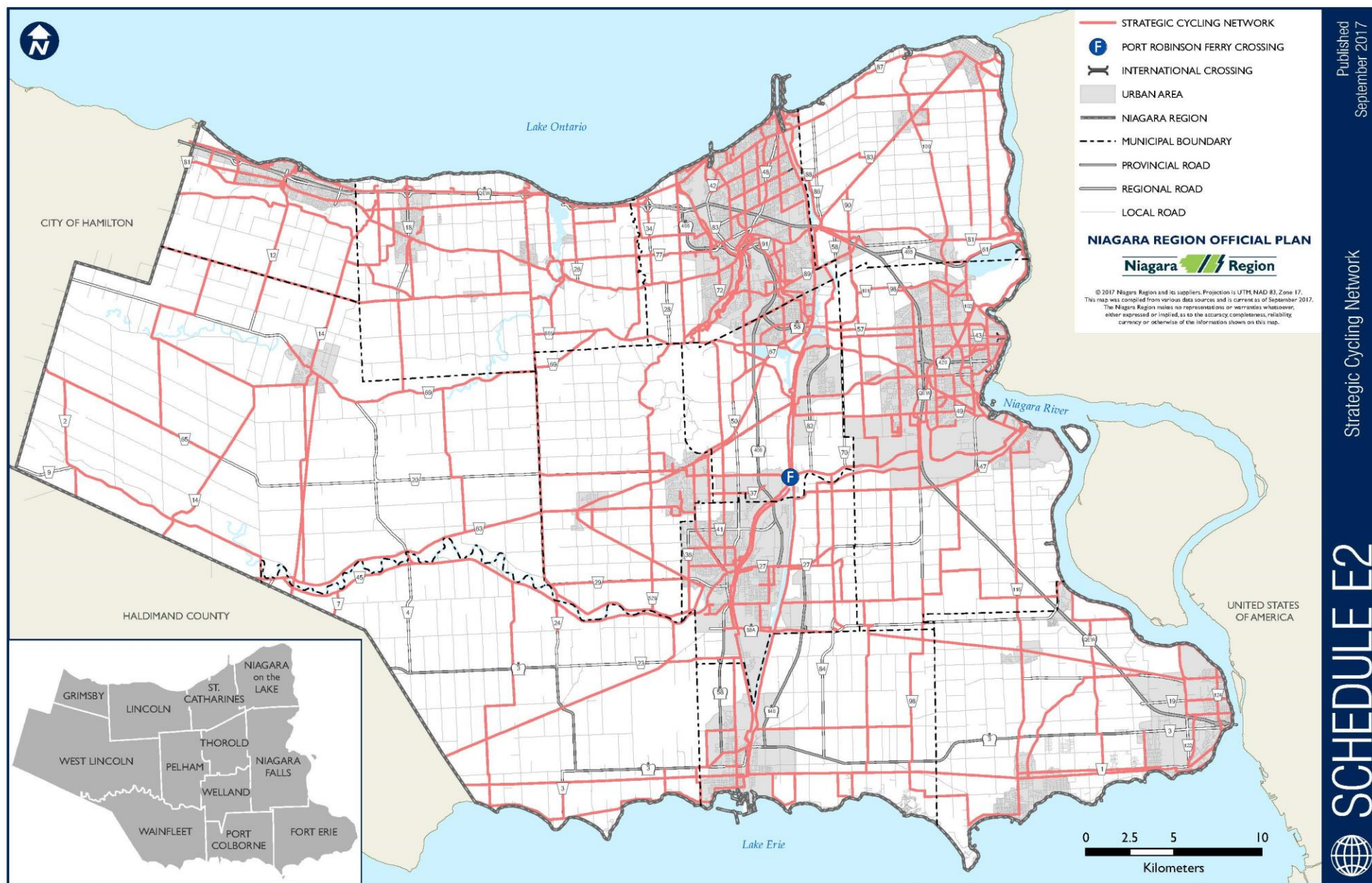


Published
May 2019

Transportation Infrastructure

SCHEDULE E1

Schedule E2 – Strategic Cycling Network



APPENDIX III

AGENCY AND PUBLIC COMMENTS RECEIVED

**Ministry of
Municipal Affairs**

**Ministère des
Affaires municipales**

Ministry of Housing

Ministère du Logement

Municipal Services Office
Central Ontario
777 Bay Street, 13th Floor
Toronto ON M5G 2E5
Phone: 416-585-6226
Facsimile: 416-585-6882
Toll-Free: 1-800-668-0230

Bureau des services aux municipalités
du Centre de l'Ontario
777, rue Bay, 13^e étage
Toronto ON M5G 2E5
Téléphone : 416-585-6226
Télécopieur : 416-585-6882
Sans frais : 1-800-668-0230



February 8, 2018

Sent via email only

Alexandria Tikky
Planner, Planning and Development Services
Niagara Region
1815 Sir Isaac Brock Way, P.O. Box 1042
Thorold, ON L2V 4T7

Dear Ms. Tikky

**Re: Provincial Review Comments
Region of Niagara Draft Transportation Official Plan Amendment 13
MMA File No.: 26-OP-178484**

Thank you for providing the Ministry of Municipal Affairs (MMA) with the opportunity to review and provide comments on the Region's draft Official Plan Amendment 13 (ROPA 13).

MMA staff understand that ROPA 13 is being brought forward as part of the Region's last official plan review and conformity exercise. The purpose of ROPA 13 is to introduce policies into the Regional Official Plan that will replace the existing transportation policies within Chapter 9, as well as update the Plan's other related transportation policies, schedules and definitions. The policies proposed through ROPA 13 are intended to align with the goals, vision and recommendations identified in the Niagara Region Transportation Master Plan.

As part of the One Window Provincial Planning Service, this draft ROPA was reviewed by MMA and the Ministry of Transportation (MTO). The following comments relate to conformity with the Growth Plan for the Greater Golden Horseshoe, 2017 (Growth Plan), consistency with the 2014 Provincial Policy Statement (PPS) and ministry guidelines such as MTO's Transit-Supportive Guidelines, Freight-Supportive Guidelines and Ontario's Cycling Strategy. Please also refer to the attached table for technical comments on this OPA for consideration.

The Province is overall supportive of the policies and objectives of the ROPA which, among other things, supports a connected transportation network that allows the efficient movement of people and goods and a connected and convenient public transit network throughout the Region.

Major Transit Station Areas

Policy 9.C.11 makes reference to major transit station areas achieving minimum density targets that reflect existing and planned transit service levels. Minimum density targets are only

required for major transit station areas located on a priority transit corridor, which Niagara Region does not have. MMA does however support the Region in identifying a minimum density target for their major transit station areas. To assist in identifying a minimum density target the Region may want to consider policy 2.2.4.4 b) of the Growth Plan.

The Growth Plan contains specific policies which speak to all major transit station areas, including those not located on priority transit corridors. It is recommended that the Region revise policy 9.C.11 to elaborate on how local municipalities will develop land use plans for their major transit station areas and how development will be supported by making reference to applicable criteria listed in policies 2.2.4.8 and 2.2.4.9 of the Growth Plan. The Region and local municipalities may find MTO's Transit -Supportive Guidelines helpful, in particular *Chapter 2.3 on Enhancing Access to Transit*, when developing more detailed frameworks around major transit station areas. This chapter includes effective strategies for design and integration of transit stations.

Complete Streets

Policy 9.E.2 speaks to implementation of complete streets to be considered for Regional Roads meeting a specific list of requirements. Furthermore, policy 9.E.4 indicates that local official plans shall include policies related to the implementation of complete streets. It is unclear how these proposed policies meet policy 3.2.2.3 of the Growth Plan which states that "in the design, refurbishment, or reconstruction of the existing and planned street network, a complete streets approach will be adopted that ensures the needs and safety of all road users are considered and appropriately accommodated". Consideration of complete streets should not be limited to those that satisfy the particular criteria listed in policy 9.E.2.

It is recommended that ROPA 13 utilize an overarching complete streets approach to all roadway design, reconstruction, and refurbishment as per the Growth Plan. To support the Region's objectives set out in Policy 9.E, the Region may find *Chapter 2.2 on Creating Complete Streets* of MTO's Transit Supportive Guidelines helpful, which includes strategies for planning complete streets.

Additionally, MMA staff recommend that the Region consider italicizing defined terms throughout its Official Plan for better clarity (i.e., complete streets).

Infrastructure Corridors

It is recommended that the Region include policies addressing infrastructure corridors. Growth Plan policy 3.2.5 provides direction for the development, optimization, or expansion of existing and planned corridors and supporting facilities.

In a Region with an abundance of natural heritage and agriculture, planning for new or expanded transportation infrastructure may have to demonstrate, where applicable and through an Agricultural Impact Assessment and Environmental Assessment, that any impacts to the Agricultural System, key natural heritage features as well as key water resources have been avoided or at least minimized. The Region should also encourage the co-location of linear infrastructure facilities in order to use land more efficiently and integrate services. Therefore, it is recommended that policies 3.2.5 a), c) and d) of the Growth Plan be included in ROPA 13.

It is also recommended that the Region include policies for existing or planned corridors in accordance with Policy 3.2.5 e) of the Growth Plan by:

- considering increased opportunities for moving people and goods by rail;
- considering separation of modes within corridors; and
- providing opportunities for inter-modal linkages.

Transportation Initiatives Underway

As the Region may know, there are a number of transportation initiatives underway worth noting as they may impact the policies, strategies, and actions proposed in ROPA 13 and future land use and transportation policies.

MTO is undertaking a transportation study to develop the Greater Golden Horseshoe (GGH) Transportation Plan. This work will advance long-term multimodal transportation planning in the GGH and provide planning direction to transportation agencies and service providers for all modes, including highways, railways, regional transit systems, cycling and walking. It is anticipated that this work will be completed in early 2019. For more information, please visit <https://www.gghtransport2051.ca/>.

In addition, the review of Metrolinx's Regional Transportation Plan ("The Big Move") is underway to ensure that it continues to reflect the transportation priorities of the region to 2041. For more information, please visit http://www.metrolinx.com/en/regionalplanning/bigmove/big_move.aspx.

Engagement with Indigenous Communities

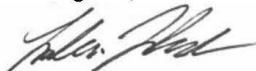
Both the Growth Plan (Policies 5.2.3.3 and 5.2.3.6) and PPS (Policy 1.2.2), encourage planning authorities to coordinate planning matters with Indigenous communities. First Nations and Metis communities, whose interests may be impacted by planning decisions, should be engaged to ensure that they have adequate opportunity to participate fully in the process. The Ministry is interested in understanding any engagement efforts that the Region has undertaken on this proposed amendment. Should the Region adopt ROPA 13, it is requested that information respecting any municipal engagement process be provided to MMA, including any submissions.

Conclusion

Thank you again for providing the opportunity to review draft ROPA 13. MMA staff look forward to continuing to work with Niagara Region staff on this and future work undertaken as part of the Region's new official plan program.

If you have any questions or wish to discuss these comments in more detail, please do not hesitate to contact me by phone at 416-585-7323 or by email at loralea.tulloch@ontario.ca or Louis Bitonti, Senior Planner, by phone at 416-585-6910 or email at louis.bitonti@ontario.ca.

Best Regards,



Lorelea Tulloch
Planner, Community Planning and Development (West)
Municipal Services Office – Central Ontario

Copy: Ministry of Transportation

Attachment 1 – Recommended Revisions to Niagara Region's draft Official Plan Amendment 13

Example – Text highlighted in grey are recommended additions to the proposed policy

Example – Text with strikethrough are recommended deletions

Item No.	OP Section	Provincial Comment	Policy Reference	Recommended Modified Policy
1	9. Transportation: Moving People and Goods	The new Growth Plan for the Greater Golden Horseshoe (Growth Plan) now projects growth to a 2041 planning horizon.	Growth Plan Schedule 3	"The Provincial Growth Plan for the Greater Golden Horseshoe projects significant growth within the Niagara Region by the year to a 2041 planning horizon 2034 ..."
2	9.A.1	The Growth Plan places a higher priority on modes of transportation which reduce reliance on the automobile than it does on offering multimodal access to jobs, housing, schools, cultural, and recreational opportunities, and goods and service. <i>Strategic growth areas</i> is a newly defined term in the Growth Plan, 2017. The new term replaces the 2006 Growth Plan's "intensification areas" and "intensification corridors". We note that the Region is proposing to add the term Strategic Growth Area to their OP through this amendment and have provided a definition that conforms to the Growth Plan.	Growth Plan policy 3.2.2.2 b), 3.2.2.2 d) Growth Plan definition for strategic growth areas	The Region should revise or re-profile its objectives to place a heavier emphasis on Growth Plan policy 3.2.2.2 b) by moving 9.A.1 after 9.A.7. It is recommended that the Region revise policy 9.A.1 to better align with the Growth Plan as follows: "Promote and support all modes of safe transport for the movement of goods and people to jobs, housing, school, culture and recreational opportunities, especially in strategic growth areas intensification areas and areas designated for high-density development ."
3	9.A.2	Rather than stating "all modes of transportation" it is recommended that the Region use their newly added term "multimodal transportation system". Additionally, is it recommended that the Region identify "road, rail, marine and air" as examples because walking and cycling are also modes of transportation not listed. This also aligns with the definition of "multimodal" in the Growth Plan.	Technical; Growth Plan definition for multimodal	"Support a connected multimodal transportation system network that allows the efficient movement of people and goods on all modes of transportation (such as road, rail, marine, and air)."
4	9.B.3 & 9.C.5	The Go Transit system is often referred to as	Technical	For clarity, it is recommend that these policies be

1

		the regional transit system.		revised as follows: "Policy 9.B.3 The Region will work with Metrolinx, the Province and other stakeholders to improve linkages between the Niagara R regional T transit Seystems and GO Transit." "Policy 9.C.5 The Region will encourage transit service integration as part of the implementation of an inter-municipal regional transit system ."
5	New Policy 9.C	The Growth Plan places first priority on public transit for transportation infrastructure planning and major transportation investments.	Growth Plan Policy 3.2.3.1	It is recommended that the following policy be added as 9.C.1: "Policy 9.C.1 Public transit will be the first priority for transportation infrastructure planning and major transportation investments."
6	9.C.1	The Growth Plan speaks to prioritizing high density areas for public transit in order to optimize return on investment as well as efficiency of transit service. Although Policy 9.C.3 speaks to serving low density areas where operationally and economically feasible, it should also be noted that higher density areas will be prioritized from an investment standpoint. The Growth Plan provides for expanded transit to commercial and institutional development in addition to residential and employment. <i>Strategic growth areas</i> is a newly defined term in the Growth Plan, 2017. The new term replaces the 2006 Growth Plan's "intensification areas" and "intensification corridors". We note that the Region is proposing to add the term Strategic Growth Area to their OP through this amendment and have provided a definition that conforms	Growth Plan Policy 3.2.3.2	Recommend revising as follows: "b) Prioritizing areas with existing or planned higher residential or employment densities to optimize return on investment and the efficiency and viability of existing and planned transit service levels;" "bc) Transit service(s) to areas that have achieved, or will be planned to achieve transit supportive residential, commercial, institutional and employment densities;" "cd) Improved linkages from nearby neighbourhoods to major trip generators, including: the St. Catharines urban growth centre, locally designated residential intensification strategic growth areas, employment areas, including tourist location and connection, and major transit station areas;"

2

		to the Growth Plan.		
7	9.C.5	The Growth Plan directs municipalities to work with transit operators, the Province and Metrolinx, where applicable, to support transit service integration within and across municipal boundaries.	Growth Plan 3.2.3.3	Would recommend revising this policy as follows: "The Region will encourage transit supportive integration as part of the implementation of an inter-municipal regional transit system and work with transit operators, the Province and Metrolinx, where applicable."
8	9.C.7 & 9.7.8	It is unclear what is meant by a Go Station Hub.	Technical	Consider clarifying what specifically is meant by this phrase; do these include all GO stations and stops or a particular subset?
9	9.D.1	Planned 'active transportation networks' may intersect provincial highways. For more information on how to plan near provincial highways, please see MTO's Guideline for Municipal Official Plan Preparation and Review found here: http://www.mto.gov.on.ca/english/engineering/management/corridor/municipal-guideline/standards.shtml	Public Transportation and Highway Improvement Act; Technical	The Region and municipalities should consult MTO early in the planning stage when planning active transportation networks around provincial highways. Technical: It is recommended that "local" be added before "municipalities" in this policy to be consistent with how the Region refers to lower-tiers elsewhere.
10	9.D.7	Active transportation routes cross other provincial highways of all designation.	2014 PPS, Section 1.5.1 a)	The phrase 'and other' should be inserted before Highways.
11	Policy 9.F.9	This policy currently states that local municipalities shall develop official plan policies regarding planned corridors in consultation with and to the satisfaction of the Province. As the approval authority for lower-tier official plans, the Region should also be satisfied with these policies. The Region should consider clarifying that development applications will not preclude or predetermine outcomes of planned corridors but rather the decisions made on these applications may have that effect.	2014 PPS, Sections 1.6.8.1, 1.6.8.2 & 1.6.8.3; Growth Plan policy 3.2.5	It is recommended that this policy be revised as follows: "Local municipalities, in consultation with and to the satisfaction of the Region and the Province, shall develop Official Plan policies that provide protection for planned corridors protection to ensure that decisions on development applications will not predetermine or preclude or negatively affect the use of the corridor for the purpose(s) for which it was identified planning and/or implementation of the above-noted transportation facilities. "

3

		It is also recommended that this policy be revised to align better with the PPS's planned corridor protection policy.		
12	9.G.1	Recommend revising this sentence to read more clearly.	Technical	"The Region will develop and implement by including in this Plan a comprehensive Transportation Demand Management (TDM) strategy to:"
13	9.G.2	To be consistent with the term "Transportation Demand Management <u>strategy</u> " used in 9.G.1.	Technical	"Local municipalities shall develop and implement TDM policies to be incorporated into local official plans that are consistent with the future TDM Study strategy."
14	9.H.1	To ensure consistency with language used elsewhere in the Region's OP, it is recommended that the "Niagara Gateway Economic Zone" and "Niagara Gateway Economic Centre" be revised accordingly.	Niagara Region OP Policy 3.A.1 and Schedule G; Growth Plan Policy 2.2.5.15	"...The Region's goods movement network will also take advantage of cross-border trade and the Foreign Free Trade Zone, and maximize the use of the Niagara Gateway Economic Zone and Niagara Gateway Economic Centre. " Or "...The Region's goods movement network will also take advantage of cross-border trade and the Foreign Free Trade Zone, and maximize the use of the Niagara Economic Gateway Zone and Niagara Economic Centre. "
15	9.H.3	Recommend revising to clarify that these routes are to be identified specifically for goods movement. The wording in this policy implies that prime employment areas are separate from employment areas which is not the case. Prime employment areas are a subset of employment areas. Additionally, since the Region does not yet have lands designated as prime employment areas, we recommend only indicating employment areas in this policy.	Growth Plan Policies 3.2.4.3	"The Region, in partnership with local municipalities, will identify priority and alternative routes for goods movement into and out of from prime employment and employment areas and other areas of significant commercial activity connecting to the provincial network."
16	9.H.7	Suggest revising to emphasize support for integration of multi-modal goods movement	Growth Plan Policy 3.2.4.2 c)	"The Region will support the development and integration of multi-modal transportation systems

4

		with freight supportive land uses to better align with the Growth Plan. Recommend removing "and people" as this section pertains to Goods Movement. Technical Comment: Remove the quotation mark at the end of the sentence.		and freight supportive land uses to facilitate the movement of goods and people , while ensuring compatibility with adjacent land uses and access to these facilities. ."
17	New Policy 9.H.8	Recommend adding in a policy related to accommodating agricultural vehicles and equipment.	Growth Plan Policy 3.2.4.2 d)	"9.H.8 The Region will work with municipalities, agencies and transportation service providers to develop transportation systems which accommodate agricultural vehicles and equipment, as appropriate."
18	Schedule E-1: Go Transit	Schedule E1 shows three GO Transit stations identified as "major transit stations" and one station identified as "proposed major transit station."		To provide more clarity, please consider: <ul style="list-style-type: none"> - keeping the label 'major transit stations' for the two existing stations (St. Catharines and Niagara Falls) - identifying the planned Grimsby GO station as such to show that it is planned and not existing at this time - Identifying that the "proposed major transit station" (Beamsville station area in Lincoln) as a future recommended station which is not yet committed or funded.
19	Schedule E-1: Transportation Infrastructure	All Niagara Region provincial highways should be shown on Schedule E	2014 PPS Section 1.6.8.1	Revise Schedule E1 to show: <ul style="list-style-type: none"> - Highway 58 extended easterly to Thorold Townline Road - Highway 20 at the south end of Highway 58
20	Active Transportation Definition	It is recommended that this policy be revised to better align with the Growth Plan.	Growth Plan Policy 7	"Active Transportation means any form of self-propelled transportation that relies on the use of human energy such as walking, cycling, inline skating, jogging, or travel with the use of mobility aids, including motorized wheelchairs and other power-assisted devices moving at a comparable speed."

Housekeeping Comments:

Throughout	Recommended that "Region" have a capital "R"
9.D.7	As the Ministry of Transportation is only referenced in this policy within Chapter 9, there is no need for an acronym to be established. The Ministry of Transportation is referenced elsewhere, after Chapter 9, in the Official Plan (i.e., definitions) and the acronym is not used. Would suggest removing the acronym.

January 3, 2018

Ms. Alexandria Tikky
Planner
Planning and Development Services
Niagara Region
1815 Sir Isaac Brock Way,
PO Box 1042
Thorold, ON L2V 4T7

Dear Ms. Tikky:

**Re: Proposed Amendment No. 13 to the Region of Niagara Official Plan
Transportation Policies**

Staff of the Niagara Escarpment Commission (NEC) has reviewed proposed Amendment 13 to the Official Plan for the Niagara Planning Area (ROPA 13) and we offer the following comments. These comments take into consideration the relevant policies of the Niagara Escarpment Plan, 2017 (NEP) which came into effect on June 1, 2017 and the Provincial Policy Statement 2014 (PPS).

Comments on Proposed Policies

Part 2.12 of the NEP contains the revised policies relating to Infrastructure. The objective of this development criterion is "to design and locate infrastructure so that the least possible impact occurs on the Escarpment environment and to encourage green infrastructure and low impact development, where appropriate". ROPA 13 generally supports this objective by encouraging environmentally appropriate modes of sustainable transportation. The proposed policy should be enhanced by also acknowledging that there are locations where transportation infrastructure is discouraged such as in parks, open spaces, the Bruce Trail, prime agricultural areas and Escarpment Natural Areas in order to avoid conflict with NEP policy including Part 2.6.2 e) and Part 2.7.2 e) relating to infrastructure in key hydrologic features and key natural heritage features.

Although the Bruce Trail is identified on Schedule F of the Official Plan, there is no specific reference to it in the Active Transportation policies in ROPA 13. We note that there are trail policies in Chapter 2 of the Official Plan but there is no specific reference to the Bruce Trail. Policy 2.B.2.15 only references "other trails". The NEP supports the establishment of a permanent route for the Bruce Trail and as a footpath, it contributes to active transportation opportunities. Policies to identify and support the Bruce Trail should be considered for incorporation into ROPA 13.

There is a reference in Policy 9.D.6 supporting off-road trails. It is important to indicate in the proposed policy whether these off-road trails would be pedestrian only or if recreational vehicles would be considered. The Bruce Trail is a pedestrian footpath only and the policies of the NEP do not permit intensive trail activities in Escarpment Natural and Escarpment Protection Areas. Only non-motorized trail activities are permitted in these designations.

Proposed policy 9.F.4 states that the Region may acquire additional land for road allowances without an amendment to the Official Plan. Policy 9.C.16 in the existing Official Plan states that an amendment would be required and took into consideration "applicable federal and provincial acts and regulations". If there is no Official Plan amendment, how would the NEC be consulted with respect to road widenings?

Comments on Existing OP policies which are proposed to be deleted/changed

We note that the transportation policies are proposed to be streamlined in comparison to the existing Official Plan policies. In so doing, certain references to the NEP are proposed to be deleted. We do not require the Region's policies to duplicate those of the NEP, but we support clarifying that a different process and infrastructure policies may apply within the Niagara Escarpment Plan Area in terms of planning approvals that relate to transportation routes and infrastructure. For example, Policy 9.C.3 in the existing Official Plan used to reference the NEP with respect rights-of-way but it is proposed to be deleted. Similarly, the need for a Development Permit for road improvements in Policy 9.C.23 and 9.C.31 are also proposed to be removed. We would like to understand why the references to the NEP are proposed to be removed and whether a more general policy in the Region's Official Plan explaining the policy hierarchy between the NEP and the Official Plan is being considered in the alternative. At present, Chapter 1 of the Region's Official Plan, on page 1-8, merely states that the NEP is a "plan of interest" but this does not make clear the implications of the policies of the NEP for transportation-related or other planning matters.

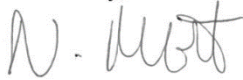
Reference to the environmental assessment process is found in the existing transportation policies (e.g. Policy 9.B.3 and 9.C.23) and reference the need for a Development Permit from the NEC, as noted above. These policies are not found in ROPA 13. Although Chapter 14 of the Official Plan refers to the possible need for an EA in Policy 14.F.3 for municipal infrastructure projects, there is no indication of the role of other agencies, such as the NEC in that process. We would like to better understand the process that the Region would follow in determining the impact of transportation infrastructure on the Niagara Escarpment. Reference to the role of the NEC is only found in Policy 2.B.2.12 b) relating to recreation and tourism. We would like the Region to identify in ROPA 13 that there is a role for the NEC in the EA process for infrastructure, that development permits may be required and that, in the event of a conflict, the policies of the NEP prevail over Regional Official Plan policy, pursuant to Section 14 of the *Niagara Escarpment Planning and Development Act* and consistent with Part III of the PPS with respect to the precedence of the NEP over the PPS and the need for municipal planning decision to not conflict with provincial policy.

There are new policies in the NEP with respect to Scenic Resources and Landform Conservation (Part 2.13). Policy 9.C.5 of the existing Regional Official Plan supports consideration of the impact of road improvements and reconstruction "on the existing landscape". This policy is not contained in ROPA 13 and NEC staff is concerned that the importance of protecting the Scenic Resources and Escarpment Related Landforms of the Niagara Escarpment is not encouraged in the proposed Official Plan amendment.

Thank you for the opportunity to comment on the draft amendment. Please keep us informed as to the next steps in the process for this amendment. Please send us a copy of the staff report that will be sent to your Committee for the statutory public meeting.

If you have any questions, please contact me at 905-877-8363 or nancy.mott@ontario.ca. We would be pleased to arrange a meeting or conference call to discuss NEC comments on the proposed amendment before it is adopted by Regional Council.

Yours truly,



Nancy Mott, MCIP, RPP
Senior Strategic Advisor

c.c. Debbie Ramsay, Manager, NEC

January 10, 2018

Alexandra Tikky, Planner
Niagara Region
Planning and Development Services
1815 Sir Isaac Brock Way, PO Box 1042
Thorold ON L2V 4T7

Dear Ms. Tikky:

Re: Request for Comments
Proposed Regional Official Plan Amendment 13 (ROPA 13)
Updates to the Transportation Policies, Schedules and Definitions

The Niagara Parks Commission (NPC) has reviewed the draft policies stamped received October 5, 2017 and would comment as follows:

NPC is an agency of the Province of Ontario. The mandate of NPC is the preserving and promoting the natural and cultural heritage along the Niagara River corridor. Niagara Parks is also committed to delivering commercially successful products in a way that ensures benefits for everyone (people who travel, the adjacent communities, and the respective natural, social, and cultural environments). The proposed amendment has been evaluated for its potential impacts on the preservation and conservation of the natural and cultural heritage resources within NPC's jurisdiction including Niagara River Parkway (Niagara Boulevard). In this regard NPC is supportive of the overall goals and objectives of the transportation policy amendment which would implement the recently completed Transportation Master Plan.

NPC Requested Revisions:

Schedule Changes:

Schedule E1, Transportation Infrastructure does not identify the Niagara River Parkway as a road in the Region. Niagara River Parkway should be at minimum identified as a Niagara Parks Commission road.

Schedule E2- The Niagara River Parkway is a part of the existing cycling network. The scale of the map makes it difficult to confirm that the entire Niagara River Parkway is identified as part of strategic. Please review and ensure it is included as part of the strategic cycling network.

9. Transportation: Moving People and Goods

Please add:

The Region recognizes that The Niagara Parks Commission's transportation system provides a unique multi-modal, tourist oriented function in the Niagara Region. In order to

Janice Thomson
Chair

THE NIAGARA PARKS COMMISSION
P.O. Box 150, Niagara Falls, ON L2E 6T2
www.niagaraparks.com

Reegan McCullough
Chief Executive Officer

preserve and enhance the tourist oriented function as well as the scenic and natural amenities associated with The Niagara Parks Commission transportation system, access to the Niagara River Parkway is controlled, speed limits may be more restrictive than usual and commercial traffic is restricted.

9.B Coordinated Transportation System Planning

Please add to Policy 9.B.2:

Policy 9.B.2 g) The roads of The Niagara Parks Commission

To support coordination of land use planning that may impact the Niagara River Parkway and strategic infrastructure investments by NPC, the Region and area municipalities, please add the following:

Policy 9.B.6: The Region will work with The Niagara Parks Commission to improve linkages between the regional transportation system and NPC's transportation system.

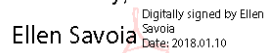
9.D Active Transportation

NPC requests the following be added as Policy 9.D.5

Policy 9.D.8 The Region will encourage The Niagara Parks Commission to develop active transportation infrastructure and supporting policies in alignment with the Strategic Cycling Network.

Thank you for circulating the draft ROPA no. 13 for our review. If you have any questions or would like to discuss our comments with in more detail, please let me know. Please keep NPC informed with regard to this process.

Yours truly,

 Digitally signed by Ellen Savoia
Date: 2018.01.10 17:15:14 -05'00'

Ellen Savoia, MCIP, RPP
Senior Planner

Janice Thomson
Chair

THE NIAGARA PARKS COMMISSION
P.O. Box 150, Niagara Falls, ON L2E 6T2
www.niagaraparks.com

Reegan McCullough
Chief Executive Officer



Authorized commenting Agency for



KITCHENER
WOODBIDGE
LONDON
KINGSTON
BARRIE
BURLINGTON

November 29th, 2017

Ms. Alexandria Tikky
Planner, Planning and Development Services
Niagara Region
1815 Sir Isaac Brock Way
P.O. Box 1042
Thorold, ON
L2V 4T7

Via email: Alexandria.Tikky@niagararegion.ca

Dear Ms. Tikky:

**RE: Regional Official Plan Amendment, Niagara Transportation Master Plan
Our File No. PAR 37626**

This letter is in response to notification of the Region's Official Plan Amendment (ROPA) to implement the Niagara Region Transportation Master Plan. We have reviewed the amendment and would request the Region consider the addition of the following:

Amend Policy 9.D.6 by adding:

Where such corridors include the TransCanada Pipeline right-of-way, the Region shall require early consultation with TransCanada or its designated representative for any proposals within 30 metres of its pipeline centreline."

Add Policy 9.F.10:

"TransCanada PipeLines Limited (TransCanada) has high pressure natural gas pipelines crossing the Region. TransCanada is regulated by the National Energy Board (NEB) which has a number of requirements regulating development in proximity to its pipelines. This includes approval requirements for activities within 30 metres of the pipeline centreline such as conducting a ground disturbance, constructing or installing a facility across on or along the pipeline right-of-way, driving a vehicle, mobile equipment or machinery across the right-of-way and the use of explosives."

Thank you for the opportunity to comment. If you have any questions or require any additional information please don't hesitate to contact our office.

Sincerely,

Darlene Presley,
Planning Coordinator
On behalf of TransCanada PipeLines Limited



December 15, 2017

Alexandria Tikky
Planning and Development Services
Niagara Region
1815 Sir Isaac Brock Way
P.O. Box 1042
Thorold, ON L2V 4T7

**Re: Proposed Regional Official Plan Amendment 13
Transportation Policy Update
Request for Comments**

Dear Ms. Tikky:

Thank you for circulating the draft amendment. City staff – Planning, Municipal Works and Transportation – has reviewed the draft amendment and offer the following comments.

1. Complete Streets

- a) The policies should provide flexibility to the lower tier with respect to implementation in order to allow for specific conditions and circumstances.
- b) The policies should recognize that there will be situations where not all of the elements of complete streets can be implemented. Flexibility should be provided in the policies.

2. Connectivity

- a) The Corridor Protection policies and plans should be part of this amendment as these corridors are part of the overall transportation policy framework.
- b) The Region's Transportation Master Plan includes a 2041 Road network Plan and a Phasing Plan which should be part of the amendment. These plans provide the future conceptual network and how it is to be implemented.
- c) There should be policies that speak to road connections between the southern municipalities and the pending South Niagara Hospital Niagara Falls.

Working Together to Serve Our Community

Planning, Building, &
Development
Ext 4247 Fax 905-356-2354
barnsley@niagarafalls.ca

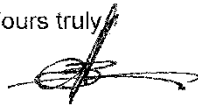
3. Daylight Triangles

- a) The requirements for daylight triangles should be standardized. The City's standards, provided below, are greater than those contained in the proposed amendment and offer specific consideration for roadway classification. Such a discrepancy between upper and lower tier requirements leads to confusion and questions when dealing with development applications. Daylight triangles should be of a size that can provide sightlines and also to provide for sufficient land for infrastructure and streetscape elements.

Road Classification	City	Region (proposed)
Local to Local	5.0 m x 5.0 m	Urban: Signalized = 10 m x 10 m Non-signalized = 6 m x 6m
Collector to Local	5.0 m x 5.0 m	
Collector to Collector	7.0 m x 7.0 m	
Arterial to Local	7.0 m x 7.0 m	
Arterial to Collector	12.0 m x 12.0 m	
Arterial to Arterial	12.0 m x 12.0 m	15.0 metres x 15.0 metres
Outside of Urban Boundary	15.0 m x 15.0 m	

Should you have any questions, please do not hesitate in contacting me. I would appreciate a circulation of the revised amendment in advance of adoption.

Yours truly,



John Barnsley, MSc, MCIP, RPP
Manager of Policy Planning

JB:rm

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Alex Tikky
Planner, Planning and Development Services
Niagara Region
1815 Sir Isaac Brock Way, Thorold ON L2V 4Y6

**Proposed Regional Official Plan Amendment 13 (ROPA 13)
Updates to the Transportation Policies, Schedules and Definitions
City of Thorold Comments**

Thank you for providing the City of Thorold the opportunity to review and provide comments on the Region's proposed transportation policies, schedules and definitions.

The City is supportive of the proposed policies and the direction they provide to the Region, the local municipalities and agencies for the support and implementation of active transportation, complete streets, public transit and an integrated transportation system.

To further support the goals and objectives of the policies and for clarification the City offers the following comments for consideration:

General

1. It is understood that this proposed amendment is proceeding prior to the Region preparing a new Official Plan. Is it intended that the local municipalities will need to amend their Official Plans following the Province's approval of ROPA 13 or is the Region considering allowing local conformity after the new Regional Official Plan is approved? The City would prefer that flexibility be provided in terms of local implementation to allow for staff and financial budgeting to prepare to undertake the work.
2. The City encourages the Region to consider funding opportunities to assist municipalities with the cost of preparing an Official Plan amendment to conform with ROPA 13. As suggested above, flexibility for implementation would be appreciated.

Policies

1. Policy 9.F.7 mentions the Region's Model Urban Design Guidelines as a tool for providing comments on development applications along Regional Roads. Given that the guidelines were adopted in 2005 and there has been a significant amount of provincial policy changes as well as new best practices, does the Region intend to update this document?

City of Thorold

P.O. Box 1044, 3540 Schmon Parkway, Thorold, Ontario L2V 4A7

www.thorold.com

Tel: 905-227-6613

2. Policy 9.F.9 notes that local municipalities shall develop Official Plan policies to provide corridor protection to not predetermine or preclude the planning of the 'above noted' transportation facilities. Please confirm what the 'above noted' is referring to. It is suggested that this policy be revised for clarification.
3. Policy 9.G.1 – Is the intention of this policy to provide direction to the Region to include policies in the ROP in the future that address TDM? If this is the intent, the City suggests revising the wording of the policy to the following:

"The Region will develop a Transportation Demand Management strategy and will include policies in this Plan to implement the strategy. The strategy will aim to:

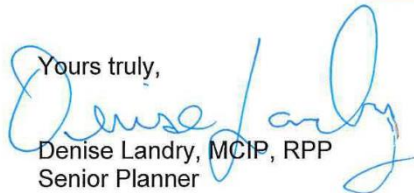
- a) Reduce trip distances and time;
 - b) Increase alternative uses to the automobile;
 - c) Prioritize active transportation, transit and goods movement over single-occupant automobile;
 - d) Expand infrastructure to support active transportation; and
 - e) Consider the needs of major trip generators."
4. Policy 9.G.1 and 9.G.2 refer to a Transportation Demand Management strategy and study. It is suggested that the language be consistent and that only one term be used (strategy or study).
 5. Is the Goods Movement Study referenced in Policy 9.H.1 anticipated to inform future Regional Official Plan policy and if so, is the timing of the study anticipated to align with the new Regional Official Plan?

Mapping

1. It is our understanding that Highway 20, between Highway 58 and the City of Thorold and City of Niagara Falls municipal border is owned by the Province and is managed by the Ministry of Transportation.

If you would like to discuss the comments provided in this letter please do not hesitate to contact the undersigned at denise.landry@thorold.com or at extension 248.

Yours truly,



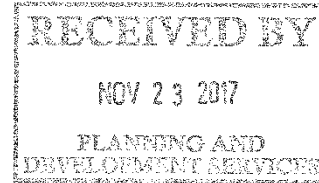
Denise Landry, MCIP, RPP
Senior Planner

cc: Manoj Dilwaria, Chief Administrative Officer



City of Welland
Infrastructure and Development Services
Planning and Building Division
60 East Main Street, Welland, ON L3B 3X4
Phone: 905-735-1700 Ext. 2251 | **Fax:** 905-735-8772
Email: devserv@welland.ca | www.welland.ca

November 20, 2017



Alexandria Tikky, Planner
Planning and Development Services
Niagara Region, Planning and Development Services
1815 Sir Isaac Brock Way, PO Box 1042,
Thorold, Ontario
L2V 4T7

Dear Ms. Tikky:

**RE: Comments on Proposed ROPA 13
Updates to Transportation Policies, Schedules and Definitions**

Thank you for circulating the draft Official Plan Amendment. City Staff are generally supportive of the principles of this Amendment, and we look forward to continue to move forward in partnership with the Region on these important transportation matters. As per your request, below please find the City of Welland's comments regarding the above referenced proposed Regional Official Plan Amendment.

Policy Specific Comments

Objective 9.A.5 – Active transportation encompasses more than walking and cycling. Consideration should be given to using walking and cycling and use of public transit as examples.

Policy 9.B.2.a) - Consideration should be given rewording this Policy to read: "Queen Elizabeth Way (QEW) widening from the eastern most boundary of the Region."

Policy 9.B.2.b) – Not all examples provided are interchanges on Highway 406.

Policy 9.B.4 – Reference to Provincial Freeway network should be changed to Provincial Highway network.

Policy 9.C.1(c) – As an urban growth centre is defined on page 10 of the proposed Amendment it is not necessary to specify the City of St. Catharines in this Policy.

Bridging the past, present and future

RE: Comments on Proposed ROPA 13
Updates to Transportation Policies, Schedules and Definitions

November 20, 2017

Policy 9.D.6 – Second sentence in Policy should read: “The Region encourages local municipalities to consider various means to protect and/or acquire such corridors.”

Policy 9.H.1 – Reference to Niagara Economic Zone and Niagara Economic Centre should be changed to Niagara Gateway Economic Zone and Centre.

Policy 9.H.1 – Reference to Niagara Economic Zone and Niagara Economic Centre should be changed to Niagara Gateway Economic Zone and Centre.

General Comments

Although this is a Regional Official Plan, there are a number of policies throughout the body of the Plan (e.g. 9.C.11, 9.D.1, 9.E.4, 9.E.5, 9.E.6, 9.F.9, 9.G.2, 9.H.2) that obligate local municipalities by using wording such as “local municipalities shall”. Wording which obligates local municipalities should be removed from all Policies.

I trust this information is of assistance. Should you have any questions, please do not hesitate to contact us. If necessary, we would be willing to meet with Regional Staff to discuss these comments further.

Yours truly,



Erik Nickel, P.Eng.
Acting General Manager, Infrastructure and Development Services/City Engineer



Planning and Development Services

December 19, 2017

Sent Via MAIL
(and Email to: alexandria.tikky@niagararegion.ca)

Region of Niagara
Planning and Development Services
1815 Sir Isaac Brock Way, Box 1042
Thorold Ontario, L2V 4T7

Attention: Alexandria Tikky, Planner

Dear Ms. Tikky:

Re: Request for Comments – Proposed Regional Official Plan Amendment 13 (ROPA 13): Updates to the Transportation Policies, Schedules and Definitions

Thank you for circulating the draft Official Plan Amendment. Town Staff are generally supportive of the principles of this Amendment, and we look forward to continue to move forward in partnership with the Region on these important transportation matters. As per your request, below please find the Town of Fort Erie staff comments regarding the above referenced proposed Regional Official Plan Amendment.

Schedules

There are policies related to the Niagara Greater Toronto Area East Corridor (NGTA) within the amendment – this proposed corridor should be illustrated on Schedule E1, as the Ministry of Municipal Affairs requires just about all Planning Act applications located within or adjacent to be circulated to the Ministry for their review.

The Region continues to identify the Stevensville to Bridgeburg Corridor as part of their strategic bike network (Schedule E2), while the Town is greatly supportive of this initiative, have CP or CRX been consulted about this being identified for cycling/trail purposes? If not, this is something the Region may want to consider.

Policy Specific Comments

Objective 9.A.5 – Active transportation encompasses more than walking and cycling. Consideration should be given to using examples; perhaps a more generic statement can be made that doesn't specify certain types of active transportation and is more consistent with the Active Transportation definition.

Policy 9.B.2 – An additional subsection “g” should be included that steps outside of only those provincial identified corridors, to name *“any other corridor that may have the capacity to serve in a transportation function complimentary to provincial and regional transportation systems planning, such as those identified in PPS 2014 section 1.6.8.4 and section 9.D.6 herein.”* .Examples of “other corridors” in this context would include rail and hydro corridors, that if decommissioned, hold great potential for transportation alternatives.

Policy 9.B.3 - For inclusiveness, the Town is suggesting the wording include reference to local municipalities with the following modification, *“The Region, in consultation with local municipalities, will work with Metrolinx, the Province and other stakeholders....”*.

Policy 9.C.1b – Currently, a number of transit agencies provide links or community bus service to areas that do not or will never achieve a density to support service provision. The support of such areas cannot be ignored, and should be addressed in this policy to ensure connection and public equity.

Policy 9.C.3 – Elevate the demand-responsive transit service by replacing the word “encourage” with “supports”. This in relation to such communities as Stevensville, for example.

Policy 9.D.2 – The reference to both the Strategic Cycling Network and Niagara Bikeways Master Plan is confusing. Which plan is being implemented? What is the difference between the two Plans? Should there be an additional schedule showing the Niagara Bikeways Master Plan area?

Policy 9.D.6 – Second sentence in Policy should read: “The Region supports local municipalities in their efforts to protect and/or acquire such corridors.” This topic goes back to the *PPS 2014 section 1.6.8.4* referenced earlier and it would be appropriate for the Region to state “support” as a means of elevating significance. It is shown on the Region’s schedules and therefore is interpreted as supportive.

Policy 9.D.7 – The word “over” in the policy should be more generic as not all crossings are “over” the highway. A suggestion for wording being more generic could be, *“...the provision of safe active transportation crossings of 400 series highways.”*

Policy 9.H.1 – Reference to Niagara Economic Zone and Niagara Economic Centre should be changed to Niagara Gateway Economic Zone and Centre.

Definitions

“Active Transportation” – The Town has some concern with the definition, specifically the wording “other powered devices” currently proposed in the Region’s amendment. While similar, there is subtle difference as it relates to “other mobility devices”. The Growth Plan (2017) defines active transportation as:

"Human-powered travel, including but not limited to, walking, cycling, inline skating and travel with the use of mobility aids, including motorized wheelchairs and other power-assisted devices **moving at a comparable speed.**" (PPS, 2014) (Emphasis added)

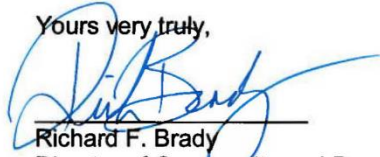
Town Staff would be more supportive of using this type of language (PPS 2014), as it appears to link speed of "other mobility devices" to that of motorized wheelchairs. Common concerns over e-bikes, golf carts, snowmobiles and "other mobility devices" that are not truly AT or accessibility related, are exploiting the AT infrastructure networks and pose a higher degree of risk to intended AT users.

General Comments

Although this is a Regional Official Plan, there are a number of policies throughout the body of the Plan (e.g. 9.C.11, 9.D.1, 9.E.4, 9.E.5, 9.E.6, 9.E.7, 9.F.9, 9.G.2, 9.H.2) that obligate local municipalities by using wording such as "local municipalities shall". Wording which obligates local municipalities should be reviewed and used only when absolutely necessary. It is noted the Growth Plan 2017 policies do not use the word "shall".

I trust this information is of assistance. Should you have any questions, please do not hesitate to contact Lindsay Richardson, Senior Community Planner at lrichardson@forterie.ca. We would be pleased to meet with Regional Staff to discuss these comments further.

Yours very truly,



Richard F. Brady
Director of Community and Development Services
rbrady@forterie.ca
RB:lr



4800 South Service Road
Beamsville, ON L0R 1B1
TEL (905) 563-8205
FAX (905) 563-6566

December 21, 2017

CN: 3-5-02-12

Alexandria Tikky
Niagara Region
Planning & Development Services
1815 Sir Isaac Brock Way, PO Box 1042
Thorold, ON L2V 4T7

Dear Ms. Tikky:

**Re: Proposed Regional Official Plan Amendment 13 - Updates to the
Transportation Policies, Schedules and Definitions**

At a meeting of the Planning Committee held on December 11, 2017, the following recommendation was adopted:

"For the reasons outlined in PL 17-86, it is hereby recommended:

1. That a copy of PL 17-86 regarding Regional Official Plan Amendment 13 be forwarded to Regional Planning and Development Services; and
2. That Regional Planning and Development Services be advised that the Town supports the proposed Regional Official Plan Amendment 13."

At a meeting of Council held on December 18, 2017, the above noted recommendation was approved. A copy of Report PL 17-86 is attached.

Yours sincerely

A handwritten signature in blue ink that reads "M. Cocchiara".

Monika Cocchiara
Senior Policy & Development Planner

MC:dc
Attach.

website: www.lincoln.ca



e-mail: info@lincoln.ca



Planning and Development Department

TO:	Planning Committee
MEETING DATE:	December 11, 2017
SUBJECT / REPORT NO:	Proposed Regional Official Plan Amendment 13 - Updates to the Transportation Policies, Schedules and Definitions Report PL 17-86
PREPARED BY:	Monika Cocchiara Senior Policy and Development Planner
SUBMITTED BY:	Kathleen Dale, MCIP, RPP Director of Planning and Development

RECOMMENDATIONS:

For the reasons outlined in PL 17-86, it is hereby recommended:

1. That a copy of PL 17-86 regarding Regional Official Plan Amendment 13 be forwarded to Regional Planning and Development Services; and
2. That Regional Planning and Development Services be advised that the Town supports the proposed Regional Official Plan Amendment 13.

EXECUTIVE SUMMARY:

This report provides a recommendation to Committee and Council regarding Regional Official Plan Amendment 13, pertaining to replacing and enhancing the existing transportation policies, schedules and definitions.

HISTORICAL BACKGROUND:

The Niagara Region's Transportation Master Plan (TMP) is a planning document that defines policies, programs, and infrastructure improvements required to address transportation and growth needs from today through to 2041. The TMP addresses needs for all travel modes, including walking, cycling, transit, automobiles, and goods movement. The TMP is needed to ensure that growth is accommodated in a sustainable way, and that transportation decisions foster economic prosperity.

The TMP emphasizes the need to integrate and co-ordinate transportation planning, land use planning, and urban design as part of its implementation to reflect the unique needs of the Region's urban and rural communities.

An amendment to the Regional Official Plan (ROP) is being brought forward under Section 26 of the *Planning Act*, as it is considered an update to the ROP to conform to provincial policies. Updating the transportation policies within the ROP is a key component of the

implementation of the TMP recommendations. The proposed amendment will replace and enhance the existing transportation policies within Chapter 9 of the ROP, as well as update and amend the Plan's other related transportation policies, schedules and definitions. The policies proposed through the amendment will provide consistency with the goals, vision, and recommendations identified in the TMP, and ensure that the Region has current and sound transportation policies that will strategically align with the ongoing comprehensive review of the Regional Official Plan.

The Region has requested that local municipalities review the draft amendment and mapping and forward comments by early January 2018.

FINANCIAL – STAFFING – LEGAL CONSIDERATIONS:

Financial:

There are no financial requirements as a result of the consideration of this report.

Staffing:

There are no additional staffing requirements anticipated because of the consideration of this report.

Legal:

There are no legal implications anticipated as a result of the consideration of this report.

RELEVANT CONSULTATION:

The draft amendment has been posted on the Region of Niagara website and public open house events were held in March and April of this year to raise awareness and receive feedback. Local regional municipalities and provincial agencies have been engaged throughout the process and are given the opportunity to review the draft amendment and provide comments. All feedback is considered toward the development of the new transportation policies.

STAFF COMMENTS:

Regional Amendment 13 (ROPA 13) updates and enhances the Region's transportation policies to be more in line with the goals, vision and recommendations identified in the Region's Transportation Master Plan, as well as conform to Provincial legislation, including the new Growth Plan for the Greater Golden Horseshoe.

Planning Staff is of the opinion that the proposed policy framework appropriately implements a sustainable transportation system that builds, preserves and enhances liveable communities, healthier lifestyles and greater economic competitiveness.

In addition to the enhancement of the existing transportation policies, "Complete Streets" policies were added. Local municipalities are to identify priority roads for the implementation

of complete streets. The Region will work with local municipalities to implement complete streets elements, such as multi-use paths, street lighting, and missing sidewalk links along Regional Roads. The Town's Official Plan does refer to the implementation of complete streets under the Transportation objectives of Section 6 and under the Urban Design Principles of Section 8.

The addition of Schedule E1, "Transportation Infrastructure" recognizes the proposed major transit station in Beamsville, which is consistent with the goals and vision of the Region's Go Hub and Transit Stations Study and draft Secondary Plan for this area, as well as with the policies and future transit station mapping in the Town's Official Plan.

The addition of Schedule E2, "Strategic Cycling Network" is also consistent with the Town's Official Plan with regards to the location of bikeway paths in the Town.

The updated definitions are consistent with the Town's Official Plan, as many of these terms in the Town's Official Plan refer to the definitions in the Provincial Policy Statement or Regional Official Plan.

Planning Staff is of the opinion that ROPA 13 is consistent with the objectives and policies of the Lincoln Official Plan to provide a safe and adequate system for the movement of people and goods, including active transportation. The updated policies, schedules and definitions are consistent with the Town's Official Plan. On this basis, Planning Staff recommend that Committee and Council support the Region's approval of the proposed Regional Official Plan Amendment 13 (ROPA 13).

ALTERNATIVES FOR CONSIDERATION:

None.

ALIGNMENT TO CORPORATE PLAN:

The Roads, Transportation and Traffic Strategy identified in the Corporate Plan adopted by Town Council encourages deliberate and purposeful planning resulting in improved road conditions, travel options, safety and convenience. This strategy also supports Regional transportation initiatives. As such, the policies proposed through ROP Amendment 13 will result in increased alignment with the Corporate Plan.

ATTACHMENT:

Appendix A: Draft Amendment 13: To the Official Plan for the Niagara Planning Area, including Draft Table 9-1 & Draft Schedules E1 and E2.

Proposed Regional Official Plan Amendment 13: Update to Transportation Policies

Executive Summary:

The purpose of this report is to provide Council with information regarding proposed Regional Official Plan Amendment 13 which will update the transportation policies in the Region Official Plan to reflect the recently approved Regional Transportation Master Plan.

Background:

The Region recently completed a Transportation Master Plan (TMP). The TMP defines policies, programs and infrastructure improvements needed to address the Region's transportation and growth requirements until the year 2041. In order to incorporate the recommendations of the TMP, Regional staff initiated an amendment to the Regional Official Plan transportation policies to provide consistency with the goals, vision and recommendations identified in the TMP.

Committee may recall that the Director of Public Works & Utilities provided a report on the September 5, 2017 meeting agenda which provided information and recommendations relating to the Regional TMP. The report was received for Council's information and forwarded to the Region in response to their request for comments on the TMP.

The Town has a further opportunity to provide input and have been requested to comment on proposed Regional Official Plan Amendment 13. The proposed draft amendment has been included as Appendix A.

Staff Comments:

The proposed amendment was circulated to the Community Planning and Development, Public Works and Utilities and Recreation, Culture and Wellness Departments for review and comment. The following comments have been provided:

From the Department of
 **Community Planning
& Development**

20 Pelham Town Square P.O. Box 400 • Fonthill, ON L0S 1E0 p: 905.892.2607 f: 905.892.5055
pelham.ca

Proposed Regional Official Plan Amendment 13: Updates to Transportation Policies
December 4, 2017

- Section 9.D Active Transportation does not include support for local Active Transportation Master Plans. Policy 9.D.3 indicates that the Region will fund the implementation of the Niagara Bikeways Master Plan along Regional roads. The draft policies should be amended to reflect support, funding and alignment with local Active Transportation Plans also. In addition, Section 9.D Active Transportation is weighted heavily toward cyclists (4 of 7 policies). The draft policies should be amended to recognize other users as well.
- In Section 9 Complete Streets, Policy 9.E.7 indicates that the Region will work with local municipalities to implement complete street elements, such as multi-use paths, street lighting and missing sidewalk links along Regional roads. Staff suggest that this policy be clarified as to who will be funding these elements on Regional roads. Further, Policy 9.E.8 indicates that elements of complete streets that fall under local jurisdiction shall be maintained by the local municipality. Staff request clarification of what is meant for “those elements that fall under local jurisdiction” and have concerns about the additional cost burden this may cause for local municipalities. This concern was similarly expressed in the September Committee Report regarding the TMP.
- In addition, Section 9A General Objectives should include direct reference to accessibility and age-friendly. Staff recognize that these items have been addressed indirectly in the definition of “complete streets”, however would like to see these items included in the objectives also. Further, staff suggest the need to provide accessible and age-friendly features be included in Policy 9.E.2 as a criteria for consideration of a complete street.
- With respect to Section 9C Public Transit, the Region must provide services that are currently being offered in small rural municipalities and recognize that it may not be as economically feasible as for larger municipalities. Transit must support all employment areas (ie. Fenwick, Fonthill, Ridgeville, etc.) in small municipalities. Staff have particular concern with Policy 9.C.3 which indicates that the Region will encourage the provision of demand-responsive transit service, where operationally and economically feasible, in local municipalities to serve low-density areas. Public transit must be available to all, including seniors and families living in rural communities that may not require accessible transit. There are a growing number of healthy seniors staying in their rural homes longer as they cannot afford to move elsewhere. Public transit is a major part of quality of life for all residents.



Proposed Regional Official Plan Amendment 13: Updates to Transportation Policies
December 4, 2017

- Finally, Staff note that Schedule E1 Transportation Infrastructure shows the portion of the Steve Bauer Trail between Murdoch Street and Church Street as Railway (Inactive). Some of this portion of the former railway has already been converted into a recreational trail and the remainder is anticipated in the future.

Prepared by: Shannon Larocque, MCIP RPP, Senior Planner

Reviewed by: Barbara Wiens, MCIP RPP, Director of Community Planning and Development

Alternatives:

Committee may direct staff not to forward the report to the Region in response to the request for comments. Failure to provide comments to the Region by January 3, 2018 will result in the assumption that the Town has no comment or objection to the proposed amendment.

Committee may provide additional comments and direct staff to forward them to the Region in response to the request for comments.

Recommendation:

THAT Committee receives this report for information; and

THAT staff forward a copy of this report to the Region of Niagara Planning and Development Services in response to the request for comments.



20 Pelham Town Square P.O. Box 400 • Fonthill, ON L0S 1E0 p: 905.892.2607 f: 905.892.5055
pelham.ca

DATE: December 4, 2017

REPORT NO: PD-165-17

SUBJECT: **Recommendation Report
Regional Transportation Policies**

CONTACT: Madyson Yule, Planner II
Brian Treble, Director of Planning and Building

OVERVIEW:

- **Regional Staff and consultants presented a detailed Transportation Master Plan to Regional Public Works Committee in July of 2017 entitled “How We Go.”**
- **In order to implement the Transportation Master Plan, Regional Planning Staff have commenced a Regional Official Plan Amendment process (ROPA 13).**
- **Township Planning and Public Works staff write this report at this time to ensure that all important transportation actions for West Lincoln have been appropriately incorporated into ROPA 13.**
- **This report is written to request that Regional Staff ensure that ROPA 13 incorporates all required transportation projects and a commitment to a timeline to ensure sustained growth can continue in West Lincoln for the benefit of the whole region.**

RECOMMENDATION:

1. That, Report PD-165-17, regarding “Regional Transportation Policies”, dated December 4, 2017, be RECEIVED; and
2. That, Committee and Council endorses this report and recommends that this report be forwarded to Regional Planning Committee and Regional Council as the Townships comments.

ALIGNMENT TO STRATEGIC PLAN

- **Value:** To control and monitor growth in accordance with Official Plan and Growth Management Strategy.
- **Objective:** Working with the Region of Niagara, other government planning bodies, and developers to create a long-term growth strategy which supports the essence of the small rural community of West Lincoln.

BACKGROUND:

The Region has undertaken an extensive amount of work in order to implement the growth and employment targets for the Niagara Region to 2041. The Transportation Master Plan was one key component of the Region's work on this long range growth plan project. It is important to integrate and coordinate the transportation plan, land use planning, and urban design to controls and to monitor growth within West Lincoln.

The Transportation Master Plan is a comprehensive strategic planning document that defines policies, programs, and infrastructure improvements required to address transportation and growth needs from today through to 2041. The Transportation Master Plan will address needs for all travel modes, including walking, cycling, transit, automobiles, and goods movement. The Transportation Master Plan began in the fall of 2015 where the first stage established a Vision and Context, The second stage took place between the spring and summer of 2016, and Transportation Master Plan Opportunities in Niagara were identified; Transportation Master Plan Supporting Strategies were developed in the third stage of the summer/fall of 2016, and the Region finalized the fourth stage where the Transportation Master Plan was presented in July 2017. Throughout each stage of the TMP, stakeholders, and the public were consulted and provided opportunities for input.

In alignment with the Transportation Master Plan, Regional Planning staff informed Regional council of the intent to initiate an Amendment to the Regional Official Plan to replace and enhance the outdated existing transportation policies in Chapter 9 of the Regional Official Plan with comprehensive policies developed as part of the Transportation Master Plan. The Amendment (ROPA 13) will be brought forward under Section 26 of the Planning Act, as it is considered an update to the Official Plan to conform to provincial policies.

CURRENT SITUATION:

Planning Staff and Council members have attended an Open House and Public Meeting for ROPA 13, as well as Planning Committee for The Regions Transportation Master Plan. Significant details and a commitment to transportation improvements in West Niagara are an important component of this work.

ROPA 13 should be detailed enough to adequately implement all components of "How We Go" in a timely fashion. As a result, this report is being written to highlight specific concerns and details that Regional Staff should review and incorporate into ROPA 13 with commitment to dates and details to implement the "How We Go" Transportation Master Plan.

"The Township of West Lincoln will be a community that values our heritage, preserves our environmental and natural resources, fosters entrepreneurial spirit and provides excellent quality of life"

The Transportation Master Plan is both an important guiding policy document and a technical support document that defines the transportation services and infrastructure requirements to accommodate planning growth, changing travel characteristics and emerging technologies over the next 25 years. The approval of the Transportation Master Plan allows the planning momentum from the region to continue planning and building for a better Niagara Region as a whole.

The Township of West Lincoln requests commitment from the Region on the following matters within the Transportation Master Plan which relate to West Lincoln, as well as the proposed timeframes for these projects, which are outlined in the implementation section of the TMP, to be included in ROPA 13:

- a) That within the 2018-2019 time period the Region will finalize The **Niagara Trade Corridor Sub-Committee** (Regional/Provincial/Federal) as defined, as a committee which will be responsible to the Niagara Transportation Steering Committee and be comprised of Regional councillors, Municipal Councillors, Public Works Staff, and Planning Staff to ensure that the long term transportation infrastructure requirements such as the Niagara-Hamilton Trade Corridor and Niagara Escarpment Crossings are strongly advocated at both the Provincial and technical levels for approval, funding and implementation.
- b) The Region completed a **Niagara Escarpment Crossing** Transportation Study in 2016, which identified the need to improve road crossing of the Escarpment to allow for safe and efficient movement of trucks. The recommendation includes a new escarpment crossing and improving the operation of the existing crossings.
1. Download Mountain Road (Grimsby) and Mountain Street (Lincoln) from regional to municipal jurisdiction so that provisions can be made to reduce truck traffic in the built up areas along these roadways.
2. Extend Bartlett Avenue (Grimsby) from Main Street East to Mud Street East. The extension alignment must include significant improvements to the Park Road corridor.

The Projected Transportation improvements for **Niagara Escarpment Crossing** within the Niagara Region should include more details regarding implementation of the project as well as a projected date to be finished within the Regional Official Plan Amendment 13. The Niagara Escarpment Crossings Project is within the Regions Road Action plan which is expected to be completed in the short term phase outlined in the Transportation Master Plan, which has a timeline set by the Region of 2017-2021. More details regarding the Niagara Escarpment

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Crossings should be defined and incorporated in the Regional Official Plan Amendment.

- c) "How We Go" states that The Niagara Region, in conjunction with The Ministry of Transportation, and City of Hamilton shall undertake a role and function study that defines future role and corridor (trade corridor, international/inter-regional travel corridor), opportunities (road improvements including the Smithville Bypass) and implementation strategies (jurisdiction, costs, timing) The Niagara Region has a timeframe of 2018-2019 for the **Regional Road 20/Highway 20 role and Function study**. The Region has a deadline for this project to be completed within the short term timeframe, which will be completed between 2017-2021. More details regarding Regional Road 20/Highway 20 role and function study are requested to be incorporated into ROPA 13.
- d) The Regions action plan states that the Region would like to Advocate and work with the Ministry of Transportation for capacity improvements to accommodate inter-regional and international travel demand, which includes building a new Niagara-Hamilton Trade Corridor. The Niagara Hamilton Trade Corridor which connects Niagara Region from Fort Erie to Hamilton in the vicinity of the Hamilton Airport/Highway 403, would address the more immediate demands of moving goods in and through Niagara in the absence of the full NGTA corridor. The TMP Action Plan has set out to have these works completed within the medium/ long term timeframes. (between 2022-2041) The Region should incorporate more details of this project including associated timelines within the Regional Official Plan Amendment 13.
- e) The Smithville by-pass was identified as one of the 5 sub-areas identified in the Regional Transportation Master Plan. These subareas were identified based on their current and anticipated future traffic demands and history of traffic operations or safety concerns.

Since it has not yet been established how the Smithville bypass is to be configured, this subarea analysis was put on hold. Although the subarea analysis was not conducted for the Smithville Bypass, consideration of the bypass has identified that several transportation initiatives that may be interconnected and as such should be addressed. Based on these considerations, the following is recommended:

1. That the Region and the Township of West Lincoln establish the preferred routing for the Smithville Bypass, either on the north side or south side of downtown Smithville, and conduct the subarea analysis to establish local traffic impacts and identify required infrastructure and operational

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- improvements;
- 2. That the Region continue working with Hamilton, Halton, Peel and Waterloo Regions to advocate for a Niagara-GTA corridor as an alternate route to the QEW, connecting Fort Erie to the GTA through south Niagara (previously known as the Mid-Peninsula highway); and
- 3. That the Region undertake Phases 3 and 4 of the Municipal Class Environmental Assessment (EA) process (Schedule C) to develop a preferred alignment and preliminary design for the Bartlett Avenue Extension.

Township staff feel that the Smithville By-pass as part of sub-area 5 within the 10 year road capital improvement program should be better described with reference to the new 25 year horizon timelines and how it is going to be implemented in the Regional Official Plan Amendment 13.

FINANCIAL IMPLICATIONS

There are no financial implications associated with this report.

INTER-DEPARTMENTAL COMMENTS

Township Planning Staff, Public Works Staff have worked jointly to prepare this report and compare against the "How We Go" Master Transportation Plan.

Township Planning and Public Works staff will be working closely to ensure that required Regional Transportation Infrastructure is part of ROPA 13.

CONCLUSION

Overall, Planning Staff request confirmation that the items noted in this report will be implemented through the Regional Official Plan Amendment 13. Growth in West Niagara requires these infrastructure improvements within a reasonable timeline and as such they should be incorporated into ROPA 13 with specific detail.

Staff will monitor the progress of ROPA 13 and will seek future Committee and Council support as required.

ATTACHMENTS

- 1. Regional Council Presentation
- 2. ROPA 13 Recommendation Report
- 3. Draft ROPA 13

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Prepared by:

**Madyson Yule, B.A.
Planner II**

**Brian Treble, RPP, MCIP
Director of Planning and Building**

**Carolyn Langley
Clerk/Acting CAO**

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www.niagaracca.org

c/o David Hunt
59 Berkwood Pl.
Fonthill, Ontario
L0S 1E2

December 11, 2017

Mr. Frank Fabioano
Niagara Region,
1815 Sir Isaac Brock Way ,
P.O. Box 1042, Thorold, Ontario
L2V 4T7

Re: Proposed Regional Policy Plan Amendment No. 13

Dear Mr. Fabioano:

The Niagara Cycling Clubs Alliance (NCCA) is a recently formed non-profit group of six bicycle clubs all within the Niagara Region, with an overarching aim of getting more people safely on bikes. We have a combined membership of about 800 individuals and represent a broad spectrum of cycling including on-road racing, recreation touring and off-road mountain biking.

We recognize the importance of Official Plan policies to set a direction on achieving community values and giving teeth to important quality of life aspects within municipalities. Our passion is cycling and therefore we are pleased with many aspects in the proposed plan that are bicycle friendly such as the policies on complete streets, public transit, transportation demand and systems management and the separate section on active living.

Our comments and suggestions below are informed by the working group of five Regional Active Transportation Advocates, who have met with Regional staff on this project, and four of whom are members of NCCA clubs. We agree with the policy gaps below that this group has identified between the proposed Plan Amendments and the recently approved Niagara Region Transportation Plan (TMP) and the current bicycle transportation objectives, policies and mapping as approved in the existing Regional Official Plan (By-Law 33-2010).

Regional Active Living Advisory Committee – It is important to have cycling expertise and champions within government in the form of an active living advisory committee. This has been one of the hallmarks of almost every Bicycle Master Plan in the past, including Niagara's since 1995. Therefore, the proposed policy amendment should include appropriate wording to continue support for this type of advisory committee.

Cycle Tourism – Cycle tourism has a significant economic benefit to Niagara and is one of the reasons used to justify cycling infrastructure and programs. Local cyclists in our clubs appreciate the resources and expenditures on cycle tourism since we also get to use those facilities. Therefore, we agree that the following tourism enhancements should be included in the new amendments:

General Objective 9.A.1 – Add the words “**and tourist**” after the word recreational in the second line as follows:

Promote and support all modes of safe transport for the movement of goods and people to jobs, housing, school, culture, recreational **and tourist** opportunities, especially in intensification areas and areas designated for high-density development.

Policy Section 9.D Active Transportation – An additional policy would be beneficial to support cycle tourism in a consultative partnership manner as follows:

Niagara supports the promotion and delivery of active tourism including cycling and hiking in the region and will work in collaboration with other key partners by consulting such organizations as Venture Niagara, Brock University, Metrolinx, and the Ministry of Tourism, Culture and Sport, to enhance and expand Niagara as a premier active tourism destination.

Intermodal Inclusiveness – Active living components such as cycling and walking should clearly be part of any intermodal policy considerations. Therefore, it is suggested that the following items be incorporated into the proposed amendments:

Objective 9.A.2 - after the word “road” in the 2nd sentence add the words “**trails, sidewalks**” as follows:

Support a connected transportation network that allows the efficient movement of people and goods on all modes of transportation (road, **trails, sidewalks**, rail, marine, and air).

Objective 9.A.3 - add the words “**offering mobility choice and**” after the words “dependency by” as follows:

Reduce automobile dependency by **offering mobility choice and** enhancing opportunities for residents, workers, and visitors to walk, cycle, take transit and carpool.

9.C Public Transit, Policy 9.C.1.f) - add the word “**intermodal**” after the words “Park-and-ride” and the words “**and bicycles**” after the word “vehicles” as follows:

f) Park-and-ride **intermodal** facilities with priority spaces for carpool, carshare vehicles **and bicycles**;

9.C Public Transit, New Modal Integration Policy - add the following policy to emphasize the importance of a comprehensive intermodal approach as follows:

The Niagara Region will work with local municipalities, Provincial transit authorities and other interested parties to fully integrate bicycling and transit for utilitarian, recreational and tourism purposes by allowing users to access both modes of transportation through intermodal opportunities that offer a full range of supportive infrastructure and programs (e.g. allowing bicycles on transit vehicles during off-peak periods, bicycle racks on buses, bicycle lockers at major transit stops, sheltered/secure bicycle parking facilities at public and institutional workplaces and for bike and ride tourist/recreational/utilitarian trips, and bicycle route connections to key transit stations).

Expenditures and Cost Incentives – Public expenditures should include a full cost benefit analysis that addresses health and environmental aspects as well as direct costs. Also, any cost sharing incentives should be clearly defined to have maximum effects. Therefore, we agree that the following modifications be included:

Objective 9.A.7 - a broader interpretation of costs should be included by replacing the word “**financially**” with the words “**cost effective**” and by pluralizing the word **modes** as follows:

Encourage the most **cost effective** and environmentally appropriate **modes** of sustainable transportation to reduce greenhouse gas emissions.

Policy 9.D.4 – It is critical that Regional financial support be continued to local municipalities for bicycle infrastructure components of the Regional Bicycle Network that fall on local municipal roads. The TMP recommended that this grant envelope be increased from \$200,000 per year to \$1 million. Therefore, it is recommended that proposed Policy 9.D.4 be revised by adding the following wording “**and cost share with**” after the word “support” as follows:

The Region will support **and cost share with** local municipalities in implementing sections of the Niagara Bikeways Master Plan that are within their jurisdiction, with a priority for elements identified in the Strategic Cycling Network

Schedule E2 Implementation Targets – Setting implementation targets will allow a means of measuring progress. The infill corridors of the Strategic Cycling Network are based on a 10 year horizon which should be recognized, while completion years should also be set for the entire Regional Bicycle Network in Schedule E2.

Schedule E2, Bicycle Routes – Bicycling routes in the Strategic Cycling Network in Schedule E2 should duplicate those in the Strategic Cycling Network map in both the approved TMP and the Strategic Cycling Network Development Technical Paper. Any missing bicycle routes in Schedule E2 should be included.

Policy 9.D.1, Cross-Border Connections – Niagara enjoys many cross-border active living connections with adjacent jurisdictions and regions through such agencies as Metrolinx, the Niagara Parks Commission, the Greenbelt Foundation, Waterfront Regeneration Trust and Bruce Trail Association. These organizations provide route links that enrich active living tourism and provide our club members with a wider variety of cycling destinations and rides.

Therefore, it is recommended that the following sentence be added to the end of proposed Policy 9.D.1 “...**and connections to adjacent municipalities and regions outside Niagara, including cross-border locations.**”

Policy 9.D.1, and Safety – How can a government body, or anyone ensure the safety of the travelling public? Safety can be enhanced as much as possible but there are no guarantees due to many uncontrollable variables. Liability concerns would indicate that the word “ensure” be deleted and replaced by the words “**help strengthen**”. The same concern can be applied to proposed Policy 9. B.4.

Therefore, new wording for Policy 9.D.1 is suggested as follows:

The Region and municipalities will ensure that comprehensive active transportation networks are integrated into transportation planning to **help strengthen** safe, effective travel for pedestrians, cyclists, and others among neighbourhoods and between strategic growth areas, major trip generators, and transit stations **and connections to adjacent municipalities outside Niagara, including cross-border locations.**

Bicycle Routes Off the Regional Bicycling Network:

The Niagara Region is one of the best areas in the Province for cycling due to its high density of paved bicycle friendly back roads, and off-road trails. One look at the Niagara Region Bicycling Map gives testament to this reality. Additional space for cyclists and hikers in the form of paved shoulders would make these on-road routes more attractive and safer. Therefore, the current Official Plan Policy 9.F.5 that directs

the Region to provide 0.5 to 1.5 metre shoulders on all Regional Roads where possible should be continued as a new proposed policy in Section 9.D Active Transportation as follows:

Off of the Strategic Bicycling Network, the current practice of providing an extra 0.5 to 1.5 metres of paved shoulder along Regional Roads will be continued where possible.

Trip-End Bicycle Facilities:

Cyclists need to have their bicycles locked up securely at key destinations and have change facilities available at certain locations such as employment centres. These types of trip-end facilities stand to greatly encourage cycling trips for all purposes. Therefore, we agree with having the following new policy to be included in proposed Section 9.D Active Transportation:

Regional and local municipal policies and zoning provisions shall be amended to require that all proposed new development and infrastructure undertakings considered at the Environmental Assessment and/or planning approval stages, incorporate minimum provisions for safe and secure short term and long term bicycle parking and end-of-trip change facilities in high activity areas, such as work places, higher density residential development and public facilities.

Five E's - Engineering, Encouragement, Education, Enforcement, and Evaluation

Applying the five E's to incorporate a more bicycle and active living friendly environment gives cyclists and hikers a measure of comfort that their mobility concerns will be addressed in a holistic, comprehensive manner. A new policy should be included in proposed section 9.D that recognizes the importance of the five E's as follows:

The Region will apply a comprehensive approach to providing walking and cycling friendly environments by incorporating the five E's (Engineering, Encouragement, Education, Enforcement, and Evaluation) in all related delivery and life cycle activities (e.g. planning, design, construction, operations and maintenance). Recognized planning and design standards will be used and partnerships established with other appropriate service delivery bodies like the Niagara Region Police Service, Regional Public Health, Heart Niagara and Venture Niagara for enforcement, education and promotion initiatives.

Protected Intersections

All cyclists know that added attention and precaution is needed at intersections where multiple turning movements increases the risk of collisions. Any increased policy focus at these sites would be most welcomed, and the proposal below to include it within the

Complete Streets sections seem appropriate. Therefore, it is recommended that the first sentence in proposed Policy 9.E.2 be modified by deleting the word “**should**” and including the words “**including protected intersections, will**” as follows:

The implementation of complete streets including protected intersections will be considered for Regional Roads that meet any of the following requirements:

Proposed Policy 9.F.7 - Strengthen Reference to Niagara Region Model Urban Design Guidelines and Complete Streets Design Guidelines:

The above design guidelines all include support for cycling infrastructure and active living. We would agree with any wording to make these guidelines more enforceable. It is therefore recommended that the words “**have regard to**” be deleted and replaced by the words “**conform with**” in Policy 9.F.7 as follows:

The Region will **conform with** the Niagara Region Model Urban Design Guidelines and Complete Streets Design Guidelines when providing comments on development applications located along Regional Roads.

Policy 9.G.1 - Prioritizing Sustainable, Active Living Road Users through Transportation Demand Management (TDM)

The tool box for TDM strategies includes sustainable, active living modes of transportation such as cycling and walking. These vulnerable means of mobility would also deserve added attention from a safety and climate change perspective. Therefore, the order of listing various approaches can be important and we agree with the recommendation that proposed Policy 9.G.1 be modified to give clear priority to the most vulnerable road users by revising the order of elements at the end of the first sentence, and by including an additional element and wording as follows:

**“...to implement these strategies in the following order of priority:
c) to become a),
d) to become b),
b) to become c),
new element identified below to become d),
a) to become e), and
e) to become f)”**

An additional element to providing a comprehensive TDM strategy could include considerations to:

“d) Consider the provision of incentives and rewards for sustainable travel trips”.

Suggested wording for proposed Policy 9.G.1 would therefore read as follows:

The Region will include in this Plan a comprehensive Transportation Demand Management (TDM) strategy, developed and implemented by these approaches in the following order of priority:

- a) Prioritize active transportation, transit, and goods movement over the single-occupant automobile;**
- b) Expand infrastructure to support active transportation;**
- c) Increase alternative uses to the automobile**
- d) Consider the provision of incentives and rewards for sustainable travel trips;**
- e) To reduce trip distances and time;**
- f) Consider the needs of major trip generators.**

Thank you for the opportunity to provide our thoughts on this important policy amendment to the Official Plan. Please feel free to contact us for any questions or points of clarification. We also wish to be notified of any future meetings, reports or discussions on this proposed Amendment, including future notice of Council's decision. Please e-mail any future communications to David Hunt, at jordave@cogeco.ca

Yours sincerely,

David Hunt, for:
NCCA Clubs

Cc Niagara Cycling Clubs Alliance:

Amici per la Vita Niagara Cycling Club, Marcus Klein, President
Bikefit Sunflower Squad Inc., Sarah Pineau, President
Forza Niagara Cycling Inc., John Rikkerink, President
Niagara Freewheelers Bicycle Touring Club Inc., Rita Dillon, President
Shorthills Cycling Club Inc., Jeff Kerton, President
St. Catharines Cycling Club, Wally Tykoliz, President

Regional Active Transportation Advocates: David Hunt, Drew Semple, Bob Romanuk, Tom Whitelaw and Ken Forgeron

Regional Councillors: Alan Caslin, Brian Baty, Tony Quirk and Bruce Timms

Regional Staff: Alexandria Tikky, Planning and Development Services Department
Rob Salewytch, Regional Public Works Department
Lisa Gallant, Regional Public Health Department

Members of the Regional Active Transportation Sub-Committee
(c/o Rob Salewytch)



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Wally Tykoliz
c/o David Hunt
59 Berkwood Pl.
Fonthill, Ontario
L0S 1E2

May 29, 2018

Mr. Frank Fabioano
Niagara Region,
1815 Sir Isaac Brock Way ,
P.O. Box 1042, Thorold, Ontario
L2V 4T7

**Re: Proposed Regional Policy Plan Amendment No. 13
Comments and Recommendations on the 2nd Draft of
Regional Transportation Policies**

Dear Mr. Fabioano:

This written submission on the above topic is in response to the Region's Notice of Public Meeting on June 6, 2018 and follows up on our earlier letter dated December 11, 2017. We appreciated Niagara Region's response to that submission which excepted some of our suggestions and we would now like to address those key areas not accepted and which we feel deserve reconsideration.

As in our previous comments, we are thankful for the analysis and work conducted by the five Regional Active Transportation Advocates and our comments and suggestions in this letter are informed by their directions. The NCCA's combined membership of about one thousand cyclists realize the importance to our sport and hobby of a comprehensive Regional Policy Plan that supports the growth of safe cycling.

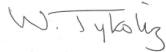
There are nine policy areas in the re-drafted amendment which did not fully incorporate our previous suggestions. Appendix 1 contains the detailed wording of our recommendations and which we feel should be included in the Official Plan amendment to realize the full potential benefits of an active transportation system.

- 1. Integration of Bicycle Parking, Travel and Public Transit**
- 2. Network Implementation Target**
- 3. Financial Incentives to Local Municipalities to Help Build a Regional Network**
- 4. Active Transportation Infrastructure Across Provincial Highways**
- 5. Accommodation of Uses Within Regional Roads Rights-of-Way**

- 6. Incorporation of the Five E's**
- 7. Support for the Regional Active Transportation Sub-Committee (ATSC)**
- 8. Broad Support for Bicycle Tourism, and**
- 9. Definition for Bicycle Infrastructure.**

Thank you for this opportunity to once again provide our comments on this important topic. Please feel free to contact us for any questions or points of clarification. We also wish to be notified of any future deliberations on this proposed Amendment, including Council's final approval. Please e-mail any future communications to the undersigned.

Yours sincerely,



Wally Tykoliz,
President, Niagara Cycling Clubs Alliance
wallytykoliz@cogeco.ca

Cc Niagara Cycling Clubs Alliance Presidents:

Amici per la Vita Niagara Cycling Club, Marcus Klein, President
Bikefit Sunflower Squad Inc., Sarah Pineau, President
Forza Niagara Cycling Inc., John Rikkerink, President
Niagara Freewheelers Bicycle Touring Club Inc., Rita Dillon, President
Shorthills Cycling Club Inc., Jeff Kerton, President
St. Catharines Cycling Club, Wally Tykoliz, President

Regional Active Transportation Advocates: David Hunt, Drew Semple, Bob Romanuk, Tom Whitelaw and Ken Forgeron

Regional Councillors: Alan Caslin, Brian Baty, Tony Quirk, Bruce Timms, Dave Augustyn, Henry D'Angela

Regional Staff: Alexandria Tikky, Planning and Development Services Department
Lisa Gallant, Jackie Jervais, Regional Public Health Department
Carolyn Ryall, Regional Public Works Department

Members of the Regional Active Transportation Sub-Committee
(c/o Carolyn Ryall)

Appendix 1 Recommendations

1. Integration of Bicycle Parking, Travel and Public Transit:

- “That in Policy 9.C.2.e), in addition to car-pool and car-share spaces, priority spaces also should be provided for bicycles at park-and-ride facilities. At transit stations, bicycle parking spaces shall be located near the front of station entrances for security and visibility reasons.”
- “That proposed Policy 9.C.12 be revised to ensure that bicycle infrastructure be provided at and to transit facilities, public and institutional areas, and employment areas.” *Regional staff appear to support this recommendation, but the Niagara Parks Commission should also be added to the list of transit partners.*

2. Network Implementation Target:

- “That Schedule E2 be modified to identify the “Potential Infill Corridors” that were developed through the TMP process and approved by Regional Council.”
- “That Policy 9.D.2 be further modified as follows:

Policy 9.D.2 The Niagara Region will prioritize the implementation of the Strategic Cycling Network as identified in the Niagara Region’s Transportation Master Plan (TMP). Over the next 10 years the “Potential Infill Corridors” identified through the TMP process, and as identified on Schedule E2, will become the focus for construction in order to advance the implementation of the Niagara Bikeways Master Plan as shown in Schedule E2.”

3. Financial Incentives to Local Municipalities to Help Build a Regional Network:

- “That Policy 9.D.4 be modified as follows:

Policy 9.D.4 The Niagara Region will support and cost share, where possible, with local municipalities in implementing sections of the Strategic Cycling Network that are within their jurisdiction, with an initial priority for elements identified in the Strategic Cycling Network i.e. Potential Infill Corridors identified on Schedule E2.”

4. Active Transportation Infrastructure Across Provincial Highways:

- “That proposed Policy 9.D.8 be revised to delete the word “encourage” and replace it with the words “provide for” to ensure the provision of active transportation facilities across Provincial Highways.” *Regional staff appear to support this recommendation.*

5. Accommodation of Uses Within Regional Roads Rights-of-Way:

- “That proposed Policy 9.F.2 be modified to add “active transportation facilities” to the list of possible uses that would be considered within Region Road allowances that are conveyed to it as a condition of approval of a development application.”
- “That proposed Policy 9.F.8 be modified to add “active transportation corridors” to the list of possible uses that would be considered for protection within Regional Roads rights-of-way planned corridors.” *Regional staff appear to support this recommendation.*

6. Incorporation of the Five E’s

- “That a new Objective or Policy be included in proposed sections 9.A or 9.D that recognizes the importance of the five E’s as follows:

That the Region will apply a comprehensive, partnership approach to providing active living, friendly environments by incorporating recognized parameters that include engineering, encouragement, education, enforcement, and evaluation in all related program delivery activities including planning, design, construction, operations and maintenance.”

7. Support for the Regional Active Transportation Sub-Committee (ATSC):

- “That the following new Policy be included in Section 9.D:

The Niagara Region will continue to provide a means for obtaining community input and expertise through a consultative forum on all matters related to active living.”

8. Broad Support for Bicycle Tourism:

- “That a new Objective in Section 9.A or new Policy in Section 9.D be added to the Amendment stating:

Niagara supports the promotion and delivery of cycling tourism in the region and will work in collaboration with other key partners (e.g. Venture Niagara, Brock University, Niagara Parks Commission, Metrolinx, Ministry of Tourism, Culture and Sport) to enhance and expand Niagara as a premier cycle tourism destination in the Province.”

9. Definition for Bicycle Infrastructure:

- “That the wording changes suggested below in underline and ~~cross-outs~~ be made to the definition of bicycle infrastructure in Part III- Definitions:

Bicycle Infrastructure

means all *infrastructure* and facilities used for cycling, including bicycle routes (e.g. dedicated, buffered, and separated bike lanes, multi-use paths, ~~and~~ off-road trails) trip end facilities such as ~~and~~ bicycle parking and storage (such as e.g. bicycle racks and lockers) and other cycling supportive items such as bike repair stations and priority signal lights.”

November 24, 2017

Mr. Frank Fabiano
Regional Clerk
1815 Sir Isaac Brock Way
P.O. Box 1042, Thorold, Ontario
L2V 4T7

Dear Mr. Fabiano;

***RE: Preliminary Comments and Recommendations on
Proposed Regional Policy Plan Amendment 13:
Transportation Policies***

We are a group of active transportation advocates. The primary focus of our comments is the Active Transportation section of Amendment 13 to the Regional Official Plan. We believe that active transportation and public transit are important factors in creating healthy communities. We also believe that the development of a safe and integrated active transportation network can contribute to economic development, the protection of the environment and social equity, all of which are fundamental to establishing sustainable communities.

The changes proposed in this submission (attached as Appendix 1) are intended to strengthen the proposed active transportation, and other, policies contained in Amendment 13. The changes proposed also provide clearer implementation targets and offer some additional more detailed tools for achieving the General Objectives in the Amendment. The proposed changes reflect policies that are already contained in the existing Transportation Section of the Regional Official Plan (Section 9.F) or in the Transportation Master Plan recently approved by Council (October, 2017). These existing policies are important. We were therefore disappointed that many were not retained in the proposed Amendment apparently in the interests of creating a more flexible, less directive, bare bones policy set. In our view some more clarity and direction is required if the Region wants to be successful in implementation.

While we have identified several policy improvements which we believe are important, we believe that the proposed Transportation Policies contain many strong components. We commend the Region for creating policies that emphasize an integrated network of transportation modes. We also recognize and applaud the policy direction to enhance the active transportation network and infrastructure. It is hoped that our suggested changes will help make these good proposed policies even better.

We wish to conclude by thanking Public Works and Planning Department staff for meeting with our group on November 16 to discuss our concerns in a positive and constructive manner. We look forward to further discussion. It is requested that we be notified of any future meetings, reports or discussions on this proposed Amendment, including future notice of Council's decision. Please e-mail any future communications to our group in care of David Hunt, at jordave@cogeco.ca

Yours truly;

David Hunt, Drew Semple, Bob Romanuk, Tom Whitelaw and Ken Forgeron
Regional Active Transportation Advocates

Attachment: Appendix 1

C: Regional Councillors Alan Caslin, Brian Baty, Tony Quirk and Bruce Timms
Alexandria Tikky, Planning and Development Services Department
Rob Salewytch, Regional Public Works Department
Lisa Gallant, Regional Public Health Department
Members of the Regional Active Transportation Sub-Committee (c/o Rob Salewytch)

Appendix 1

Preliminary Comments and Recommendations on Proposed Regional Official Plan Amendment 13: Regional Transportation Policies

9.A General Objectives

1. There is an opportunity under proposed 9.A General Objectives to incorporate promotion and support for bicycle tourism. **It is recommended in proposed Objective 9.A.1, second line, to take out the word “and” just before the word recreational and add the words “and tourist” after the word recreational”.**
2. Proposed Objective 9.A.2 should provide for a more complete list of modes of transportation. Therefore, **it is recommended that the following be added after the word “road” in the 2nd sentence: “trails, sidewalks”.**
3. Proposed Objective 9.A.3 should be revised to provide added assistance in reducing automobile dependency. **It is recommended that the words “offering mobility choice and” be added after the words “dependency by”.**
4. In proposed Objective 9.A.7 the word “financially” is limited and narrow and is tied to the definition of monetary cost, rather than an assessment of the costs and benefits which may involve benefits that may be hard to measure like improved health outcomes or environmental enhancement. Therefore, **it is recommended that a broader definition be used and that the words “cost effective” replace the word “financially”.** We also believe that there is more than one mode that can be environmentally appropriate (e.g. walking, cycling or transit) **therefore the word “mode” should be pluralized to “modes”.**

9.C Public Transit

5. Proposed Policy 9.C.1.f) appears to focus primarily on automobiles at park and ride facilities. Such facilities could be part of other transit type stations or mobility hubs where other modes of transportation also should be accommodated. Provision should be made, and support given, for better multi-modal integration of the bicycle with other modes of transportation such as public transit. For those who choose to ride their bicycles to new mobility hubs like the ones being planned in Grimsby, Beamsville, St. Catharines and Niagara Falls, **it is recommended that the word “intermodal” be added after the words “Park-and-ride” and that the words “and bicycles” be added after the word “vehicles”.**

6. New Policy Needed: Modal Integration:

A new, more detailed policy is needed in proposed Section 9.C Public Transit, on the need to integrate bicycling and transit for utilitarian, recreational and tourism cycling. The proposed policies in this section seem too vague. Wording similar to current Policy 9.F.9 in the Regional Official Plan seems more appropriate, except that the requirement should also apply to Regional and Provincial initiatives that are, or will be, providing new intermodal transit opportunities. Therefore, **it is recommended that the following policy be added to proposed Section 9.C Public Transit:**

“Local municipalities, the Niagara Region and Provincial transit authorities should integrate bicycling and transit for utilitarian, ~~and~~ recreational and tourism purposes by allowing users to access both modes of transportation through intermodal opportunities. Some Strategies that might be considered include: allowing bicycles on transit vehicles during off-peak periods, bicycle racks on buses, bicycle lockers at major transit stops, sheltered/secure bicycle parking facilities at public and institutional workplaces and for bike and ride tourist/recreational/utilitarian trips, and bicycle route connections to key transit stations”.

9.D Active Transportation

7. In proposed Policy 9.D.1 and the preamble in Section 9 Transportation: Moving People and Goods, three suggestions are offered to address issues of potential municipal liability and the need for broader connectivity to areas outside of Niagara.

- a. We believe that certainty can never be given that “ensures” safe travel for AT or any other transportation network users. There will always be elements of risk due in most part to unpredictable human behavior, despite efforts to make a travel way as safe as possible. Therefore, **it is recommended that the words “to ensure” be deleted and replaced by the words “help strengthen”.** We also note that the same concern can be applied to proposed Policy 9.B.4 and would **recommend that appropriate wording be considered to avoid the notion of ensuring safety.**
- b. This proposed policy also appears to focus only on a region-wide network that connects neighbourhoods, strategic growth areas, major trip generators and transit stations in Niagara alone. As described however in current Policy 9.F.6 and outlined on Schedule D in the Regional Official Plan, the network also provides important connections to areas outside Niagara, including key cross border destinations via international bridge crossings. Moreover, integration with other agencies’ and authorities’ transportation initiatives is a critical planning and implementation requirement including, at minimum, Metrolinx, the Niagara Parks Commission, the Greenbelt Foundation, Waterfront Regeneration Trust and Bruce Trail Association. Therefore, **it is recommended that the following sentence be added to the end of proposed Policy 9.D.1:**

“...and connections to adjacent municipalities outside Niagara, including cross-border locations, as well as inter-regional systems for cycling and hiking.”

As the third suggestion supported by the rational in b. above **it is also recommended that the preamble in Section 9. Transportation: Moving People and Goods be modified in the first paragraph of the last sentence as follows:**

“...within the Niagara Region, across the Greater Toronto and Hamilton area, and beyond”.

8. Proposed Policies 9.D.2 and 9.D.3 appear to provide some general direction on the implementation over time of priority bicycling routes identified in the TMP. However, current Objective 9.F.10 in the Regional Official Plan goes further in committing the Niagara Region to a target of completing the bicycling network over a 15 year period. It is important to set implementation targets as one metric in measuring Niagara’s commitment to AT development. **It is recommended that proposed Schedule E2 be modified to identify the “Potential Infill Corridors” that were developed through the TMP process and approved by Regional Council.** This priority network serves as a 10 year capital infrastructure spending guide needed to complete the priority network of cycling routes across Niagara. Unless this is identified in the Official Plan there is no legal mechanism to achieve this target. Unlike the Official Plan approved under the *Planning Act*, the TMP can be changed without public consultation since it has no legal status. **It is also recommended that the proposed Strategic Cycling Network in Schedule E2 be made the same as that in the Strategic Cycling Network map in both the approved TMP and the Strategic Cycling Network Development Technical Paper (assumed to be the same) as at least 10 routes in these latter maps were omitted from Schedule E2.**
9. Proposed Policy 9.D.4 is quite troubling as it appears to abandon Niagara’s leadership role and longstanding financial commitment, through incentives, to complete the Regional bicycling network where local or other non-Regional roads are involved. Through current approved Policy 9.F.3, Niagara has been considered a leader in the Province in incentivizing Regional AT development. At least two other Regions and Counties (York and Essex) in the Province have followed Niagara’s lead by providing financial support (Essex \$3.5m annually, York Region \$500,000 annually) to local municipalities that assist in developing Regional networks. For example, this practice is formalized in the York Region Official Plan (Policy 7.2.6). Local municipalities, however, are still expected to identify, develop and build a finer grid of bicycling routes that connect and serve local neighbourhoods, downtowns, employment areas, commercial development, etc. These local networks should dovetail with the broader Regional network that connects to its partner municipalities and adjacent regions. Therefore, **it is recommended that proposed Policy 9.D.4 be revised by adding the following wording after the word “support”: “and cost share with”.**

10. Providing AT Opportunities Off the Regional Bicycling Network:

We are somewhat disappointed that past, and possibly current, practice to provide additional pavement width on roadway shoulders, is not being recognized as it has in currently approved Policy 9.F.5. We believe there is considerable value in considering such provision on future Regional roads projects that may not be identified today on the bicycling network. There are many bicycle friendly roads as identified in the Region's Bicycle Map, that are off the Regional Network, but frequently used by cyclists. As we all know, road rehabilitation and reconstruction opportunities do not come along often and could take up to 20 or more years to be revised. **It is recommended that the following wording be added as a new proposed policy in Section 9.D Active Transportation:**

“Off the Strategic Bicycling Network, the current practice of providing an extra 0.5 to 1.5 metres of paved shoulder along Regional Roads will be continued where possible.”

This would support and bolster future Regional efforts through “Complete Streets” considerations to provide additional safe space for more vulnerable road users who may walk or ride along Regional roads.

11. Supportive Bicycling-Related Infrastructure:

An important way to encourage and support higher levels of AT activity, including commuter cycling, is to provide dedicated trip end accommodations such as parking and change facilities. This can happen as part of the review of all proposed new development and infrastructure undertakings at the Environmental Assessment and planning approval stages. These elements currently are identified in parts of approved Regional Policies 9.F.8 and 9.F.12. Also, to support this work, local comprehensive Zoning By-laws should be required to include zoning provisions for key land use zones requiring both short term and long term bicycle parking facilities. The *Proposed Model Bicycle Parking Zoning Provisions for Niagara*, developed by the Policy Task Force, RNBC, 2013 give guidance to this request. Car parking requirements are routinely addressed in Zoning By-laws so bicycle parking should not be treated any differently. In light of the above information, **it is recommended that the following new policy be included in proposed Section 9.D Active Transportation:**

“Regional and local municipal policies and zoning provisions shall be amended to require that all proposed new development and infrastructure undertakings considered at the Environmental Assessment and/or planning approval stages, incorporate minimum provisions for safe and secure short term and long term bicycle parking and end-of-trip change facilities in high activity areas, such as work places, higher density residential development and public facilities, at minimum.”

12. Revised Policy on Bicycle Tourism:

Niagara is widely recognized as the premiere bicycle tourism destination in the Province. The Greater Niagara Circle Route is just one example of a major attraction for touring and local cyclists. Bicycle tourism has a major, positive economic impact in the Niagara community broadly and its importance has been showcased in various economic studies, including recent work produced by Brock University and Venture Niagara, the latter being a key lead in promoting bicycle tourism with Niagara Region's expertise and assistance. The growing presence and success of the Bike Train first provided by VIA and now Metrolinx is evidence of the importance of bicycle tourism. Also, six of Niagara's twelve local municipalities have received Bicycle Friendly Community designation status provincially while several other remaining municipalities are in the process of applying. This all helps to position Niagara favourably for attracting even more visitors that are cycling tourists.

In light of the above information, it is important that the Region continue encouraging and supporting bicycle tourism. Some of the elements of the current approved Policy 9.F.11 should be carried forward in the new Amendment. Therefore, **it is recommended that the following policy be included in proposed Section 9.D Active Transportation:**

"Niagara supports the promotion and delivery of cycling tourism in the region and will work in collaboration with other key partners (e.g. Venture Niagara, Brock University, Metrolinx, Ministry of Tourism, Culture and Sport) to enhance and expand Niagara as a premier cycle tourism destination through such features as the Niagara Bike Train, Wine Route, Greater Niagara Circle Route and other trail networks, connections and facilities; as well as a route signage strategy, mapping and web site information".

13. Incorporating the Five E's to support bicycling:

There are many cycling manuals that urge the incorporation of the five E's (Engineering, Encouragement, Education, Enforcement, and Evaluation) to have a meaningful approach to encourage more people to cycle and do so in a safe manner. These elements are also used by the Share the Road Cycling Coalition to help define Bicycle Friendly Communities in Ontario. They are mentioned as recommended actions in the TMP, Section 6.1 on Active Living, and are also included in the current approved Official Plan policies. **It is therefore recommended that a new policy be included in proposed section 9.D that recognizes the importance of the five E's as follows:**

"The Region will apply a comprehensive approach to providing walking and cycling friendly environments by incorporating the five E's (Engineering, Encouragement, Education, Enforcement, and Evaluation) in all related delivery and life cycle activities (e.g. planning, design, construction, operations and maintenance). Partnerships will be established with other appropriate service delivery bodies like the Niagara Region Police Service, Regional Public Health and Heart Niagara for enforcement and education initiatives."

14. Role of the Regional Active Transportation Sub-Committee (ATSC):

Current Policy 9.F.1 in the Regional Official Plan formally recognized the role and importance of the former RNBC (now ATSC) to support Regional standing committees and Council on all matters related to cycling. The TMP as recently approved by Council, recommends continued support for the new ATSC. Therefore, **it is recommended that a new policy be included in the Official Plan proposed section 9.D that reflects the Terms of Reference for the ATSC as approved by Regional Council. Also, the importance of forming partnerships with bicycling stakeholders should be emphasized in this policy, including offering its expertise and support for the work of Venture Niagara in bicycle tourism promotion on behalf of the Region, local municipalities and related agencies with an interest in tourism.**

9.E Complete Streets

15. New Policy on Protected Intersections:

Proposed Policy 9.E.2 outlines seven “complete streets” requirements that should be considered for all Regional Roads. One requirement that appears to be missing, and one getting a lot of attention in transportation planning discussions across the Province is safer road intersection treatment. Busy intersections are key locations where major collisions and fatalities occur particularly affecting vulnerable road users. Therefore, **it is recommended that the first sentence in proposed Policy 9.E.2 be modified by deleting the word “should” and including the words “..., including protected intersections, will...”.**

9.F The Regional Road Systems

16. Implementation of the Niagara Region Model Urban Design Guidelines and Complete Streets Design Guidelines:

Proposed Policy 9.F.7 indicates that the Region will “have regard to” these guideline documents when commenting on development applications located along Regional Roads. These guideline documents are central to a proposed new direction in community planning (i.e. “complete streets” and “complete communities”) as required in Provincial and Regional planning documents. Given their importance, they should not be merely referenced, but implemented. The use of the words “have regard to” is considered more general, non-prescriptive and discretionary in application than the use of the words “shall conform with”. **Therefore, it is recommended that the words “have regard to” be deleted and replaced by the words “conform with”.**

9.G Transportation Demand Management and Transportation Management Systems

17. Prioritizing Road Users in Transportation Planning:

The Region is applauded for including proposed new TDM policies to accommodate all road users in a safer, more efficient manner. Lessons can be learned from the City of Vancouver, described as the most livable City in Canada, which has been a model in its TDM approach from both policy and implementation standpoints. In its transportation planning work a central tenant has been to prioritize the most vulnerable road users over single occupant vehicles. This too appears to be an important principle in Niagara's proposed TDM policies. However, there may be some inherent conflicts with some other strategies in proposed Policy 9.G.1 including strategy a) which focuses on trip distance and time which could result in higher roadway speeds that make it unsafe for vulnerable road users. This may perpetuate past practice that seemed to prioritize cars and trucks over "people", particularly more vulnerable road users. Therefore, **it is recommended that proposed Policy 9.G.1 be revised to give clear priority to the most vulnerable road users. The following revisions are suggested. That the end of the first sentence include:**

"...to implement these strategies in the following order of priority:

- c) to become a),**
- d) to become b),**
- b) to become c),**
- a) to become d), and**
- e) to remain as e)"**

An additional element to providing a comprehensive TDM strategy could include considerations to:

"f) Provide incentives and rewards for sustainable travel trips"

May 29, 2018 (Revised)

Ann-Marie Norio
Acting Regional Clerk
Regional Municipality of Niagara
1815 Sir Isaac Brock Way
P.O. Box 1042, Thorold, Ontario
L2V 4T7

Dear Ms. Norio;

***RE: Comments and Recommendations on the 2nd Draft of
Proposed Regional Official Plan Amendment 13(ROPA 13):
Regional Transportation Policies***

The Regional Active Transportation Advocates submitted comments and recommendations to your Office on November 24, 2017 regarding the above subject. We are pleased with the consultations on various draft amendment documents afforded us by staff and with Regional Councillors who we have approached through separate meetings. Our previous comments were also discussed in a meeting with the Regional Active Transportation Sub-Committee.

In terms of the 2nd draft of ROPA 13 circulated in late May, 2018, we are pleased to find that some of our suggestions were accepted in whole or part. However, we now would like to address a number of outstanding issues including some critical areas [*] of the re-drafted policies which either do not or only partially address our original recommendations. Our shared objective is to achieve a safe and integrated regional active transportation network. Our outstanding concerns relate to:

- **Integration of Bicycle Parking, Travel and Public Transit,**
- ***Network Implementation Target,**
- ***Financial Incentives to Local Municipalities to Help Build a Regional Network,**
- ***Active Transportation Infrastructure Across Provincial Highways,**
- **Accommodation of Uses Within Regional Roads Rights-of-Way,**
- **Incorporation of the Five E's,**
- ***Support for the Regional Active Transportation Sub-Committee (ATSC),**
- ***Broad Support for Bicycle Tourism, and**
- **Definition for Bicycle Infrastructure.**

Our more detailed comments and 12 recommendations are set out in Appendix 1.

We understand that a formal Public Meeting under the *Planning Act* will be held in the Regional Council Chambers on June 6, 2018. We do intend to be present at the public meeting and will notify you in advance if we intend to make a formal presentation to highlight the attached comments and recommendations. Also, we would like to be notified of any future

discussions on the proposed Amendment, as well as its formal adoption by Council. Please e-mail any future communications to our group in care of Ken Forgeron at ken.forgeron@gmail.com

Thank you for your attention to our concerns.

Yours truly;

A handwritten signature in black ink that reads "Ken Forgeron". The signature is written in a cursive, flowing style.

Ken Forgeron, David Hunt, Drew Semple, Bob Romanuk and Tom Whitelaw
Regional Active Transportation Advocates

Attachments: Appendix 1

C: Regional Councillors Alan Caslin, Brian Baty, Tony Quirk, Dave Augustyn, Henry D'Angela and Bruce Timms
Alexandria Tikky, Planning and Development Services Department
Lisa Gallant and Jackie Gervais, Regional Public Health Department
Carolyn Ryall, Regional Public Works Department
All members of the Regional Active Transportation Sub-Committee (c/o Carolyn Ryall)
Wally Tykoliz, President, Niagara Cycling Clubs Alliance

Appendix 1

Comments and Recommendations on the 2nd Draft of Proposed Regional Official Plan Amendment 13 (ROPA 13): Regional Transportation Policies

Our comments and recommendations on the 2nd draft of proposed ROPA 13 are presented below in the order in which they are set out in the draft Amendment document. The more critical issues of concern are highlighted with an asterisk [*].

1. Integration of Bicycle Parking, Travel and Public Transit- Policy 9.C.2.e) and Policy 9.C.12

Policy 9.C.2.e) provides a number of important supports and linkages to better integrate public transit with a number of other strategic goals outlined. Sub-section e) provides for park-and-ride facilities that support multimodal travel with linkages to pedestrian and transit routes, bicycle infrastructure, and priority spaces for carpool and car-share vehicles. Priority spaces also should be provided for bicycles to support the “1st mile, last mile” multi-modal transportation option. This is particularly important for the proposed new Mobility Hub Stations in Grimsby, Beamsville, St. Catharines and Niagara Falls. Bicycle parking spaces should be located near the front of transit station entrances where security and visibility are best, rather than at the back of the lot.

Therefore, it is **recommended**:

- a.) That in Policy 9.C.2.e), in addition to car-pool and car-share spaces, priority spaces also should be provided for bicycles at park-and-ride facilities. At transit stations, bicycle parking spaces shall be located near the front of station entrances for security and visibility reasons.**

Proposed Policy 9.C.12 addresses a number of important integration approaches including bicycles on transit vehicles, bicycle racks on buses, bicycle infrastructure at transit facilities, public and institutional areas, and employment areas.

We believe that while it is important to provide such supports “at” such facilities and areas, it also is important to provide them “to and from” these facilities and areas. Also, the Niagara Parks Commission should be recognized as a key transit partner along with others listed in this policy.

Therefore, it is **recommended**:

- b.) That proposed Policy 9.C.12 be revised to ensure that bicycle infrastructure be provided at and to transit facilities, public and institutional areas, and employment areas. Also, the Niagara Parks Commission should be added to the list of transit partners.

2. *Network Implementation Target – Policy 9.D.2.

Proposed Policies 9.D.2 and 9.D.3 appear to provide some general direction on the implementation over time of priority bicycling routes identified in the TMP. However, current objectives in the Regional Official Plan go further in committing the Niagara Region to a target of completing the bicycling network over a 15 year period.

This priority network serves as a 10 year capital infrastructure spending guide needed to complete the priority network of cycling routes across Niagara. Unless this is identified in the Official Plan there is no Council commitment to help achieve this target. Unlike the Official Plan approved under the *Planning Act*, the TMP is a weaker guidance document that may be changed without formal public consultation.

We strongly believe that it is important for the Regional Official Plan to set clear implementation targets for the near term and longer term completion of the Strategic Bicycling Network identified on Schedule E2. Performance monitoring is an important Regional Planning function and assists in measuring policy implementation and effectiveness. Within the Strategic Bicycle Network, the TMP clearly prioritizes and identifies what should be constructed first over a 10 year period i.e. the “Potential Infill Corridors”. This should be highlighted on Schedule E and the 10 year implementation target should be stated in policy.

Therefore, it is **recommended**:

- a.) That Schedule E2 be modified to identify the “Potential Infill Corridors” that were developed through the TMP process and approved by Regional Council.
- b.) That Policy 9.D.2 be further modified as follows:

Policy 9.D.2 The Niagara Region will prioritize the implementation of the Strategic Cycling Network as identified in the Niagara Region’s Transportation Master Plan (TMP). Over the next 10 years the “Potential Infill Corridors” identified through the TMP process, and as identified on Schedule E2, will become the focus for construction in order to advance the implementation of the Niagara Bikeways Master Plan as shown in Schedule E2.

3. *Financial Incentives to Local Municipalities to Help Build a Regional Network – Policy 9.D.4.

Proposed Policy 9.D.4 continues to be quite troubling as it appears to abandon Regional Council's leadership role and longstanding financial commitment, through incentives, to complete the Regional Bicycling Network on roads or trails where local or other non-Regional roads are involved. Through current approved policies in the Regional Official Plan, Niagara has been considered a leader in the Province in incentivizing Regional AT development. At least two other Regions and Counties (York and Essex) in the Province have followed Niagara's lead by providing financial support (Essex \$3.5m annually, York Region \$500,000 annually) to local municipalities that assist in developing Regional networks. Local municipalities, however, are still expected to identify, develop and build a finer grid of bicycling routes that connect and serve local neighbourhoods, downtowns, employment areas, commercial development, etc. These local networks should dovetail with the broader Regional network that connects to its partner municipalities and adjacent regions.

The notion of providing modest financial incentives to local municipalities is an important "principle" that we believe still belongs in the Regional Official Plan. On the other hand, the annual "amount and timing" of incentive funding available, including criteria for its distribution, should be set out in the Transportation Master Plan. Moral "support" alone by the Region as set out in the proposed new policy certainly is not nearly as effective as financial "incentives and support". This plays out with other financial incentives programs that the Region has for waterfront enhancement, brownfield redevelopment, downtown revitalization, etc.

Therefore, it is **recommended**:

a.) That Policy 9.D.4 be modified as follows:

Policy 9.D.4 The Niagara Region will support and cost share, where possible, with local municipalities in implementing sections of the Strategic Cycling Network that are within their jurisdiction, with an initial priority for elements identified in the Strategic Cycling Network i.e. Potential Infill Corridors identified on Schedule E2.

4. *Active Transportation Infrastructure Across Provincial Highways- Policy- 9.D.8

The proposed policy indicates that the Niagara Region will work with MTO and other stakeholders to encourage the provision of active transportation infrastructure across Provincial Highways. Ontario's recently released new Cycling Strategy as set out in MTO's latest policy document "CycleON Action Plan 2.0" commits the Province to start including cycling infrastructure in provincial highway construction projects using the province-wide

cycling network as a foundation. This commitment is evident in the recent decision to redesign St. David's Road to include long awaited new AT facilities over Highway 406.

Therefore, it is **recommended**:

- a.) That proposed Policy 9.D.8 be revised to delete the word “encourage” and replace it with the words “provide for” to ensure the provision of active transportation facilities across Provincial Highways.**

5. Accommodation of Uses Within Regional Roads Rights-of-Way- Policies 9.F.2 and 9.F.8

Policy 9.F.2 makes provision for a wide variety of uses (e.g. public transit facilities) within Region Road allowances that are conveyed to it as a condition of approval of a development application. Policy 9.F.8 indicates that the Region will plan and protect rights-of-way for the Niagara Region's transportation system. We would argue that this transportation system and the list of uses also should include active transportation facilities that are envisioned as part of the Strategic Cycling Network identified on Schedule E. Also, the Niagara Parks Commission should be identified as another key transit partner given its WEGO transit service along the Parkway.

Therefore, it is **recommended**:

- a.) That proposed Policy 9.F.2 be modified to add “active transportation facilities” to the list of possible uses that would be considered within Region Road allowances that are conveyed to it as a condition of approval of a development application.**
- b.) That proposed Policy 9.F.8 be modified to add “active transportation corridors” to the list of possible uses that would be considered for protection within Regional Roads rights-of-way planned corridors.**

6. Incorporation of the Five E's – New Objective or Policy Proposal in 9.A General Objectives or 9.D. Active Transportation

Most current cycling manuals and active transportation plans incorporate the five E's (Engineering, Encouragement, Education, Enforcement, and Evaluation/Planning) to have a more meaningful approach to encourage more people to cycle and do so in a safe manner. These elements are also used by the Share the Road Cycling Coalition to help define Bicycle Friendly Communities in Ontario. They are mentioned as recommended actions in the

Regional TMP, Section 6.1 on Active Living, and are also included in the current approved Official Plan policies.

We believe that the Regional Official Plan is a document that can set direction on community values and related programs, not just on land use matters. Therefore, as part of its scope, it may express factors such as those embedded in the Five E's. Expressions and support by Regional staff for many broad community values already are contained within the first paragraph of the preamble, in Objective 9.A.4 and Objective 9.A.6 of the modified draft of the Official Plan Amendment, noted in bold as follows:

"9. Transportation: Moving People and Goods

...In order to appropriately accommodate forecasted growth, the Region must plan for and implement a **sustainable transportation system** that has the ability to withstand stresses associated to population growth..."

"Objective 9.A.4 Create and enhance interconnected *active transportation* systems and **programs."**

"Objective 9.A.6 Encourage the most **cost-effective** and **environmentally appropriate** modes of **sustainable transportation** to **reduce greenhouse gas emissions."**

The Region appears to be committed to improving **social equity**, protecting short- and long-term **economic competitiveness**, and **reducing greenhouse gas emissions** by advancing initiatives which enable comprehensive *active transportation* networks, interconnected public transit systems, and efficient goods movement networks.

It is therefore **recommended:**

- a.) That a new Objective or Policy be included in proposed sections 9.A or 9.D that recognizes the importance of the five E's as follows:

That the Region will apply a comprehensive, partnership approach to providing active living, friendly environments by incorporating recognized parameters that include engineering, encouragement, education, enforcement, and evaluation in all related program delivery activities including planning, design, construction, operations and maintenance.

7. ***Support for the Regional Active Transportation Sub-Committee (ATSC) – New Policy in Section 9.D**

Current Policy 9.F.1 in the Regional Official Plan formally recognizes the role and importance of the former RNBC (now ATSC) to support Regional standing committees and Council on all matters related to cycling. The TMP as recently approved by Council, recommends continued support for the new ATSC. Regional Planning staff, on the other hand, does not believe that the Official Plan should determine the role or function of Council's committees.

While we are confident that the Region still values public and agency input for its policy and program development/implementation, it would be helpful if such value were identified in the Plan without naming any particular committee, its specific role or function. The Amendment could simply provide support for a consultative process and input from the community through a forum for public and agency input.

Therefore, it is **recommended**:

a.) That the following new policy be included in Section 9.D:

The Niagara Region will continue to provide a means for obtaining community input and expertise through a consultative forum on all matters related to active living.

8. ***Broad Support for Bicycle Tourism - New Objective in Section 9.A or new Policy in Section 9.D.**

Niagara is widely recognized as the premiere bicycle tourism destination in the Province. The Greater Niagara Circle Route is just one example of a major attraction for touring and local cyclists. Bicycle tourism has a major, positive economic impact in the Niagara community broadly and its importance has been showcased in various economic studies, including recent work produced by Brock University and Venture Niagara, the latter being a key lead in promoting bicycle tourism with Niagara Region's expertise and assistance. The growing presence and success of the Bike Train first provided by VIA and now Metrolinx is evidence of the importance of bicycle tourism. Also, six of Niagara's twelve local municipalities have received Bicycle Friendly Community designation status provincially while several other remaining municipalities are in the process of applying. This all helps to position Niagara favourably for attracting even more visitors that are cycling tourists.

In light of the above information, it is important that the Region continue encouraging and supporting bicycle tourism across the region. **The Regional Official Plan must speak to all of Niagara's tourist areas and assets.** While Chapter 2 in the Official Plan does provide objectives and policies in support of tourist travel and activities in some parts of Niagara,

they apply only on a limited area basis to the Twenty Valley/Jordan Harbour Tourism Area, Niagara Wine Country and related Wine Route, as well as the Greater Niagara Circle Route trail system. Also, the Bruce Trail, an important AT route across Niagara, is a walking trail on which cycling is strictly prohibited.

In conclusion, some of the broader tourism related elements in Section 9.F of the current approved Official Plan should be carried forward in the new Amendment. It is important to include a supportive statement for cycle tourism in general, which would be all inclusive of this important economic driver for the region.

Therefore, it is **recommended**:

- a.) That a new Objective in Section 9.A or new Policy in Section 9.D be added to the Amendment stating:

Niagara supports the promotion and delivery of cycling tourism in the region and will work in collaboration with other key partners (e.g. Venture Niagara, Brock University, Niagara Parks Commission, Metrolinx, Ministry of Tourism, Culture and Sport) to enhance and expand Niagara as a premier cycle tourism destination in the Province.

9. Part III-Definitions - Bicycle Infrastructure

We believe that this definition is a very important one to include in the proposed policy set but requires more detail on a somewhat broader range of uses that make up bicycle infrastructure and support facilities for active transportation. There is little content change provided by Planning staff in the proposed new definition compared to the former draft definition.

Therefore, it is **recommended**:

- a.) That the wording changes suggested below in underline and ~~cross-outs~~ be made to the definition of bicycle infrastructure in Part III- Definitions:

Bicycle Infrastructure
means all *infrastructure* and facilities used for cycling, including bicycle routes (e.g. dedicated, buffered, and separated bike lanes, multi-use paths, ~~and~~ off-road trails), trip end facilities such as ~~and~~ bicycle parking and storage (such as e.g. bicycle racks and lockers) and other cycling supportive items such as bike repair stations and priority signal lights.



**Town of Grimsby
Administration**
Office of the Town Clerk
160 Livingston Avenue, P.O. Box 159, Grimsby, ON L3M 4G3
Phone: 905-945-9634 Ext. 2015 | **Fax:** 905-945-5010
Email: skim@grimsby.ca

File No:

June 21, 2019

SENT VIA EMAIL

Niagara Region
1815 Sir Isaac Brock Way
P.O. Box 1042
Thorold, ON L2V 4T7

Attention: Ann-Marie Norio, Regional Clerk

Dear Ms. Norio:

Re: Response to Niagara Regional Office Plan Amendment No. 12 (ROPA 13) – Transportation Policies and Livingston Avenue Extension Report DPS 23-2019

At its meeting of June 17, 2019, the Town of Grimsby Council passed the following resolution:

Moved by Councillor D. Kadwell; Seconded by Councillor D. Bothwell;

RESOLVED THAT:

Council for the Town of Grimsby supports the response to the Regional Official Plan Amendment 13 (ROPA 13) attached as “Appendix A” and the resolutions contained therein, as stated below:

THEREFORE, BE IT FURTHER RESOLVED:

That Council for the Town of Grimsby respectfully requests that the Region amend the Transportation Master Plan (TMP) Executive Summary and Final TMP, Map 6 – 2041 Road Network, and Map 8 – Proposed Road Network Phasing to include the wording that the ***“Status of Livingston Avenue is in abeyance until addressed by Grimsby Council.”***;

AND, that Council for the Town of Grimsby respectfully requests that Regional Council defer approval of ROPA 13 pending an amendment to the TMP and inclusion of the Town of Grimsby’s position statement, ***“Status of Livingston Avenue is in abeyance until addressed by Grimsby Council.”***;



**Town of Grimsby
Administration**
Office of the Town Clerk
160 Livingston Avenue, P.O. Box 159, Grimsby, ON L3M 4G3
Phone: 905-945-9634 Ext. 2015 | **Fax:** 905-945-5010
Email: skim@grimsby.ca

AND, that Council for the Town of Grimsby respectfully requests that the Province defer approval of ROPA 13 pending an amendment to the TMP and inclusion of the Town of Grimsby's position statement, *"Status of Livingston Avenue is in abeyance until addressed by Grimsby Council."*;

AND, that the duly elected 2018-2022 term of Council for the Town of Grimsby does not support an extension of Livingston Avenue, through Greenbelt lands, from Emily Street to Main Street West;

AND, that the Town of Grimsby will provide a reconfirmation of its position at the 5-year review of the TMP;

AND, that this resolution and Appendix A be circulated to the Region for consideration;

AND, that this resolution be forwarded to the Ministry of Municipal Affairs and Housing and the appropriate provincial authorities for consideration.

Regards,

Sarah Kim
Acting Town Clerk

Enclosure: Appendix A

Cc: Ministry of Municipal Affairs and Housing, *Sent via Email*



**Town of Grimsby
Administration**
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APPENDIX "A"

WHEREAS, the Region has drafted ROPA 13 – Transportation Policies and has requested comments from stakeholders and the public and, will consider the Planning and Economic Development Committee's (PEDC) recommendations at the June 20, 2019 Regional Council meeting and, will submit the approved recommendations to the Province for final approval; and

WHEREAS, on July 20, 2017 Regional Council approved the minutes and recommendations of the July 11, 2017 Public Works Committee including minute item 5.2 PWC-C 29-2017 as recorded:

"Recommendations for Consideration from the Transportation Steering Committee meeting held on May 17, 2017 [...] That the following Clause 1 BE DEFERRED to allow the Town of Grimsby to provide additional information:

1. That reference to the proposed Town of Grimsby Livingston Avenue extension BE REMOVED from the Transportation Master Plan."; and

WHEREAS, on July 21, 2017 a Memorandum with regard to the Niagara Region Transportation Master Plan Compendium of Recommended Changes to TMP Documents to the TMP Public Consultation Process from the Transportation Lead, Strategic Initiatives and Projects stated:

*"The following discussion provides a summary of revisions/changes **that will be incorporated into the final Transportation Master Plan (TMP)** document resulting from comments and recommendations provided at the July 11, 2017 Public Works Committee meeting. It is also noted that this memorandum will be updated following the TMP Notice of Completion 45-day public consultation/review period to include any additional revisions/changes that will be incorporated into the final TMP Document.*

Recommended Revisions/Changes

[...]

5. Livingston Avenue Extension

The TMP road system analysis identified that Livingston Avenue be extended from Casablanca Boulevard to Main Street in the next 5-year planning period (2017-2021). The Public Works Committee of July 11, 2017 approved a motion



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that the status of the proposed Livingston Avenue extension be deferred to allow the Town of Grimsby to provide additional information prior to Regional Council consideration of the following Motion:

- *That reference to the proposed Town of Grimsby Livingston Avenue extension be removed from the Transportation Master Plan.*

To accommodate the required review and discussion on Livingston Avenue extension, MAP 5: 2041 Network will include the following note in both the TMP Executive Summary and the TMP Document:

- ***Status of Livingston Avenue is in abeyance until addressed by Grimsby Council.***"; and

WHEREAS, at the August 16, 2017 meeting of the Town of Grimsby Public Works Committee, Ron Tripp, then Regional Commissioner of Public Works, spoke and identified the following:

"...the Region is only looking for input from the Town as to whether the Livingston Avenue extension stays in the Regional Transportation Master Plan."; and

WHEREAS, on August 16, 2017 the Public Works Committee passed the following resolution:

"5. Correspondence - a) Livingston Avenue Extension and the Wood Lot PW17-48 Moved by Mayor R.N. Bentley; Seconded by Alderman J. Dunstall; Resolved that the Public Works Committee recommends that the Council of the Town of Grimsby at this time neither supports nor opposes a Livingston Avenue extension and would prefer to see the results of an Environmental Assessment on this matter prior to considering our position and further that the 2017 Niagara Region Transportation Master Plan reflect this. CARRIED"; and

WHEREAS, on August 21, 2017 the Council for the Town of Grimsby passed the following resolution:

"5. Approval of Committee Minutes - a) Public Works, July 16, 2017 C-17-170 Moved by Alderman Mullins; Seconded by Alderman Dunstall;



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Resolved that the Council of the Town of Grimsby lift Public Works resolution PW17-18 from August 16, 2017 Public Works Committee meeting minutes for separate consideration. CARRIED

*C-17-171 Moved by Alderman Mullins; Seconded by Alderman Kadwell;
Resolved that the Council of the Town of Grimsby recommends that, at this time, [it] neither supports nor opposes a Livingston Avenue extension; and*

Further [it] would prefer to see the results of an Environmental Assessment on this matter prior to considering our position; and

Further that the 2017 Niagara Region Transportation Master Plan reflect this. [...] CARRIED; and*

WHEREAS, the October 2017 final TMP, Page 121, states:

*"It is also noted that final Niagara Transportation Master Plan Report addresses the comments and recommendations provided at the July 11, 2017 Public Works Committee including: [...]
Livingston Avenue Extension between Casablanca Boulevard and Main Street will be subject to the Environmental Assessment process including need and justification, alternatives to the undertaking and extensive public consultation";
and*

WHEREAS, the comments stated in the TMP are not reflective of the Town of Grimsby's position, and do not agree with the resolutions passed at the July 11, 2017 PEDC or the July 21, 2017 Recommended Changes to TMP Documents to the TMP Public Consultation Process; and

WHEREAS, the June 12, 2019 PEDC Recommendation Report for ROPA 13 – Transportation Policies PDS 23-2019, Page 8, states:

*"The proposed Amendment was developed through an in-depth and collaborative process with several Regional Departments and local municipalities, and **Regional staff is of the opinion that it represents the interests of the municipalities, good planning, and addresses the unique circumstances within Niagara.**"; and*

WHEREAS, ROPA 13 "PART A – THE PREAMBLE - PURPOSE OF THE AMENDMENT" states:



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"3. Ensure that the Regional Official Plan is consistent with the goals, vision, and recommendations identified in the Niagara Region Transportation Master Plan, approved by Regional Council in 2017; [...]"

BACKGROUND

*Accordingly, it is imperative that the existing transportation policies of the Regional Official Plan are revised in co-ordination with the TMP **to ensure that the direction and recommendations identified in the study are properly implemented.**"; and*

WHEREAS, the Greenbelt Plan (2017) was approved by the Lieutenant Governor in Council, Order in Council No. 1025/2017, as an amendment to the Greenbelt Plan effective July 1, 2017. The proposed Livingston Avenue extension would extend into the Protected Countryside, Greenbelt lands; and

WHEREAS, ROPA 13 - Policy 9.C.8 states:

"The Niagara Region and its local municipalities should plan lands adjacent to or near existing and planned frequent transit or higher order transit facilities, including those within the Greenbelt Area where such lands have been approved through a Municipal Class Environmental Assessment, to:
a) provide transit-supportive uses that enable opportunities for improved transit service integration; b) facilitate multimodal connections that encourage a more evenly distributed modal share; and c) support active transportation."

THEREFORE, BE IT RESOLVED:

That Council for the Town of Grimsby respectfully requests that the Region amend the Transportation Master Plan (TMP) Executive Summary and Final TMP, Map 6 - 2041 Road Network, and Map 8 - Proposed Road Network Phasing to include the wording that the **"Status of Livingston Avenue is in abeyance until addressed by Grimsby Council."**;

AND, that Council for the Town of Grimsby respectfully requests that Regional Council defer approval of ROPA 13 pending an amendment to the TMP and inclusion of the Town of Grimsby's position statement, **"Status of Livingston Avenue is in abeyance until addressed by Grimsby Council."**;



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AND, that Council for the Town of Grimsby respectfully requests that the Province defer approval of ROPA 13 pending an amendment to the TMP and inclusion of the Town of Grimsby's position statement, ***"Status of Livingston Avenue is in abeyance until addressed by Grimsby Council."***;

AND, that the duly elected 2018-2022 term of Council for the Town of Grimsby does not support an extension of Livingston Avenue, through Greenbelt land, from Emily Street to Main Street West;

AND, that the Town of Grimsby will provide a reconfirmation of its position at the 5-year review of the TMP;

AND, that this resolution and Appendix A be circulated to the Region for consideration;

AND, that this resolution be forwarded to the Ministry of Municipal Affairs and Housing and the appropriate provincial authorities for consideration.

APPENDIX IV

NIAGARA REGION COMMENT RESPONSE MATRIX

	Name/Title	Organization	Reference within ROPA 13	Agency Comment(s)	Planning and Development Services Response
1	Loralea Tulloch Planner, Community Planning and Development	Ministry of Municipal Affairs and Housing	General	<p>It is recommended that the Region include policies addressing infrastructure corridors. Growth Plan policy 3.2.5 provides direction for the development, optimization, or expansion of existing and planned corridors and supporting facilities.</p> <p>In a Region with an abundance of natural heritage and agriculture, planning for new or expanded transportation infrastructure may have to demonstrate, where applicable and through an Agricultural Impact Assessment and Environmental Assessment, that any impacts to the Agricultural System, key natural heritage features as well as key water resources have been avoided or at least minimized. The Region should also encourage the co-location of linear infrastructure facilities in order to use land more efficiently and integrate services. Therefore, it is recommended that policies 3.2.5 a), c) and d) of the Growth Plan be included in ROPA 13.</p> <p>It is also recommended that the Region include policies for existing or planned corridors in accordance with Policy 3.2.5 e) of the Growth Plan by:</p> <ul style="list-style-type: none"> • considering increased opportunities for moving people and goods by rail; • considering separation of modes within corridors; and • providing opportunities for inter-modal linkages. 	<p>New Policies 9.F.10 and 9.F.12 have been added to the Amendment to address policies 3.2.5.1 a), c) and d) of the Provincial Growth Plan.</p> <p>New Policy 9.H.7, which directs the Region to consider the protection of abandoned rail corridors to optimize future goods movement activity, has been added to the Amendment to address policy 3.2.5.1 e) i. of the Provincial Growth Plan.</p> <p>New Policy 9.F.11, which directs the Region to consider the separation of modes within corridors, has been added to the Amendment to address policy 3.2.5.1 e) ii. of the Provincial Growth Plan.</p>

2	Loralea Tulloch Planner, Community Planning and Development	Ministry of Municipal Affairs and Housing	General	Recommended that “Region” have a capital “R”.	For consistency, the Amendment has been revised to state “Niagara Region” when referencing the corporation of the Regional Municipality of Niagara. The term has remained lower-case when referencing the region as a geographic entity.
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3	Loralea Tulloch Planner, Community Planning and Development	Ministry of Municipal Affairs and Housing	General	<p>Both the Growth Plan (Policies 5.2.3.3 and 5.2.3.6) and PPS (Policy 1.2.2), encourage planning authorities to coordinate planning matters with Indigenous communities. First Nations and Metis communities, whose interests may be impacted by planning decisions, should be engaged to ensure that they have adequate opportunity to participate fully in the process. The Ministry is interested in understanding any engagement efforts that the Region has undertaken on this proposed amendment. Should the Region adopt ROPA 13, it is requested that information respecting any municipal engagement process be provided to MMA, including any submissions.</p>	<p>The Amendment is based on the Niagara Region Transportation Master Plan (TMP), which was approved by Regional Council in 2017. As part of the preparation of the TMP, the Niagara Region had:</p> <ul style="list-style-type: none"> Notified ten (10) First Nations and Metis contacts of the initiation of the project as part of a letter, dated January 25, 2016, to the Ministry of the Environment and Climate Change. Made a series of phone calls regarding aboriginal consultation to the aforementioned First Nations and Metis contacts between June 6, 2016 and July 20, 2016. Held a consultation meeting with the Six Nations of the Grand River on January 18, 2017. <p>In addition, the draft policies for Regional Official Plan Amendment No. 13 were also circulated to First Nations and Metis representatives along with a separate response form to help expedite feedback on the proposal. To date, the Region has not received any submissions from First Nations or Metis representatives with regards to the Amendment.</p>
4	Loralea Tulloch Planner, Community Planning and Development	Ministry of Municipal Affairs and Housing	9. Transporta tion Moving People and Goods	<p>The new Growth Plan for the Greater Golden Horseshoe (Growth Plan) now projects growth to a 2041 planning horizon. [Recommended policy modification]:</p> <p>“The Provincial Growth Plan for the Greater Golden Horseshoe projects significant growth within the Niagara Region by the year to a 2041 planning horizon 2031...”</p>	<p>The preamble to “Chapter 9. Transportation Moving People and Goods” has been reworded as suggested.</p>

5	Lorelea Tulloch Planner, Community Planning and Development	Ministry of Municipal Affairs and Housing	9.A General Objectives	The Region should revise or re-profile its objectives to place a heavier emphasis on Growth Plan policy 3.2.2.2 b) by moving 9.A.1 after 9.A.7.	Staff believe that the current positioning of Objective 9.A.1 is appropriate, as it provides the broadest scope of direction when compared to the other Niagara Region transportation system objectives.
6	Lorelea Tulloch Planner, Community Planning and Development (West)	Ministry of Municipal Affairs and Housing	Objective 9.A.1	<p>The Growth Plan places a higher priority on modes of transportation which reduce reliance on the automobile than it does on offering multimodal access to jobs, housing, schools, cultural, and recreational opportunities, and goods and service.</p> <p>Strategic growth areas is a newly defined term in the Growth Plan, 2017. The new term replaces the 2006 Growth Plan's "intensification areas" and "intensification corridors". We note that the Region is proposing to add the term Strategic Growth Area to their OP through this amendment and have provided a definition that conforms to the Growth Plan.</p> <p>"Promote and support all modes of safe transport for the movement of goods and people to jobs, housing, school, culture and recreational opportunities, especially in strategic growth areas intensification areas and areas designated for high-density development."</p>	Objective 9.A.1 has been reworded as suggested.
7	Lorelea Tulloch Planner, Community Planning and Development	Ministry of Municipal Affairs and Housing	Objective 9.A.2	<p>Rather than stating "all modes of transportation" it is recommended that the Region use their newly added term "multi-modal transportation system". Additionally, is it recommended that the Region identify "road, rail, marine and air" as examples because walking and cycling are also modes of transportation not listed. This also aligns with the definition of "multimodal" in the Growth Plan.</p> <p>"Support a connected multimodal transportation system network that allows the efficient movement of people and</p>	<p>Former Objective 9.A.2 has been removed from the Amendment due to its similarity to Objective 9.A.1.</p> <p>Please note that the definition for "multi-modal transportation system" has been removed from the proposed Amendment as the Niagara Region's current Official Plan already defines the terms "multi-modal" and "transportation system", respectively.</p>

				goods on all modes of transportation (such as road, rail, marine, and air).”	
8	Loralea Tulloch Planner, Community Planning and Development	Ministry of Municipal Affairs and Housing	Policy 9.B.3	<p>The Go Transit system is often referred to as the regional transit system.</p> <p>For clarity, it is recommend that [this policy] be revised as follows:</p> <p>“Policy 9.B.3 The Region will work with Metrolinx, the Province and other stakeholders to improve linkages between the Niagara Regional Transit Systems and GO Transit.”</p>	Policy 9.B.3 has been reworded as suggested.
9	Loralea Tulloch Planner, Community Planning and Development	Ministry of Municipal Affairs and Housing	Section 9.C Public Transit	<p>The Growth Plan places first priority on public transit for transportation infrastructure planning and major transportation investments.</p> <p>It is recommended that the following policy be added as 9.C.1:</p> <p>“Policy 9.C.1 Public transit will be the first priority for transportation infrastructure planning and major transportation investments.”</p>	New Policy 9.C.1 has been added to the Amendment to indicate that transit planning and implementation will be a priority in Regional transportation planning. The remaining policies within this section have been renumbered.

10	Loralea Tulloch Planner, Community Planning and Development	Ministry of Municipal Affairs and Housing	Policy 9.C.1	<p>Recommend revising as follows:</p> <p>“b) Prioritizing areas with existing or planned higher residential or employment densities to optimize return on investment and the efficiency and viability of existing and planned transit service levels;”</p> <p>“bc) Transit service(s) to areas that have achieved, or will be planned to achieve transit supportive residential, commercial, institutional and employment densities;”</p> <p>“ed) Improved linkages from nearby neighbourhoods to major trip generators, including: the St. Catharines urban growth centre, locally designated residential intensification strategic growth areas, employment areas, including tourist location and connection, and major transit station areas;”</p>	<p>Policy 9.C.2* has been reworded to generally reflect the recommended wording of this comment.</p> <p>Former Policy 9.C.1 b) has been removed from the Amendment due to its similarity to Policy 9.C.2 a)*.</p> <p>*previously Policy 9.C.1</p>
11	Loralea Tulloch Planner, Community Planning and Development	Ministry of Municipal Affairs and Housing	Policy 9.C.5	<p>The Go Transit system is often referred to as the regional transit system.</p> <p>For clarity, it is recommend that [this policy] be revised as follows:</p> <p>“Policy 9.C.5 The Region will encourage transit service integration as part of the implementation of an inter-municipal regional transit system.”</p>	<p>Policy 9.C.6* has been reworded as suggested.</p> <p>*previously Policy 9.C.5</p>
12				<p>The Growth Plan directs municipalities to work with transit operators, the Province and Metrolinx, where applicable, to support transit service integration within and across municipal boundaries.</p> <p>Would recommend revising this policy as follows:</p>	<p>Policy 9.C.6* has been reworded as suggested.</p> <p>*previously Policy 9.C.5</p>

				“The Region will encourage transit supportive integration as part of the implementation of an inter-municipal regional transit system and work with transit operators, the Province and Metrolinx, where applicable.”	
13	Loralea Tulloch Planner, Community Planning and Development	Ministry of Municipal Affairs and Housing	Policy 9.C.7 & Policy 9.C.8	<p>It is unclear what is meant by a Go Station Hub.</p> <p>Consider clarifying what specifically is meant by this phrase; do these include all GO stations and stops or a particular subset?</p>	<p>For clarification, Policies 9.C.9* and 9.C.10** have removed the term GO Station Hub to make reference to higher order transit facilities and connections, the definition of which makes refers to heavy rail, light rail, and buses in dedicated rights-of-way.</p> <p><small>*previously Policy 9.C.7</small> <small>**previously Policy 9.C.8</small></p>
14	Loralea Tulloch Planner, Community Planning and Development	Ministry of Municipal Affairs and Housing	Policy 9.C.11	Policy 9.C.11 makes reference to major transit station areas achieving minimum density targets that reflect existing and planned transit service levels. Minimum density targets are only required for major transit station areas located on a priority transit corridor, which Niagara Region does not have. MMA does however support the Region in identifying a minimum density target for their major transit station areas. To assist in identifying a minimum density target the Region may want to consider policy 2.2.4.4 b) of the Growth Plan.	<p>Policy 9.C.12* has been reworded to remove references to achieving minimum density targets for major transit station areas. No further changes to the policy are required.</p> <p><small>*previously Policy 9.C.11</small></p>
15				The Growth Plan contains specific policies which speak to all major transit station areas, including those not located on priority transit corridors. It is recommended that the Region revise policy 9.C.11 to elaborate on how local municipalities will develop land use plans for their major transit station areas and how development will be supported by making reference to applicable criteria listed in policies 2.2.4.8 and 2.2.4.9 of the Growth Plan. The Region and local municipalities may find MTO’s Transit -Supportive Guidelines helpful, in particular Chapter 2.3 on Enhancing Access to Transit, when	<p>Policy 9.C.12* has been reworded to include the criteria of policy 2.2.4.9 of the Growth Plan.</p> <p>Policy 9.C.2**, which addresses the expansion of public transit across the Niagara Region, largely addresses the criteria outlined in policy 2.2.4.8 of the Growth Plan.</p> <p>New Policy 9.D.6 has also been added to the Amendment to support transit-oriented development</p>

				<p>developing more detailed frameworks around major transit station areas. This chapter includes effective strategies for design and integration of transit stations.</p>	<p>standards in major transit station areas that accommodate active transportation modes.</p> <p>*previously Policy 9.C.11 **previously Policy 9.C.1 c)</p>
16	Loralea Tulloch Planner, Community Planning and Development	Ministry of Municipal Affairs and Housing	Policy 9.D.1	<p>Planned ‘active transportation networks’ may intersect provincial highways.</p> <p>For more information on how to plan near provincial highways, please see MTO’s Guideline for Municipal Official Plan Preparation and Review found here: http://www.mto.gov.on.ca/english/engineering/management/corridor/municipal-guideline/standards.shtml</p> <p>The Region and municipalities should consult MTO early in the planning stage when planning active transportation networks around provincial highways.</p> <p>Technical: It is recommended that “local” be added before “municipalities” in this policy to be consistent with how the Region refers to lower-tiers elsewhere.</p>	<p>Policy 9.D.1 has been reworded to refer to “local municipalities”.</p>
17	Loralea Tulloch	Ministry of Municipal	Policy 9.D.7	<p>Active transportation routes cross other provincial highways of all designation. The phrase ‘and other’ should be inserted before Highways.</p>	<p>Policy 9.D.8* has been reworded.</p> <p>*previously Policy 9.D.7</p>

18	Planner, Community Planning and Development	Affairs and Housing		As the Ministry of Transportation is only referenced in this policy within Chapter 9, there is no need for an acronym to be established. The Ministry of Transportation is referenced elsewhere, after Chapter 9, in the Official Plan (i.e., definitions) and the acronym is not used. Would suggest removing the acronym.	<p>Policy 9.D.8* has been reworded as suggested.</p> <p>*previously Policy 9.D.7</p>
19	Loralea Tulloch Planner, Community Planning and Development	Ministry of Municipal Affairs and Housing	Policy 9.E.2 & Policy 9.E.4	<p>Policy 9.E.2 speaks to implementation of complete streets to be considered for Regional Roads meeting a specific list of requirements. Furthermore, policy 9.E.4 indicates that local official plans shall include policies related to the implementation of complete streets. It is unclear how these proposed policies meet policy 3.2.2.3 of the Growth Plan which states that “in the design, refurbishment, or reconstruction of the existing and planned street network, a complete streets approach will be adopted that ensures the needs and safety of all road users are considered and appropriately accommodated”. Consideration of complete streets should not be limited to those that satisfy the particular criteria listed in policy 9.E.2.</p> <p>It is recommended that ROPA 13 utilize an overarching complete streets approach to all roadway design, reconstruction, and refurbishment as per the Growth Plan. To support the Region’s objectives set out in Policy 9.E, the Region may find Chapter 2.2 on Creating Complete Streets of MTO’s Transit Supportive Guidelines helpful, which includes strategies for planning complete streets. Additionally, MMA staff recommend that the Region consider italicizing defined terms throughout its Official Plan for better clarity (i.e. complete streets).</p>	<p>Defined terms have been italicized throughout the Amendment.</p> <p>Policy 9.E.1 has been reworded to indicate that a complete streets approach will be adopted for the “design, refurbishment, or reconstruction” of the entirety of the Niagara Region’s road network.</p> <p>Former Policies 9.E.2 and 9.E.6 have been removed from the Amendment, and the policies in this section have been renumbered.</p> <p>Policy 9.E.3* has been reworded to conform to policy 3.2.2.3 of the Growth Plan.</p> <p>*previously Policy 9.E.4</p>

20	Loralea Tulloch Planner, Community Planning and Development	Ministry of Municipal Affairs and Housing	Policy 9.F.9	<p>This policy currently states that local municipalities shall develop official plan policies regarding planned corridors in consultation with and to the satisfaction of the Province. As the approval authority for lower-tier official plans, the Region should also be satisfied with these policies.</p> <p>The Region should consider clarifying that development applications will not preclude or predetermine outcomes of planned corridors but rather the decisions made on these applications may have that effect.</p> <p>It is also recommended that this policy be revised to align better with the PPS's planned corridor protection policy.</p> <p>It is recommended that this policy be revised as follows:</p> <p>"Local municipalities, in consultation with and to the satisfaction of the Region and the Province, shall develop Official Plan policies that provide protection for planned corridors protection to ensure that decisions on development applications will not predetermine or preclude or negatively affect the use of the corridor for the purpose(s) for which it was identified planning and/or implementation of the above noted transportation facilities."</p>	Policy 9.F.9 has been reworded as suggested.
21	Loralea Tulloch Planner, Community Planning and Development	Ministry of Municipal Affairs and Housing	Policy 9.G.1	<p>Recommend revising this sentence to read more clearly. [Recommended policy modification]:</p> <p>"The Region will develop and implement by including in this Plan a comprehensive Transportation Demand Management (TDM) strategy to:"</p>	Policy 9.G.1 has been reworded as suggested.
22	Loralea Tulloch	Ministry of Municipal	Policy 9.G.2	To be consistent with the term "Transportation Demand Management <u>strategy</u> " used in 9.G.1.	Policies 9.G.1 and 9.G.2 have been reworded to reflect the terminology used within the TMP, which refers to a " <u>Travel</u> Demand Management <u>Study</u> ".

	Planner, Community Planning and Development	Affairs and Housing		“Local municipalities shall develop and implement TDM policies to be incorporated into local official plans that are consistent with the future TDM Study strategy.”	
23	Loralea Tulloch Planner, Community Planning and Development	Ministry of Municipal Affairs and Housing	Section 9.H Goods Movement	Recommend adding in a policy related to accommodating agricultural vehicles and equipment. “9.H.8 The Region will work with municipalities, agencies and transportation service providers to develop transportation systems which accommodate agricultural vehicles and equipment, as appropriate.”	New Policy 9.H.5 has been added to the Amendment to address this comment.
24	Loralea Tulloch Planner, Community Planning and Development	Ministry of Municipal Affairs and Housing	Policy 9.H.1	To ensure consistency with language used elsewhere in the Region’s OP, it is recommended that the “Niagara Gateway Economic Zone” and “Niagara Gateway Economic Centre” be revised accordingly. “...The Region’s goods movement network will also take advantage of cross-border trade and the Foreign Free Trade Zone, and maximize the use of the Niagara Gateway Economic Zone and Niagara Gateway Economic Centre.” Or “...The Region’s goods movement network will also take advantage of cross-border trade and the Foreign Free Trade Zone, and maximize the use of the Niagara Economic Gateway Zone and Niagara Economic Centre ”	Policy 9.H.1 has been reworded as suggested.
25	Loralea Tulloch Planner, Community Planning and Development	Ministry of Municipal Affairs and Housing	Policy 9.H.3	Recommend revising to clarify that these routes are to be identified specifically for goods movement. The wording in this policy implies that prime employment areas are separate from employment areas which is not the case. Prime employment areas are a subset of employment areas. Additionally, since the Region does not yet have lands	Former Policy 9.H.3 has been removed from the Amendment due to its similarity to Policy 9.H.1 .

				<p>designated as prime employment areas, we recommend only indicating employment areas in this policy.</p> <p>“The Region, in partnership with local municipalities, will identify priority and alternative routes for goods movement into and out of from prime employment and employment areas and other areas of significant commercial activity connecting to the provincial network.”</p>	
26	Loralea Tulloch Planner, Community Planning and Development	Ministry of Municipal Affairs and Housing	Policy 9.H.7	<p>Suggest revising to emphasize support for integration of multi-modal goods movement with freight supportive land uses to better align with the Growth Plan.</p> <p>Recommend removing “and people” as this section pertains to Goods Movement.</p> <p>Technical Comment: Remove the quotation mark at the end of the sentence.</p> <p>“The Region will support the development and integration of multi-modal transportation systems and freight supportive land uses to facilitate the movement of goods and people, while ensuring compatibility with adjacent land uses and access to these facilities.”</p>	<p>Policy 9.H.4* has been reworded.</p> <p>*previously Policy 9.H.7</p>
27	Loralea Tulloch Planner, Community Planning and Development	Ministry of Municipal Affairs and Housing	Schedule E1	<p>Schedule E1 shows three GO Transit stations identified as “major transit stations” and one station identified as “proposed major transit station.”</p> <p>To provide more clarity, please consider:</p> <ul style="list-style-type: none"> • keeping the label ‘major transit stations’ for the two existing stations (St. Catharines and Niagara Falls) • identifying the planned Grimsby GO station as such to show that it is planned and not existing at this time 	<p>Schedule E1 has been revised as suggested.</p>

				<ul style="list-style-type: none"> Identifying that the “proposed major transit station” (Beamsville station area in Lincoln) as a future recommended station which is not yet committed or funded 	
				<p>All Niagara Region provincial highways should be shown on Schedule E.</p> <p>Revise Schedule E1 to show:</p> <ul style="list-style-type: none"> Highway 58 extended easterly to Thorold Townline Road Highway 20 at the south end of Highway 58 	Schedule E1 has been revised as suggested.
28	Loralea Tulloch Planner, Community Planning and Development	Ministry of Municipal Affairs and Housing	Chapter 15 Definitions	<p>It is recommended that this policy be revised to better align with the Growth Plan.</p> <p>“Active Transportation means any form of self-propelled transportation that relies on the use of human energy such as walking, cycling, inline skating, jogging, or travel with the use of mobility aids, including motorized wheelchairs and other power-assisted devices moving at a comparable speed.”</p>	The definition for “active transportation” has been reworded as suggested.

	Name/Title	Organization	Reference within ROPA 13	Agency Comment(s)	Planning and Development Services Response
29	Nancy Mott Senior Strategic Advisor	Niagara Escarpment Commission	General	Part 2.12 of the NEP contains the revised policies relating to Infrastructure. The objective of this development criterion is "to design and locate infrastructure so that the least possible impact occurs on the Escarpment environment and to encourage green infrastructure and low impact development, where appropriate". ROPA 13 generally supports this objective by encouraging environmentally appropriate modes of sustainable transportation. The proposed policy should be enhanced by also acknowledging that there are locations where transportation infrastructure is discouraged such as in parks, open spaces, the Bruce Trail, prime agricultural areas and Escarpment Natural Areas in order to avoid conflict with NEP policy including Part 2.6.2 e) and Part 2.7.2 e) relating to infrastructure in key hydrologic features and key natural heritage features.	<p>New Policy 9.F.12 has been added to the Amendment to address transportation infrastructure improvements within the agricultural and natural heritage system.</p> <p>New Policy 9.B.6 has been added to the Amendment to address transportation infrastructure improvements within the Niagara Escarpment Plan boundaries.</p>
30	Nancy Mott Senior Strategic Advisor	Niagara Escarpment Commission	General	Although the Bruce Trail is identified on Schedule F of the Official Plan, there is no specific reference to it in the Active Transportation policies in ROPA 13. We note that there are trail policies in Chapter 2 of the Official Plan but there is no specific reference to the Bruce Trail. "Policy 2.B.2.15 only references "other trails". The NEP supports the establishment of a permanent route for the Bruce Trail and as a footpath, it contributes to active transportation opportunities. Policies to identify and support the Bruce Trail should be considered for incorporation into ROPA 13.	New Policy 9.D.9 has been added the Amendment to support the development of the Bruce Trail.

31	Nancy Mott Senior Strategic Advisor	Niagara Escarpment Commission	General	<p>Reference to the environmental assessment process is found in the existing transportation policies (e.g. Policy 9.B.3 and 9.C.23) and reference the need for a Development Permit from the NEC, as noted above. These policies are not found in ROPA 13.</p> <p>Although Chapter 14 of the Official Plan refers to the possible need for an EA in Policy 14.F.3 for municipal infrastructure projects, there is no indication of the role of other agencies, such as the NEC in that process. We would like to better understand the process that the Region would follow in determining the impact of transportation infrastructure on the Niagara Escarpment. Reference to the role of the NEC is only found in Policy 2.8.2.12 b) relating to recreation and tourism. We would like the Region to identify in ROPA 13 that there is a role for the NEC in the EA process for infrastructure, that development permits may be required and that, in the event of a conflict, the policies of the NEP prevail over Regional Official Plan policy, pursuant to Section 14 of the Niagara Escarpment Planning and Development Act and consistent with Part III of the PPS with respect to the precedence of the NEP over the PPS and the need for municipal planning decision to not conflict with provincial policy.</p>	<p>Transportation infrastructure improvements will be subject to the requirements of the Environmental Assessment Act and its regulations. The Act will outline the required consultation process for each public works project. If such improvements are located within the Niagara Escarpment Plan boundaries, they will also be subject to the policies of the Niagara Escarpment Plan, whose policies and mapping determine when and where development permits will be required.</p> <p>Staff note that the Region is currently in the process of drafting a new Official Plan. The new Official Plan will contain sections which outline where the policies of the Niagara Escarpment Plan take precedence during instances of conflict with the policies of the Regional Official Plan. In the interim, this matter is already provided for within the Provincial Policy Statement.</p> <p>No changes to the Amendment are required at this time.</p>
32	Nancy Mott Senior Strategic Advisor	Niagara Escarpment Commission	General	<p>There are new policies in the NEP with respect to Scenic Resources and Landform Conservation (Part 2.13). Policy 9.C.5 of the existing Regional Official Plan supports consideration of the impact of road improvements and reconstruction "on the existing landscape". This policy is not contained in ROPA 13 and NEC staff is concerned that the importance of protecting the Scenic Resources and Escarpment Related Landforms of the Niagara</p>	<p>New Policy 9.B.6 has been added to the Amendment to address the impact of transportation infrastructure on the scenic resources of the Niagara Escarpment.</p>

				Escarpment is not encouraged in the proposed Official Plan amendment.	
33	Nancy Mott Senior Strategic Advisor	Niagara Escarpment Commission	Policy 9.D.6	There is a reference in Policy 9.D.6 supporting off-road trails. It is important to indicate in the proposed policy whether these off-road trails would be pedestrian only or if recreational vehicles would be considered. The Bruce Trail is a pedestrian footpath only and the policies of the NEP do not permit intensive trail activities in Escarpment Natural and Escarpment Protection Areas. Only non-motorized trail activities are permitted in these designations.	New Policy 9.D.9 has been added to the Amendment to specify that off-road trails in the Niagara Escarpment Planning Area are subject to the policies of the Niagara Escarpment Plan.
34	Nancy Mott Senior Strategic Advisor	Niagara Escarpment Commission	Policy 9.F.4	Proposed policy 9.F.4 states that the Region may acquire additional land for road allowances without an amendment to the Official Plan. Policy 9.C.16 in the existing Official Plan states that an amendment would be required and took into consideration "applicable federal and provincial acts and regulations". If there is no Official Plan amendment, how would the NEC be consulted with respect to road widenings?	The Region would only acquire additional lands that exceed the road allowance widths identified in Table 9-1 by recommendation of a Municipal Class Environmental Assessment, upon which the Niagara Escarpment Commission would be able to provide input. No change to the Amendment is required.

	Name/Title	Organization	Reference within ROPA 13	Agency Comment(s)	Planning and Development Services Response
35	Ellen Savoia Senior Planner	Niagara Parks Commission	Section 9 Transportation: Moving People and Goods	<p>Please add:</p> <p><i>The Region recognizes that The Niagara Parks Commission's transportation system provides a unique multi-modal, tourist oriented function in the Niagara Region. In order to preserve and enhance the tourist oriented function as well as the scenic and natural amenities associated with The Niagara Parks Commission transportation system, access to the Niagara River Parkway is controlled, speed limits may be more restrictive than usual and commercial traffic is restricted.</i></p>	The preamble to "Chapter 9 Transportation: Moving People and Goods" has been reworded to generally address this comment. Specifically, the preamble now states that the Region will remain dedicated to working with its local area municipal partners, agencies, and other public entities on cross-jurisdictional transportation-related matters.
36	Ellen Savoia Senior Planner	Niagara Parks Commission	Policy 9.B.2	<p>Please add to Policy 9.B.2:</p> <p><i>The roads of The Niagara Parks Commission</i></p>	New sub-bullet 'g)' has been added to Policy 9.B.2 .
37	Ellen Savoia Senior Planner	Niagara Parks Commission	Section 9.B Coordinated Transportation System Planning	<p>To support coordination of land use planning that may impact the Niagara River Parkway and strategic infrastructure investments by NPC, the Region and area municipalities, please add the following:</p> <p><i>Policy 9.B.6: The Region will work with The Niagara Parks Commission to improve linkages between the regional transportation system and NPC's transportation system.</i></p>	New Policy 9.B.7 has been added to the Amendment to address the co-ordination of the Niagara Region and Niagara Parks Commission transportation systems.

38	Ellen Savoia Senior Planner	Niagara Parks Commission	Section 9.D. Active Transporta tion	<p>NPC requests the following be added:</p> <p><i>Policy 9.D.8: The Region will encourage The Niagara Parks Commission to develop active transportation infrastructure and supporting policies in alignment with the Strategic Cycling Network.</i></p>	<p>New Policy 9.B.7 has been added to the Amendment to direct the Region and the Niagara Parks Commission to co-ordinate on improvements to their respective transportation systems, which includes improvements to active transportation linkages.</p> <p>Although the Region supports the Niagara Parks Commission in developing policies that are in alignment with the Niagara Region's Strategic Cycling Network, staff do not believe that this policy is required as part of the Niagara Region Official Plan. No change to this Amendment is required.</p>
39	Ellen Savoia Senior Planner	Niagara Parks Commission	Schedule E1	Transportation Infrastructure does not identify the Niagara River Parkway as a road in the Region. Niagara River Parkway should be at minimum identified as a Niagara Parks Commission road.	Schedule E1 has been revised as suggested.
40	Ellen Savoia Senior Planner	Niagara Parks Commission	Schedule E2	The Niagara River Parkway is a part of the existing cycling network. The scale of the map makes it is difficult to confirm that the entire Niagara River Parkway is identified as part of strategic. Please review and ensure it is included as part of the strategic cycling network.	Schedule E2 has been revised to include all bicycle routes identified within the Strategic Cycling Network mapping of the Transportation Master Plan.

	Name/Title	Organization	Reference within ROPA 13	Agency Comment(s)	Planning and Development Services Response
41	Darlene Presley Planning Coordinator, MHBC	TransCanada PipeLines Limited	Policy 9.D.6	Amend Policy 9.D.6 by adding: “Where such corridors include the TransCanada Pipeline right-of-way, the Region shall require early consultation with TransCanada or its designated representative for any proposals within 30 metres of its pipeline centreline”.	Policy 9.D.7* has been reworded to generally address this comment. Specifically, to require early pre-consultation with relevant stakeholders, including TransCanada Pipelines or its designated representative, in the acquisition of abandoned rail and other linear corridors. *previously Policy 9.D.6
42	Darlene Presley Planning Coordinator, MHBC	TransCanada PipeLines Limited	Section 9.F Regional Road System	Add Policy 9.F.10 [that states]: “TransCanada PipeLines Limited (TransCanada) has high pressure natural gas pipelines crossing the Region. TransCanada is regulated by the National Energy Board (NEB) which has a number of requirements regulating development in proximity to its pipelines. This includes approval requirements for activities within 30 metres of the pipeline centreline such as conducting a ground disturbance, constructing or installing a facility across on or along the pipeline right-of-way, driving a vehicle, mobile equipment or machinery across the right-of-way and the use of explosives”.	New Policy 9.F.13 has been added to the Amendment to generally address this comment.

	Name/Title	Organization	Reference within ROPA 13	Agency Comment(s)	Planning and Development Services Response
43	John Barnsley, Manager, Policy Planning	City of Niagara Falls	General	The Corridor Protection policies and plans should be part of this amendment as these corridors are part of the overall transportation policy framework.	<p>New Policies 9.F.10 and 9.F.12 have been added to the Amendment to address the infrastructure corridors policies of the Growth Plan.</p> <p>The development and planning of specific transportation corridors and their associated infrastructure are identified in Policy 9.B.2, and will be accomplished through the direction of the Region's Transportation Master Plan (TMP).</p> <p>New Policy 9.F.14 has been added to the Amendment to reference the recommended actions and schedules of the TMP.</p>
44	John Barnsley, Manager, Policy Planning	City of Niagara Falls		The Region's Transportation Master Plan includes a 2041 Road network Plan and a Phasing Plan which should be part of the amendment. These plans provide the future conceptual network and how it is to be implemented.	<p>The TMP will be reviewed every five (5) years, resulting in potential changes to the 2041 Road Network Action Plan. To add these plans to the Amendment may inadvertently date the document and reduce the effectiveness of its policies and/or mapping.</p> <p>New Policy 9.F.14 has been added to the Amendment to reference the recommended actions and schedules of the TMP.</p>
45	John Barnsley, Manager, Policy Planning	City of Niagara Falls		There should be policies that speak to road connections between the southern municipalities and the pending South Niagara Hospital Niagara Falls.	Any improvements or expansions to the street network in this area will be identified and implemented through the TMP's Road Network Action Plan and Recommended Road Capital Investments. No change to the Amendment is required.

46	John Barnsley, Manager, Policy Planning	City of Niagara Falls	9.E. Complete Streets	<p>The policies should provide flexibility to the lower tier with respect to implementation in order to allow for specific conditions and circumstances.</p> <p>The policies should recognize that there will be situations where not all of the elements of complete streets can be implemented. Flexibility should be provided in the policies.</p>	<p>Policy 3.2.2.3 of the Growth Plan requires municipalities to adopt a complete streets approach for the design, refurbishment, or reconstruction of a municipality's existing or planned street network. To conform to the Growth Plan, Policies 9.E.1 and 9.E.3* have been reworded to ensure that complete streets elements are considered as part of roadway improvements. The implementation of these elements will be determined through an evaluation of alternatives as directed by the Municipal Class Environmental Assessment process.</p> <p>Policy 9.E.4**, therefore, provides municipalities the flexibility of either creating their own complete streets guidelines or utilizing the Niagara Region's Complete Streets Design Guidelines as part of the required "complete streets approach".</p> <p>Relatedly, former Policies 9.E.2 and 9.E.6 have been removed from the Amendment to ensure conformity with the Growth Plan.</p> <p><small>*previously Policy 9.E.4</small> <small>**previously Policy 9.E.5</small></p>
47	John Barnsley, Manager, Policy Planning	City of Niagara Falls			

48	John Barnsley, Manager, Policy Planning	City of Niagara Falls	Table 9-1 Daylight Sight Triangle	<p>The requirements for daylight triangles should be standardized. The City's standards, provided below, are greater than those contained in the proposed amendment and offer specific consideration for roadway classification. Such a discrepancy between upper and lower tier requirements leads to confusion and questions when dealing with development applications. Daylight triangles should be of a size that can provide sightlines and also to provide for sufficient land for infrastructure and streetscape elements.</p> <table><tr><th>Road Classification</th><th>City</th><th>Region (proposed)</th></tr><tr><td>Local to Local</td><td>5 m x 5 m</td><td rowspan="4">Urban: Signalized = 10 m x 10 m Non-signalized = 6 m x 6 m</td></tr><tr><td>Collector to Local</td><td>5 m x 5 m</td></tr><tr><td>Collector to Collector</td><td>7 m x 7 m</td></tr><tr><td>Arterial to Local</td><td>7 m x 7 m</td></tr><tr><td>Arterial to Collector</td><td>12 m x 12 m</td><td rowspan="2">Rural = 15 m x 15 m</td></tr><tr><td>Arterial to Arterial</td><td>12 m x 12 m</td></tr><tr><td>Outside of Urban Boundary</td><td>15 m x 15 m</td><td></td></tr></table>	Road Classification	City	Region (proposed)	Local to Local	5 m x 5 m	Urban: Signalized = 10 m x 10 m Non-signalized = 6 m x 6 m	Collector to Local	5 m x 5 m	Collector to Collector	7 m x 7 m	Arterial to Local	7 m x 7 m	Arterial to Collector	12 m x 12 m	Rural = 15 m x 15 m	Arterial to Arterial	12 m x 12 m	Outside of Urban Boundary	15 m x 15 m		<p>The proposed “Minimum Sight Triangle Requirements Table” added to Table 9-1 of the Regional Official Plan outlines the safety standards established by the Region’s Public Work Department and will apply only to roads within the Region’s jurisdiction. No change to the table is required.</p>
Road Classification	City	Region (proposed)																							
Local to Local	5 m x 5 m	Urban: Signalized = 10 m x 10 m Non-signalized = 6 m x 6 m																							
Collector to Local	5 m x 5 m																								
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Name/Title		Organization	Reference within ROPA 13	Agency Comment(s)	Planning and Development Services Response
49	Erik Nickel City Engineer/Acting General Manager of Infrastructure and Development Services	City of Welland	General	Although this is a Regional Official Plan, there are a number of policies throughout the body of the Plan (e.g. 9.C.11, 9.O.1, 9.E.4, 9.E.5, 9.E.6, 9.F.9, 9.G.2, 9.H.2) that obligate local municipalities by using wording such as "local municipalities shall". Wording which obligates local municipalities should be removed from all Policies.	<p>Policy 3.2.2.3 of the Growth Plan requires municipalities to adopt a complete streets approach for the design, refurbishment, or reconstruction of a municipality's existing or planned street network. To conform to the Growth Plan, Policies 9.E.1 and 9.E.3* have been reworded to ensure that complete streets elements are considered as part of roadway improvements. The implementation of these elements will be determined through an evaluation of alternatives as directed by the Municipal Class Environmental Assessment process.</p> <p>Policy 9.E.4**, therefore, provides municipalities the flexibility of either creating their own complete streets guidelines or utilizing the Niagara Region's Complete Streets Design Guidelines as part of the required "complete streets approach".</p> <p>Relatedly, former Policies 9.E.2 and 9.E.6 have been removed from the Amendment to ensure conformity with the Growth Plan.</p> <p>The remaining policies identified in this comment are either similarly intended to conform to the requirements of the Growth Plan or have been included within the Amendment to ensure municipalities are undertaking consistent, best practices throughout the Niagara Region. No further changes to these policies are required.</p> <p><small>*previously Policy 9.E.4 **previously Policy 9.E.5</small></p>

50	Erik Nickel City Engineer/Acting General Manager of Infrastructure and Development Services	City of Welland	Objective 9.A.5	Active transportation encompasses more than walking and cycling. Consideration should be given to using walking and cycling and use of public transit as examples.	Objective 9.A.4* has been reworded. *previously Objective 9.A.5
51	Erik Nickel City Engineer/Acting General Manager of Infrastructure and Development Services	City of Welland	Policy 9.B.2 a)	Consideration should be given rewording this Policy to read: "Queen Elizabeth Way (QEW) widening from the eastern most boundary of the Region."	The corridors identified in the policy were specifically referenced in the Region's Transportation Master Plan (TMP). The requested change in wording would include road networks not currently envisioned in the TMP. No change to this policy is required.
52	Erik Nickel City Engineer/Acting General Manager of Infrastructure and Development Services	City of Welland	Policy 9.B.2. b)	Not all examples provided are interchanges on Highway 406.	Policy 9.B.2 b) has been reworded to clarify the intent of the policy.
53	Erik Nickel City Engineer/Acting General Manager of Infrastructure and Development Services	City of Welland	Policy 9.B.4	Reference to Provincial Freeway network should be changed to Provincial Highway network.	Policy 9.B.4 has been reworded as suggested.
54	Erik Nickel City Engineer/Acting General Manager of Infrastructure and Development Services	City of Welland	Policy 9.C.1 c)	As an urban growth centre is defined on page 10 of the proposed Amendment it is not necessary to specify the City of St. Catharines in this Policy.	In order ensure consistency between the Niagara Region's Official Plan and its various supporting documents, the reference to the City will be retained. For these same reasons, Policy 9.C.2 c) has been reworded to state "Downtown St. Catharines Urban Growth Centre".

55	Erik Nickel City Engineer/Acting General Manager of Infrastructure and Development Services	City of Welland	Policy 9.D.6	Second sentence in Policy should read: 'The Region encourages local municipalities to consider various means to protect and/or acquire such corridors.'	The word “recommend” more strongly reflects the intent of Policy 9.D.7* . No change to the policy is required. *previously Policy 9.D.6
56	Erik Nickel City Engineer/Acting General Manager of Infrastructure and Development Services	City of Welland	Policy 9.H.1	Reference to Niagara Economic Zone and Niagara Economic Centre should be changed to Niagara Gateway Economic Zone and Centre.	Policy 9.H.1 has been reworded.

Name/Title	Organization	Reference within ROPA 13	Agency Comment(s)	Planning and Development Services Response
57	Richard F. Brady Director of Community and Development Services	Town of Fort Erie	General Although this is a Regional Official Plan, there are a number of policies throughout the body of the Plan (e.g. 9.C.11, 9.O.1, 9.E.4, 9.E.5, 9.E.6, 9.E. 7, 9.F.9, 9.G.2, 9.H.2) that obligate local municipalities by using wording such as "local municipalities shall". Wording which obligates local municipalities should be reviewed and used only when absolutely necessary. It is noted the Growth Plan 2017 policies do not use the word "shall".	<p>Policy 3.2.2.3 of the Growth Plan requires municipalities to adopt a complete streets approach for the design, refurbishment, or reconstruction of a municipality's existing or planned street network. To conform to the Growth Plan, Policies 9.E.1 and 9.E.3* have been reworded to ensure that complete streets elements are considered as part of roadway improvements. The implementation of these elements will be determined through an evaluation of alternatives as directed by the Municipal Class Environmental Assessment process.</p> <p>Policy 9.E.4**, therefore, provides municipalities the flexibility of either creating their own complete streets guidelines or utilizing the Niagara Region's Complete Streets Design Guidelines as part of the required "complete streets approach".</p> <p>Relatedly, former Policies 9.E.2 and 9.E.6 have been removed from the Amendment to ensure conformity with the Growth Plan.</p> <p>The remaining policies identified in this comment are either similarly intended to conform to the requirements of the Growth Plan or have been included within the Amendment to ensure municipalities are undertaking consistent, best practices throughout the Niagara Region. No further changes to these policies are required.</p> <p><small>*previously Policy 9.E.4 **previously Policy 9.E.5</small></p>

58	Richard F. Brady Director of Community and Development Services	Town of Fort Erie	Objective 9.A.5	Active transportation encompasses more than walking and cycling. Consideration should be given to using examples; perhaps a more generic statement can be made that doesn't specify certain types of active transportation and is more consistent with the Active Transportation definition.	Objective 9.A.4* has been reworded. *previously Objective 9.A.5
59	Richard F. Brady Director of Community and Development Services	Town of Fort Erie	Policy 9.B.2	An additional subsection "g" should be included that steps outside of only those provincial identified corridors, to name <i>"any other corridor that may have the capacity to serve in a transportation function complimentary to provincial and regional transportation systems planning, such as those identified in PPS 2014 section 1.6.8.4 and section 9.0.6 herein."</i> Examples of <i>"other corridors"</i> in this context would include rail and hydro corridors that if decommissioned, hold great potential for transportation alternatives.	The corridors identified in the policy were specifically referenced in the Transportation Master Plan (TMP). The requested change in wording may include road networks not currently envisioned in the TMP. No change to this policy is required. Policy 9.D.7* addresses the protection and potential reuse of abandoned rail and hydro corridors for active transportation, and new Policy 9.H.7 has been added the Amendment to provide for the protection of abandoned rail corridors for future freight activity. *previously Policy 9.D.6
60	Richard F. Brady Director of Community and Development Services	Town of Fort Erie	Policy 9.B.3	For inclusiveness, the Town is suggesting the wording include reference to local municipalities with the following modification, <i>"The Region, in consultation with local municipalities, will work with Metrolinx, the Province and other stakeholders ..."</i>	Policy 9.B.3 has been reworded as suggested.
61	Richard F. Brady Director of Community and Development Services	Town of Fort Erie	Policy 9.C.1 b)	Currently, a number of transit agencies provide links or community bus service to areas that do not or will never achieve a density to support service provision. The support of such areas cannot be ignored, and should be addressed in this policy to ensure connection and public equity.	Former Policy 9.C.2 b) has been removed from the Amendment due to its similarity to Policy 9.C.2 a)* . Policy 9.C.2 a)* has been reworded to clarify strategic growth areas will be <i>prioritized</i> for transit service. *previously Policy 9.C.1 a)
62	Richard F. Brady Director of Community and Development Services	Town of Fort Erie	Policy 9.C.3	Elevate the demand-responsive transit service by replacing the word "encourage" with "supports". This in relation to such communities as Stevensville, for example.	No change to the policy is required.

63	Richard F. Brady Director of Community and Development Services	Town of Fort Erie	Policy 9.D.2	The reference to both the Strategic Cycling Network and Niagara Bikeways Master Plan is confusing. Which plan is being implemented? What is the difference between the two Plans? Should there be an additional schedule showing the Niagara Bikeways Master Plan area?	The Strategic Cycling Network is identified within the TMP and identifies gaps and underserved areas within the Niagara Bikeways Master Plan that should be developed within a shorter-term horizon. Both of these networks are outlined within Schedule E2 of the Amendment. For clarification, Schedule E2 has been retitled to the “Niagara Bikeways Master Plan” rather than the “Strategic Cycling Network”.
64	Richard F. Brady Director of Community and Development Services	Town of Fort Erie	Policy 9.D.6	Second sentence in Policy should read: "The Region supports local municipalities in their efforts to protect and/or acquire such corridors." This topic goes back to the <i>PPS 2014 section 1.6.8.4</i> referenced earlier and it would be appropriate for the Region to state "support" as a means of elevating significance. It is shown on the Region's schedules and therefore is interpreted as supportive.	The term “support” may imply a level of financial commitment the Region is not able to make at this time. No change to the policy is required.
65	Richard F. Brady Director of Community and Development Services	Town of Fort Erie	Policy 9.D.7	The word "over" in the policy should be more generic as not all crossings are "over" the highway. A suggestion for wording being more generic could be, " <i>...the provision of safe active transportation crossings of 400 series highways.</i> "	Policy 9.D.8* has been reworded. *previously Policy 9.D.7
66	Richard F. Brady Director of Community and Development Services	Town of Fort Erie	Policy 9.H.1	Reference to Niagara Economic Zone and Niagara Economic Centre should be changed to Niagara Gateway Economic Zone and Centre.	Policy 9.H.1 has been reworded.
67	Richard F. Brady Director of Community and Development Services	Town of Fort Erie	Schedule E1	There are policies related to the Niagara Greater Toronto Area East Corridor (NGTA) within the amendment. This proposed corridor should be illustrated on Schedule E1, as the Ministry of Municipal Affairs requires just about all Planning Act applications located within or adjacent to be circulated to the Ministry for their review.	The South Niagara East-West Arterial Road/Niagara Greater Toronto Area (NGTA) East Corridor is identified in Policy 9.B.2 , and a conceptual outline of the corridor is identified in “Map 6: 2041 Road Network” of the TMP.

					<p>As outlined in the TMP, the exact boundaries of the NGTA East Corridor must be determined through a Phase 2 Environmental Assessment. To add mapping to the Amendment that delineates this corridor prior to the completion of this study may inadvertently date the document and reduce the effectiveness of its policies and mapping.</p> <p>New Policy 9.F.14 has been added to the Amendment to reference the recommended actions and schedules of the TMP.</p>
68	Richard F. Brady Director of Community and Development Services	Town of Fort Erie	Schedule E2	<p>The Region continues to identify the Stevensville to Bridgeburg Corridor as part of their strategic bike network (Schedule E2), while the Town is greatly supportive of this initiative, have CP or CRX been consulted about this being identified for cycling/trail purposes? If not this is something the Region may want to consider.</p>	<p>Although CP was invited to stakeholder meetings as part of the development of the TMP, Regional staff has not met with CP or CRX regarding future implementation of the biketrail.</p>
69	Richard F. Brady Director of Community and Development Services	Town of Fort Erie	Section 15 Definitions	<p>"Active Transportation"- The Town has some concern with the definition, specifically the wording "other powered devices" currently proposed in the Region's amendment. While similar, there is subtle difference as it relates to "other mobility devices".</p> <p>The Growth Plan (2017) defines active transportation as: "Human-powered travel, including but not limited to, walking, cycling, inline skating and travel with the use of mobility aids, including motorized wheelchairs and other power assisted devices moving at a comparable speed." (PPS, 2014) (Emphasis added)</p> <p>Town Staff would be more supportive of using this type of language (PPS 2014), as it appears to link speed of "other mobility devices" to that of motorized wheelchairs.</p>	<p>The definition for "active transportation" has been reworded as suggested.</p>

				Common concerns over e-bikes, golf carts, snowmobiles and "other mobility devices" that are not truly AT or accessibility related, are exploiting the AT infrastructure networks and pose a higher degree of risk to intended AT users.	
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	Name/Title	Organization	Reference within ROPA 13	Agency Comment(s)	Planning and Development Services Response
70	Shannon Larocque Senior Planner, Community Planning and Development	Town of Pelham	Section 9.A General Objectives	Section 9.A General Objectives should include direct reference to accessibility and age-friendly. Staff recognize that these items have been addressed indirectly in the definition of “complete streets”, however would like to see these items included in the objectives also. Further, staff suggest the need to provide accessible and age-friendly features be included in Policy 9.E.2 as a criteria for consideration of a complete street.	Objectives 9.A.1 and 9.A.2* has been reworded to include people “of all ages and abilities”. Former Policy 9.E.2 has been removed to conform to the Provincial Growth Plan. *previously Objective 9.A.3
71	Shannon Larocque Senior Planner, Community Planning and Development	Town of Pelham	Section 9.C Public Transit	The Region must provide services that are currently being offered in small rural municipalities and recognize that it may not be as economically feasible as for larger municipalities. Transit must support all employment areas (i.e. Fenwick, Fonthill, Ridgeville, etc.) in small municipalities	Former Policy 9.C.1 b) has been removed from the Amendment due to its similarity to Policy 9.C.2 a)* . Policy 9.C.2 a)* has been reworded to clarify strategic growth areas will be <i>prioritized</i> for transit service. *previously Policy 9.C.1 a)
72	Shannon Larocque Senior Planner, Community Planning and Development	Town of Pelham	Policy 9.C.3	Staff has particular concern with Policy 9.C.3 which indicates that the Region will encourage the provision of demand-responsive transit service, where operationally and economically feasible, in local municipalities to serve low-density areas. Public transit must be available to all, including seniors and families living in rural communities that may not require accessible transit. There are a growing number of healthy seniors staying in their rural homes longer as they cannot afford to move elsewhere. Public transit is a major part of quality of life for all residents.	Understanding that prioritization for transit service will occur in areas that are most able to sustain it, demand-responsive transit allows for alternative service delivery in areas with very low demand for public transportation. The intent of this policy is to encourage the Region and its local municipalities to explore means of utilizing emerging and existing technology to decrease the cost of providing demand-response transit service and increase convenience to travelers. No change to this policy is required.
73	Shannon Larocque Senior Planner, Community Planning and Development	Town of Pelham	Section 9.D Active Transportation	Section 9.D Active Transportation does not include support for local Active Transportation Master Plans. Policy 9.D.3 indicates that the Region will fund the implementation of the Niagara Bikeways Master Plan along Regional roads. The draft policies should be amended to reflect support,	The implementation of local Active Transportation Plans is outside of the Region’s immediate jurisdiction, and as such, the Region cannot specifically commit to the funding of these plans.

				funding and alignment with local Active Transportation Plans also.	
74				<p>In addition, Section 9.D Active Transportation is weighted heavily toward cyclists (4 of 7 policies). The draft policies should be amended to recognize other users as well.</p>	<p>The following changes to the Amendment partially address this comment:</p> <ul style="list-style-type: none">• Language has been added to Objectives 9.A.1 and 9.A.2* to refer to people “of all ages and abilities” to establish that the design, refurbishment and construction of the Region’s street network should consider the needs of all users;• New Policy 9.D.9 has been added to the Amendment to address active transportation infrastructure and trails within the Niagara Escarpment Plan boundary and within the Niagara Parks Commission’s right-of-ways; and <p>Further, it is expected that through the development of a Travel Demand Management (TDM) Study, the Region will be given further direction to address the needs of active transportation users. New Policy 9.D.10 links the development of the TDM Study and the implementation of active transportation-friendly infrastructure and facilities.</p> <p><small>*previously Objective 9.A.3</small></p>

75	Shannon Larocque Senior Planner, Community Planning and Development	Town of Pelham	Policy 9.E7	Policy 9.E.7 indicates that the Region will work with local municipalities to implement complete street elements, such as multi-use paths, street lighting and missing sidewalk links along Regional roads. Staff suggest that this policy be clarified as to who will be funding these elements on Regional roads.	Former Policy 9.E.7 has been removed from the Amendment. No change to the Amendment is required. Please note that the Operating Policies Review Technical Paper, which was prepared as part of the development of the Niagara Region's Transportation Master Plan (TMP) outlines specific capital costs the Region may contribute towards complete street elements along Regional Roads within Downtown and/or Business Improvement Areas.
76	Shannon Larocque Senior Planner, Community Planning and Development	Town of Pelham	Policy 9.E.8	Policy 9.E.8 indicates that elements of complete streets that fall under local jurisdiction shall be maintained by the local municipality. Staff request clarification of what is meant for "those elements that fall under local jurisdiction" and have concerns about the additional cost burden this may cause for local municipalities. This concern was similarly expressed in the September Committee Report regarding the TMP.	It is the current practice for the Region to maintain transportation infrastructure between the curbs of Regional Roads. The Region is also responsible for the design, installation, and maintenance of lighting along Regional Roads. Infrastructure or other complete streets elements located outside of the "curb-to-curb" right-of way are expected to be maintained by the local municipality or by another designated public or private body.
77	Shannon Larocque Senior Planner of Community Planning and Development	Town of Pelham	Schedule E1	Staff note that Schedule E1 Transportation Infrastructure shows the portion of the Steve Bauer Trail between Murdoch Street and Church Street as Railway (Inactive). Some of this portion of the former railway has already been converted into a recreational trail and the remainder is anticipated in the future.	Schedule E1 has been revised to address this comment.

Name/Title		Organization	Reference within ROPA 13	Agency Comment(s)	Planning and Development Services Response
78	Madyson Yule, Planner II, Planning and Building	Township of West Lincoln	General	<p>The Township of West Lincoln requests commitment from the Region on the following matters within the Transportation Master Plan which relate to West Lincoln, as well as the proposed timeframes for these projects, which are outlined in the implementation section of the TMP, to be included in ROPA 13:</p> <p>That within the 2018-2019 time period the Region will finalize The Niagara Trade Corridor Sub-Committee (Regional/Provincial/Federal) as defined, as a committee which will be responsible to the Niagara Transportation Steering Committee and be comprised of Regional councillors, Municipal Councillors, Public Works Staff, and Planning Staff to ensure that the long term transportation infrastructure requirements such as the Niagara-Hamilton Trade Corridor and Niagara Escarpment Crossings are strongly advocated at both the Provincial and technical levels for approval, funding and implementation.</p>	<p>The Niagara Region's Official Plan does not determine the role or function of Council's committees as such polices may inadvertently date the document and reduce the effectiveness of its policies. No change to the Amendment is required.</p>

79	Madyson Yule, Planner II, Planning and Building	Township of West Lincoln	General	<p>The Region completed a Niagara Escarpment Crossing Transportation Study in 2016, which identified the need to improve road crossing of the Escarpment to allow for safe and efficient movement of trucks. The recommendation includes a new escarpment crossing and improving the operation of the existing crossings:</p> <ol style="list-style-type: none"> 1. Download Mountain Road (Grimsby) and Mountain Street (Lincoln) from regional to municipal jurisdiction so that provisions can be made to reduce truck traffic in the built up areas along these roadways. 2. Extend Bartlett Avenue (Grimsby) from Main Street East to Mud Street East. The extension alignment must include significant improvements to the Park Road corridor. <p>The Projected Transportation improvements for Niagara Escarpment Crossing within the Niagara Region should include more details regarding implementation of the project as well as a projected date to be finished within the Regional Official Plan Amendment 13. The Niagara Escarpment Crossings Project is within the Regions Road Action plan which is expected to be completed in the short term phase outlined in the Transportation Master Plan, which has a timeline set by the Region of 2017-2021. More details regarding the Niagara Escarpment Crossings should be defined and incorporated in the Regional Official Plan Amendment.</p>	<p>The undertaking of an Environmental Assessment for the Niagara Escarpment Crossing is identified within the 2041 Road Network Action Plan of the Region's Transportation Master Plan (TMP). The TMP will be reviewed every five (5) years, resulting in potential changes to the phasing of the action plan. To add specific timeframes within the Amendment may inadvertently date the document and reduce the effectiveness of its policies and mapping.</p> <p>New Policy 9.F.14 has been added to the Amendment which makes reference to the recommended actions and schedules of the TMP. No further changes to the Amendment are required.</p> <p>Township staff are encouraged to contact the Niagara Region Public Works Department to discuss the direction and status of the Niagara Escarpment Crossing.</p>
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80	Madyson Yule, Planner II, Planning and Building	Township of West Lincoln	General	<p>“How We Go” states that the Niagara Region, in conjunction with The Ministry of Transportation, and City of Hamilton shall undertake a role and function study that defines future role and corridor (trade corridor, international/inter-regional travel corridor), opportunities (road improvements including the Smithville By-pass) and implementation strategies (jurisdiction, costs, timing). The Niagara Region has a timeframe of 2018-2019 for the Regional Road 20/Highway 20 role and Function study. The Region has a deadline for this project to be completed within the short term timeframe, which will be completed between 2017-2021. More details regarding Regional Road 20/Highway 20 role and function study are requested to be incorporated into ROPA 13.</p>	<p>The TMP will be reviewed every five (5) years, resulting in potential changes to the 2041 Road Network Action Plan. To add specific timeframes within the Amendment may inadvertently date the document and reduce the effectiveness of its policies and/or mapping.</p> <p>New Policy 9.F.14 has been added to the Amendment which makes reference to the recommended actions and schedules of the TMP. No further changes to the Amendment are required.</p> <p>Township staff are encouraged to contact the Niagara Region Public Works Department to discuss the direction and status of the Role and Function Study.</p>
81	Madyson Yule, Planner II, Planning and Building	Township of West Lincoln	General	<p>The Regions action plan states that the Region would like to Advocate and work with the Ministry of Transportation for capacity improvements to accommodate inter-regional and international travel demand, which includes building a new Niagara-Hamilton Trade Corridor. The Niagara Hamilton Trade Corridor which connects Niagara Region from Fort Erie to Hamilton in the vicinity of the Hamilton Airport/Highway 403, would address the more immediate demands of moving goods in and through Niagara in the absence of the full NGTA corridor. The TMP Action Plan has set out to have these works completed within the medium/ long term timeframes. (between 2022-2041) The Region should incorporate more details of this project including associated timelines within the Regional Official Plan Amendment 13.</p>	<p>The TMP will be reviewed every five (5) years, resulting in potential changes to the 2041 Road Network Action Plan. To add specific timeframes within the Amendment may inadvertently date the document and reduce the effectiveness of its policies and/or mapping.</p> <p>New Policy 9.F.14 has been added to the Amendment which makes reference to the recommended actions and schedules of the TMP. No further changes to the Amendment are required.</p> <p>Township staff are encouraged to contact the Niagara Region Public Works Department to discuss the direction and status of the Niagara-Hamilton Trade Corridor.</p>

82	Madyson Yule, Planner II, Planning and Building	Township of West Lincoln	General	<p>The Smithville by-pass was identified as one of the 5 sub-areas identified in the Regional Transportation Master Plan. These subareas were identified based on their current and anticipated future traffic demands and history of traffic operations or safety concerns.</p> <p>Since it has not yet been established how the Smithville bypass is to be configured, this subarea analysis was put on hold. Although the subarea analysis was not conducted for the Smithville Bypass, consideration of the bypass has identified that several transportation initiatives that may be interconnected and as such should be addressed. Based on these considerations, the following is recommended:</p> <ul style="list-style-type: none"> • That the Region and the Township of West Lincoln establish the preferred routing for the Smithville Bypass, either on the north side or south side of downtown Smithville, and conduct the subarea analysis to establish local traffic impacts and identify required infrastructure and operational improvements; • That the Region continue working with Hamilton, Halton, Peel and Waterloo Regions to advocate for a Niagara-GTA corridor as an alternate route to the QEW, connecting Fort Erie to the GTA through south Niagara (previously known as the Mid-Peninsula highway); and • That the Region undertake Phases 3 and 4 of the Municipal Class Environmental Assessment (EA) process (Schedule C) to develop a preferred 	<p>The TMP will be reviewed every five (5) years, resulting in potential changes to the 2041 Road Network Action Plan. To add specific timeframes within the Amendment may inadvertently date the document and reduce the effectiveness of its policies and/or mapping.</p> <p>New Policy 9.F.14 has been added to the Amendment which makes reference to the recommended actions and schedules of the TMP.</p> <p>Township staff are encouraged to contact the Niagara Region Public Works Department to discuss the status and direction of the Smithville By-pass.</p>
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				<p>alignment and preliminary design for the Bartlett Avenue Extension.</p> <p>Township staff feels that the Smithville By-pass as part of sub-area 5 within the 10 year road capital improvement program should be better described with reference to the new 25 year horizon timelines and how it is going to be implemented in [ROPA 13].</p>	
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Name/Title		Organization	Reference within ROPA 13	Agency Comment(s)	Planning and Development Services Response
83	Denise Landry, MCIP, RPP Senior Planner	City of Thorold	General	It is understood that this proposed amendment is proceeding prior to the Region preparing a new Official Plan. Is it intended that the local municipalities will need to amend their Official Plans following the Province's approval of ROPA 13 or is the Region considering allowing local conformity after the new Regional Official Plan is approved? The City would prefer that flexibility be provided in terms of local implementation to allow for staff and financial budgeting to prepare to undertake the work.	According to Section 27 (2) of the Planning Act, local municipalities would be expected to update their local official plans and zoning by-laws within one year of the approval of the Amendment. Given that this Amendment is being brought forward for approval prior to the remaining comprehensive review of the Official Plan, however, local municipalities will generally be given the flexibility with regards to the timing of these amendments.
84	Denise Landry, MCIP, RPP Senior Planner	City of Thorold	General	The City encourages the Region to consider funding opportunities to assist municipalities with the cost of preparing an Official Plan amendment to conform to ROPA 13. As suggested above, flexibility for implementation would be appreciated.	The Region is not currently in a position to offer financial support for the implementation of local Official Plan Amendments. Support in terms of staff resources (i.e. "model policies", staff meetings or discussions, policy review) may be possible. Being mindful of workloads, staff encourage local area municipal planners to connect with the Region's Planning and Development Services Department once capacity has been allotted towards undertaking a ROPA 13 conformity exercise.
85	Denise Landry, MCIP, RPP Senior Planner	City of Thorold	Policy 9.F.7	Policy 9.F.7 mentions the Region's Model Urban Design Guidelines as a tool for providing comments on development applications along Regional Roads. Given that the guidelines were adopted in 2005 and there has been a significant amount of provincial policy changes as well as new best practices, does the Region intend to update this document?	At this time, it is anticipated that an update to the Region's Model Urban Design Guidelines will align with the approval of the new Regional Official Plan. It is anticipated that Policy 9.F.7 will be revised to reflect any changes or updates to Regional guidelines or policies prior to the approval of the new Regional Official Plan.
86	Denise Landry, MCIP, RPP Senior Planner	City of Thorold	Policy 9.F.9	Policy 9.F.9 notes that local municipalities shall develop Official Plan policies to provide corridor protection to not predetermine or preclude the planning of the 'above noted' transportation facilities. Please confirm what the	Policy 9.F.9 has been reworded.

				'above noted' is referring to. It is suggested that this policy be revised for clarification.	
87	Denise Landry, MCIP, RPP Senior Planner	City of Thorold	Policy 9.G.1	<p>Policy 9.G.1 -Is the intention of this policy to provide direction to the Region to include policies in the ROP in the future that address TOM? If this is the intent, the City suggests revising the wording of the policy to the following:</p> <p>"The Region will develop a Transportation Demand Management strategy and will include policies in this Plan to implement the strategy. The strategy will aim to:</p> <ul style="list-style-type: none"> a) Reduce trip distances and time; b) Increase alternative uses to the automobile; c) Prioritize active transportation, transit and goods movement over single-occupant automobile; d) Expand infrastructure to support active transportation; and e) Consider the needs of major trip generators." 	No change to this policy is required.
88	Denise Landry, MCIP, RPP Senior Planner	City of Thorold	Policy 9.G.1 & Policy 9.G.2	Policy 9.G.1 and 9.G.2 refer to a Transportation Demand Management strategy and study. It is suggested that the language be consistent and that only one term be used (strategy or study).	Policies 9.G.1 and 9.G.2 have been reworded to reflect the terminology used within the Region's Transportation Master Plan (TMP), which refers to a " <u>Travel</u> Demand Management <u>Study</u> ".
89	Denise Landry, MCIP, RPP Senior Planner	City of Thorold	Policy 9.H.1	Is the Goods Movement Study referenced in Policy 9.H.1 anticipated to inform future Regional Official Plan policy and if so, is the timing of the study anticipated to align with the new Regional Official Plan?	While the TMP recommends that the Region undertake a Goods Movement Study, a timeline for the study has not yet been determined.
90	Denise Landry, MCIP, RPP Senior Planner	City of Thorold	Schedule E1	It is our understanding that Highway 20, between Highway 58 and the City of Thorold and City of Niagara Falls municipal border is owned by the Province and is managed by the Ministry of Transportation.	Schedule E1 has been revised to address this comment.

	Name/Title	Organization	Reference within ROPA 13	Agency Comment(s)	Planning and Development Services Response
91	David Hunt, Drew Semple, Bob Romanuk, Tom Whitelaw, and Ken Forgeron	Regional Active Transportation Advocates	General	<p>It is therefore recommended...that a new Objective or Policy be included in proposed sections 9.A or 9.D that recognizes the importance of the five E's as follows:</p> <p>That the Region will apply a comprehensive, partnership approach to providing active living, friendly environments by incorporating recognized parameters that include engineering, encouragement, education, enforcement, and evaluation in all related program delivery activities including planning, design, construction, operations and maintenance.</p>	The role of the Niagara Region's Official Plan is to provide direction regarding land use planning matters within the Niagara Region. It is, therefore, not within the scope of the Official Plan to provide policies or requirements related to the "Education, Enforcement, or Evaluation" of cycling related matters. No changes to the Amendment are required.
92	David Hunt, Drew Semple, Bob Romanuk, Tom Whitelaw, and Ken Forgeron	Regional Active Transportation Advocates	General	<p>In conclusion, some of the broader tourism related elements in Section 9.F of the current approved Official Plan should be carried forward in the new Amendment. It is important to include a supportive statement for cycle tourism in general, which would be all inclusive of this important economic driver for the region. Therefore, it is recommended...that a new Objective in Section 9.A or new Policy in Section 9.D be added to the Amendment stating:</p> <p>Niagara supports the promotion and delivery of cycling tourism in the region and will work in collaboration with other key partners (e.g. Venture Niagara, Brock University, Niagara Parks Commission, Metrolinx, Ministry of Tourism, Culture and Sport) to enhance and expand Niagara as a premier cycle tourism destination in the Province.</p>	Objective 9.A.1 speaks to the promotion and support of a multimodal transportation system that enables, among other things, recreational and tourist opportunities. Further objectives and policies beyond those already provided for in the Amendment or the specific tourist areas identified in Chapter 2 is not required at this time.

93	David Hunt, Drew Semple, Bob Romanuk, Tom Whitelaw, and Ken Forgeron	Regional Active Transportation Advocates	Policy 9.C.2 e)	<p>Policy 9.C.2.e) provides a number of important supports and linkages to better integrate public transit with a number of other strategic goals outlined. Sub-section e) provides for park-and-ride facilities that support multimodal travel with linkages to pedestrian and transit routes, bicycle infrastructure, and priority spaces for carpool and car-share vehicles. Priority spaces also should be provided for bicycles to support the “1st mile, last mile” multi-modal transportation option. This is particularly important for the proposed new Mobility Hub Stations in Grimsby, Beamsville, St. Catharines and Niagara Falls. Bicycle parking spaces should be located near the front of transit station entrances where security and visibility are best, rather than at the back of the lot.</p> <p>Therefore, it is recommended:</p> <p>That in Policy 9.C.2.e), in addition to car-pool and car-share spaces, priority spaces also should be provided for bicycles at park-and-ride facilities. At transit stations, bicycle parking spaces shall be located near the front of station entrances for security and visibility reasons.</p>	Staff are uncertain what “priority spaces for bicycles at park-and-ride facilities” refers to. General design standards regularly places bicycle parking near structures or building entrances. No change to the policy is required.
94	David Hunt, Drew Semple, Bob Romanuk, Tom Whitelaw, and Ken Forgeron	Regional Active Transportation Advocates	Policy 9.C.12	<p>Therefore, it is recommended:</p> <p>That proposed Policy 9.C.12 be revised to ensure that bicycle infrastructure be provided at and to transit facilities, public and institutional areas, and employment areas. Also, the Niagara Parks Commission should be added to the list of transit partners.</p>	<p>Policy 9.C.13* has been reworded as suggested.</p> <p>*previously Policy 9.C.12</p>

95	David Hunt, Drew Semple, Bob Romanuk, Tom Whitelaw, and Ken Forgeron	Regional Active Transportation Advocates	Section 9.D. Active Transportation	Therefore, it is recommended...that the following new policy be included in Section 9.D: The Niagara Region will continue to provide a means for obtaining community input and expertise through a consultative forum on all matters related to active living.	No change to the Amendment is required.
96	David Hunt, Drew Semple, Bob Romanuk, Tom Whitelaw, and Ken Forgeron	Regional Active Transportation Advocates	Policy 9.D.2	Therefore, it is recommended...that Policy 9.D.2 be further modified as follows: The Niagara Region will prioritize the implementation of the Strategic Cycling Network as identified in the Niagara Region's Transportation Master Plan (TMP). Over the next 10 years the "Potential Infill Corridors" identified through the TMP process, and as identified on Schedule E2, will become the focus for construction in order to advance the implementation of the Niagara Bikeways Master Plan as shown in Schedule E2.	On recommendation of the Municipal Class EA, the TMP will be updated every five (5), which may result in potential changes to the Niagara Bikeways Master Plan and Strategic Cycling Network. Staff believe that it is more appropriate for matters related to the timing and funding of the Region's Capital Works program to be outlined within the TMP. New Policy 9.F.14 has been added to the Amendment to reference the recommended actions and schedules of the TMP.
97	David Hunt, Drew Semple, Bob Romanuk, Tom Whitelaw, and Ken Forgeron	Regional Active Transportation Advocates	Policy 9.D.4	Therefore, it is recommended...that Policy 9.D.4 be modified as follows: The Niagara Region will support and cost share, where possible, with local municipalities in implementing sections of the Strategic Cycling Network that are within their jurisdiction, with an initial priority for elements identified in the Strategic Cycling Network i.e. Potential Infill Corridors identified on Schedule E2.	The use of the word "support" in Policy 9.D.4 allows the Region flexibility to provide funding where possible, while encompassing other forms of support and co-ordination. The York Region Official Plan policy referred to in this comment, similarly uses the term "partner" for this purpose. No changes to the Amendment are required. Staff continue to believe that it is more appropriate for matters related to the funding of the Region's Capital Works program to be outlined within the TMP.
98	David Hunt, Drew Semple, Bob Romanuk, Tom	Regional Active	Policy 9.D.8	Therefore, it is recommended:	Policy 9.D.8 has been reworded.

	Whitelaw, and Ken Forgeron	Transportation Advocates		That proposed Policy 9.D.8 be revised to delete the word “encourage” and replace it with the words “provide for” to ensure the provision of active transportation facilities across Provincial Highways.	
99	David Hunt, Drew Semple, Bob Romanuk, Tom Whitelaw, and Ken Forgeron	Regional Active Transportation Advocates	Policy 9.F.2	<p>Policy 9.F.2 makes provision for a wide variety of uses (e.g. public transit facilities) within Region Road allowances that are conveyed to it as a condition of approval of a development application. Policy 9.F.8 indicates that the Region will plan and protect rights-of-way for the Niagara Region’s transportation system. We would argue that this transportation system and the list of uses also should include active transportation facilities that are envisioned as part of the Strategic Cycling Network identified on Schedule E. Also, the Niagara Parks Commission should be identified as another key transit partner given its WEGO transit service along the Parkway.</p> <p>Therefore, it is recommended:</p> <p>That proposed Policy 9.F.2 be modified to add “active transportation facilities” to the list of possible uses that would be considered within Region Road allowances that are conveyed to it as a condition of approval of a development application.</p>	Policy 9.F.2 has been reworded as suggested.
100	David Hunt, Drew Semple, Bob Romanuk, Tom Whitelaw, and Ken Forgeron	Regional Active Transportation Advocates	Policy 9.F.8	<p>Therefore, it is recommended:</p> <p>That proposed Policy 9.F.8 be modified to add “active transportation corridors” to the list of possible uses that would be considered for</p>	Policy 9.F.8 has been reworded as suggested.

				protection within Regional Roads rights-of-way planned corridors.	
101	David Hunt, Drew Semple, Bob Romanuk, Tom Whitelaw, and Ken Forgeron	Regional Active Transportation Advocates	Definitions	<p>Therefore, it is recommended...that the wording changes suggested below in underline and cross outs be made to the definition of bicycle infrastructure in Part III- Definitions:</p> <p>Bicycle Infrastructure means all infrastructure and facilities used for cycling, including <u>bicycle routes (e.g. dedicated, buffered, and separated bike lanes, multi-use paths, and off-road trails), trip end facilities such as and bicycle parking and storage (such as e.g. bicycle racks and lockers) and other cycling supportive items such as bike repair stations and priority signal lights.</u></p>	<p>The definition for “bicycle infrastructure” has been reworded.</p>
102	David Hunt, Drew Semple, Bob Romanuk, Tom Whitelaw, and Ken Forgeron	Regional Active Transportation Advocates	Schedule E2	<p>Therefore, it is recommended:</p> <p>That Schedule E2 be modified to identify the “Potential Infill Corridors” that were developed through the TMP process and approved by Regional Council.</p>	<p>As stated, Regional staff believe that it is more appropriate for matters related to the timing and funding of the Region’s Capital Works program to be outlined within the TMP.</p> <p>New Policy 9.F.14 has been added to the Amendment to reference the recommended actions and schedules of the TMP.</p>

Name/Title		Organization	Reference within ROPA 13	Agency Comment(s)	Planning and Development Services Response
103	Wally Tykoliz	Niagara Cycling Clubs Alliance	General	<p>That a new Objective or Policy be included in proposed sections 9.A or 9.D that recognizes the importance of the five E's as follows:</p> <p>That the Region will apply a comprehensive, partnership approach to providing active living, friendly environments by incorporating recognized parameters that include engineering, encouragement, education, enforcement, and evaluation in all related program delivery activities including planning, design, construction, operations and maintenance.</p>	The role of the Niagara Region's Official Plan is to provide direction regarding land use planning matters within the Niagara Region. It is, therefore, not within the scope of the Official Plan to provide policies or requirements related to the "Education, Enforcement, or Evaluation" of cycling related matters. No changes to the Amendment are required.
104	Wally Tykoliz	Niagara Cycling Clubs Alliance	General	<p>That a new Objective in Section 9.A or new Policy in Section 9.D be added to the Amendment stating:</p> <p>Niagara supports the promotion and delivery of cycling tourism in the region and will work in collaboration with other key partners (e.g. Venture Niagara, Brock University, Niagara Parks Commission, Metrolinx, Ministry of Tourism, Culture and Sport) to enhance and expand Niagara as a premier cycle tourism destination in the Province.</p>	Objective 9.A.1 speaks to the promotion and support of a multimodal transportation system that enables, among other things, recreational and tourist opportunities. Further objectives and policies beyond those already provided for in the Amendment or the specific tourist areas identified in Chapter 2 is not required at this time.
105	Wally Tykoliz	Niagara Cycling Clubs Alliance	Policy 9.C.2 e)	That in Policy 9.C.2.e), in addition to car-pool and car-share spaces, priority spaces also should be provided for bicycles at park-and-ride facilities. At transit stations, bicycle parking spaces shall be located near the front of station entrances for security and visibility reasons."	Staff are uncertain what "priority spaces for bicycles at park-and-ride facilities" refers to. General design standards regularly places bicycle parking near structures or building entrances. No change to the policy is required.

106	Wally Tykoliz	Niagara Cycling Clubs Alliance	Policy 9.C.12	That proposed Policy 9.C.12 be revised to ensure that bicycle infrastructure be provided <u>at and to</u> transit facilities, public and institutional areas, and employment areas.” <i>Regional staff appear to support this recommendation, but the Niagara Parks Commission should also be added to the list of transit partners.</i>	Policy 9.C.13* has been reworded as suggested. *previously Policy 9.C.12
107	Wally Tykoliz	Niagara Cycling Clubs Alliance	Section 9.D. Active Transportation	That the following new Policy be included in Section 9.D: The Niagara Region will continue to provide a means for obtaining community input and expertise through a consultative forum on all matters related to active living.	No change to the Amendment is required.
108	Wally Tykoliz	Niagara Cycling Clubs Alliance	Policy 9.D.2	That Policy 9.D.2 be further modified as follows: Policy 9.D.2 The Niagara Region will prioritize the implementation of the Strategic Cycling Network as identified in the Niagara Region’s Transportation Master Plan (TMP). Over the next 10 years the “Potential Infill Corridors” identified through the TMP process, and as identified on Schedule E2, will become the focus for construction in order to advance the implementation of the Niagara Bikeways Master Plan as shown in Schedule E2.	On recommendation of the Municipal Class EA, the TMP will be updated every five (5), which may result in potential changes to the Niagara Bikeways Master Plan and Strategic Cycling Network. Staff believe that it is more appropriate for matters related to the timing and funding of the Region’s Capital Works program to be outlined within the TMP. New Policy 9.F.14 has been added to the Amendment to reference the recommended actions and schedules of the TMP.
109	Wally Tykoliz	Niagara Cycling Clubs Alliance	Policy 9.D.4	That Policy 9.D.4 be modified as follows: Policy 9.D.4 The Niagara Region will support and cost share, where possible, with local municipalities in implementing sections of the Strategic Cycling Network that are within their jurisdiction, with an initial priority for elements	The use of the word “support” in Policy 9.D.4 allows the Region flexibility to provide funding where possible, while encompassing other forms of support and co-ordination. The York Region Official Plan policy referred to in this comment, similarly uses the term “partner” for this purpose.

				identified in the Strategic Cycling Network i.e. Potential Infill Corridors identified on Schedule E2.	No changes to the Amendment are required. Staff continue to believe that it is more appropriate for matters related to the funding of the Region's Capital Works program to be outlined within the TMP.
110	Wally Tykoliz	Niagara Cycling Clubs Alliance	Policy 9.D.8	That proposed Policy 9.D.8 be revised to delete the word "encourage" and replace it with the words "provide for" to ensure the provision of active transportation facilities across Provincial Highways." Regional staff appear to support this recommendation.	Policy 9.D.8 has been reworded.
111	Wally Tykoliz	Niagara Cycling Clubs Alliance	Policy 9.F.2	That proposed Policy 9.F.2 be modified to add "active transportation facilities" to the list of possible uses that would be considered within Region Road allowances that are conveyed to it as a condition of approval of a development application.	Policy 9.F.2 has been reworded as suggested.
112	Wally Tykoliz	Niagara Cycling Clubs Alliance	Policy 9.F.8	That proposed Policy 9.F.8 be modified to add "active transportation corridors" to the list of possible uses that would be considered for protection within Regional Roads rights-of-way planned corridors." <i>Regional staff appear to support this recommendation.</i>	Policy 9.F.8 has been reworded as suggested.
113	Wally Tykoliz	Niagara Cycling Clubs Alliance	Definitions	That the wording changes suggested below in <u>underline</u> and cross-outs be made to the definition of bicycle infrastructure in Part III- Definitions: Bicycle Infrastructure means all <i>infrastructure</i> and facilities used for cycling, including <u>bicycle routes (e.g. dedicated, buffered, and separated bike lanes, multi-use paths, and off-road trails) trip end facilities such as and bicycle parking and storage (such as e.g. bicycle racks and lockers) and other cycling</u>	The definition for "bicycle infrastructure" has been reworded.

				<u>supportive items such as bike repair stations and priority signal lights.</u>	
114	Wally Tykoliz	Niagara Cycling Clubs Alliance	Schedule E2	That Schedule E2 be modified to identify the “Potential Infill Corridors” that were developed through the TMP process and approved by Regional Council.”	<p>As stated, Regional staff believe that it is more appropriate for matters related to the timing and funding of the Region’s Capital Works program to be outlined within the TMP.</p> <p>New Policy 9.F.14 has been added to the Amendment to reference the recommended actions and schedules of the TMP.</p>

Name/Title		Organization	Reference within ROPA 13	Agency Comment(s)	Planning and Development Services Response
115	Sarah Kim, Acting Town Clerk	Town of Grimsby Council	General	<p>That Council for the Town of Grimsby respectfully requests that the Region amend the Transportation Master Plan (TMP) Executive Summary and Final TMP, Map 6 - 2041 Road Network, and Map 8 - Proposed Road Network Phasing to include the wording that the “<i>Status of Livingston Avenue is in abeyance until addressed by Grimsby Council.</i>”;</p> <p>AND, that Council for the Town of Grimsby respectfully requests that Regional Council defer approval of ROPA 13 pending an amendment to the TMP and inclusion of the Town of Grimsby’s position statement, “<i>Status of Livingston Avenue is in abeyance until addressed by Grimsby Council.</i>”;</p> <p>AND, that Council for the Town of Grimsby respectfully requests that the Province defer approval of ROPA 13 pending an amendment to the TMP and inclusion of the Town of Grimsby’s position statement, “<i>Status of Livingston Avenue is in abeyance until addressed by Grimsby Council.</i>”;</p> <p>AND, that the duly elected 2018-2022 term of Council for the Town of Grimsby does not support an extension of Livingston Avenue, through Greenbelt land, from Emily Street to Main Street West;</p> <p>AND, that the Town of Grimsby will provide a reconfirmation of its position at the 5-year review of the TMP;</p>	<p>A presentation from Regional staff was made at the Town of Grimsby Council meeting on September 16, 2019 in order to clarify the relationship between the Niagara Region Transportation Master Plan, Regional Official Plan Amendment 13, and the Livingston Avenue Extension Municipal Class Environmental Assessment, and each of their respective purposes.</p> <p>Further, sub-bullets a) and b) have been added to Policy 9.H.2 to clarify process and alignment with the Greenbelt Plan.</p>

				AND , that this resolution and Appendix A be circulated to the Region for consideration; AND , that this resolution be forwarded to the Ministry of Municipal Affairs and Housing and the appropriate provincial authorities for consideration.	
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DRAFT

Subject: Employment Policies Update: Project Initiation Report

Report to: Planning and Economic Development Committee

Report date: Wednesday, October 9, 2019

Recommendations

1. That this report **BE RECEIVED** for information; and
2. That a copy of PDS 35-2019 **BE CIRCULATED** to all Local Municipalities and the Ministry of Municipal Affairs.

Key Facts

- The purpose of this report is to advise Council of the initiation of an Amendment to the existing Regional Official Plan (OP) to update the OP's employment policies.
- The 2019 *Growth Plan for the Greater Golden Horseshoe (Growth Plan)* came in to effect in May 2019. It introduced significant changes to the treatment of employment lands and areas, including the ability to convert lands in an employment area prior to the completion of the Region's new OP. Under the former *Growth Plan*, conversions could only happen at the time of the Region's new OP.
- The Region must have up-to-date OP policies to address conversion applications and other new employment permissions introduced in the 2019 *Growth Plan*. A pro-active approach is needed to ensure the Region is prepared for applicants seeking approvals under the new employment policies.
- The 2019 *Growth Plan* now specifically permits employment area designations in advance of passing of a new official plan.
- Staff are assessing existing employment policies contained in Chapter 4 of the OP, and related definitions and Schedules, to see what needs updating. Staff will return to PEDC with a recommended Official Plan Amendment to conform to the 2019 *Growth Plan* employment policies.

Financial Considerations

The cost of the work associated with this Amendment is included within the Planning and Development Services council approved 2019 operating budget.

Analysis

The 2019 *Growth Plan* changed or added several new employment policies. Some of these changes are a significant departure from past practice. The Region should take a proactive approach to ensure that its OP is up-to-date with the current policies, particularly since decisions of Council must conform to the *Growth Plan*.

Key employment changes include:

- New policies that permit a private landowner to convert lands in employment areas in advance of the completion of the Region's new OP;
- Revisions to the meaning of the terms employment lands and employment areas, and removing the concept of prime employment areas;
- Introduction of the concept of a Provincially Significant Employment Zone;
- Introduction of policies for land use changes for employment lands (outside of employment areas) where a similar number of jobs remain accommodated on site;
- New permission for a settlement area boundary expansion up to 40 Ha before the new OP is adopted, for any land uses, including employment;

As previously noted, the Region's existing OP is not reflective of these policies. Updating the OP is a requirement of the *Growth Plan* and, importantly, is needed to provide a fair, predictable and competitive business environment for employment lands. The 2019 *Growth Plan* specifically permit employment area designations in advance of the passing of whole new official plan.

For these reasons, Staff will review employment policies in Chapter 4 of the OP and related definitions and schedules and propose changes to conform to the *Growth Plan*.

The Region met, individually, with municipal staff on employment lands and areas, amongst other things, in the summer of 2019. Consultation with stakeholders is currently planned for October 2019. After this consultation, and after undertaking a detailed review of the OP policies, staff will return to PEDC with a draft Regional Official Plan Amendment (ROPA) proposal and statutory public meeting.

The proposed ROPA will be a conformity exercise under the *Growth Plan* and therefore will proceed under Section 26 of the *Planning Act, 1990* with the Province as the approval authority.

In addition to the process set out in this Report relating to the existing OP, staff continue its work on policies for the *new* OP, which was set out in PDS 33-2019.

Alternatives Reviewed

An alternative is to not proceed with an amendment to the current OP employment policies at this time. This is not preferred since the current plan contains outdated employment policies that do not position the Region well in responding to employment-related applications.

Additionally, not proceeding would put the Region at a competitive disadvantage to other municipalities in the Greater Toronto and Hamilton Area that have more modern policies.

Official plan conformity with the *Growth Plan* is required; Staff have the resources and momentum to proceed at this time.

Relationship to Council Strategic Priorities

Commencing an immediate update to the Region's employment policies to ensure alignment with the *Growth Plan* will assist in implementing Council's Strategic Priority of Supporting Business and Economic Growth.

Other Pertinent Reports

- PDS 33-2019, Growth Management Program Update for the New Official Plan

Prepared by:

Isaiah Banach
Manager, Long Range Planning

Recommended by:

Rino Mostacci, MCIP, RPP
Commissioner
Planning and Development Services

Submitted by:

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

This report was reviewed by Doug Giles, Director, Community and Long Range Planning.

Appendices

None.

Subject: Q3 Economic Development Quarterly Update

Report to: Planning and Economic Development Committee

Report date: Wednesday, October 9, 2019

Recommendation

That this report **BE RECEIVED** by the Planning and Economic Development Committee (PEDC) for information.

Key Facts

- Economic Development provides quarterly updates to the PEDC. The purpose of this report is to provide the PEDC with an update on the department's activities for the third quarter (Q3) 2019.
- Economic Development activities support the Economic Development Strategy and Action Plan approved by PEDC in March 2019.
- Economic Development functional activities: Trade and Investment; Expedited Services for Business; Strategic Economic Initiatives and Strategic Marketing Initiatives, are grouped under the seven themes of the Strategy.

Financial Considerations

The activities described in this report have been accommodated within the council approved 2019 Economic Development operating budget.

Analysis

Niagara Economic Development, in collaboration with local businesses, industry associations, community stakeholders, and post-secondary education institutions, has developed a five-year strategic action plan. The action plan is based on the extensive stakeholder engagement that was conducted throughout 2018. The success of Niagara Economic Development's Strategic Action Plan can only be achieved through meaningful partnerships and collaboration with our partners across Niagara.

Seven themes emerged from the development of the Economic Development Strategic Action Plan:

- Economic Development: Supporting Business Growth and Diversification across Niagara Region
- Employment Land Strategy: Identifying and Creating a Provincially Significant Employment Zone

- Marketing Niagara Region: Raising the Profile of Niagara as a Place to Live and Do Business
- Streamline Planning Processes: Expediting Approvals Process
- Increase Niagara's Competitiveness: Addressing Unnecessary Regulatory Burdens on Businesses
- Workforce: Meeting Current and Future Talent, Professional, Skilled Trades and Labour Needs
- Advocacy: Improving Transportation Infrastructure Ensuring Niagara Remains Competitive in Global Economy

Economic Development: Supporting Business Growth and Diversification across Niagara Region.

Niagara Economic Development provides on-going assistance to the local municipalities to support their economic development functions. This includes: the services of the Niagara Foreign Trade Zone Manager, to engage companies in federal programs and encourage export activity; economic and business research and analysis; expedited development services and support to the local area municipalities without economic development offices on regionally significant projects.

Economic Development Officer (support for tourism, agriculture, succession planning and Local Area Municipalities (LAMs)).

Stakeholder meetings: 10 meetings with 7 stakeholders including:

- Global Skills Strategy; Venture Niagara; Niagara Workforce Planning Board; CoStar

Agri-business: 12 meetings with 7 stakeholders including:

- Ontario Ministry of Agriculture, Food and Rural Affairs (OMAFRA) Rural Economic Development information session and Agri-Innovate Places to Grow Program session.
- Working with Cannabis regulatory bodies on potential Niagara presentation.
- Partnership and promotion meetings on the Niagara College Canadian Food and Wine Institute (CFWI) Food and Beverage Summit.
- Golden Horseshoe Food and Farming Alliance (GHFFA) project advancement: working group meetings, and secondary meetings for the Long Term Care Home local procurement project.

Tourism: 29 meetings with 14 stakeholders including:

- 6 RFPs released and promoted for Niagara 2021 Canada Summer Games business opportunities. RFPs included: printing services, social media, promotional products, modular pool, and project management services.
- Brock University's Sports Tourism Report – final report presented at PEDC and currently engaging stakeholders on the final report for feedback.

- Niagara Airports Feasibility and Future Business Modelling Study: RFP was awarded, onsite inspections and stakeholder engagements have been completed.
- Additional meetings include: sport tourism bid planning discussions, Canada Summer Games programming requests, 5 scenic trails, Ministry of Tourism, Culture and Sport, ferry services, etc.
- Niagara Gateway Information Centre Q2 2019: 13,269 visitors in the kiosk between April and June. Up more than 4500 visitors than the same period in 2018.
- The Gateway was approved for \$36,500 in funding through the Canada Summer Jobs program to hire 6 summer students for the centre.
- The Niagara Gateway Information Centre is a finalist in the 2019 Ontario Tourism Awards of Excellence.

LAM development: 28 meetings touching eight local area municipalities:

- Assisted in and led the advancement of 6 site selection opportunities. Work includes private sector development charge questions, business expansion assistance, Economic Development strategy planning, Rural Economic Development application support, Local Area Municipality fund application assistance, meetings with new staff.

Research and information requests: 127 requests from businesses and stakeholders, examples include hiring assistance programs, sector information, data requests, stakeholder introductions, and partnership referrals.

Manager, Economic Research & Analysis (support to LAMs through research undertaken, support to Niagara Economic Development investment, trade and sector activities).

Research Projects:

- National Trade Corridors Fund – Expression of Interest (completed)
- Industry 4.0 Study with Niagara College (completed)
- Exploring Goods Movement and Export Diversification for Niagara Region Firms (in progress)
- Niagara Community Observatory: Information and Communications Technology (ICT) Policy Brief (in progress)
- Niagara Trade Profile (in progress)
- Niagara Tourism Profile (in progress)
- Transportation Data Portal Pilot Program with Transport Canada (in progress)

Research Inquiries:

- Total: 61
- Brock University: 6
- Niagara College: 2

- Internal (Niagara Region): 18
- Businesses: 17
- Stakeholders (ex. GNCC, NIA, Hamilton-Oshawa Port Authority, news media, etc.): 12
- Local Area Municipalities: 6 (St. Catharines: 3; Lincoln: 1; Fort Erie: 1; Niagara Falls: 1)

Niagara Foreign Trade Zone Manager (export diversification for Niagara companies, outreach, marketing, implementation of the NFTZ strategy).

- NFTZ added 18 clients to its Q2 list and is now servicing 96 clients, from the Agribusiness, Manufacturing, and Logistics sectors.
- Businesses receive regular updates on the FTZ programs and client-specific support through our task force agencies.
- Conducted three seminars in Q3 at the City Hall, St. Catharines, Niagara Falls and the Regional Headquarters, as an integral part of our NFTZ Seminar Series 2 for 2019. The sessions were informative and were presented by Canada Border Service Agency, Canada Revenue Agency, Trade Centre representatives, Export Development Canada and St. Lawrence Seaway Management. A total of 43 Niagara firms attended the seminars.
- Presented NFTZ services to local institutions: Spark Niagara and two banks: BMO, RBC.
- Participated in 3 networking events, including the Niagara Business Achievements Award, Poland National Day and the Peruvian National Day.
- NFTZ manager with Team Niagara and Hamilton representatives attended the Toronto Global Economic Forum. Connected with Latin American Ambassadors during the events and invited them to the Region.
- Presented our services during Peru Virtual Fair, introduced our Region's competitive advantages as a location for investment including the FTZ point designation.
- Hosted an Indian delegation of 14 businesses and the Indo Canadian Chamber of Commerce at Niagara Region. There were formal presentations on trade and investment as well as B2B networking with Niagara companies. In the afternoon the delegation toured the Brock LINC facility and met with entrepreneurs.
- Promoted NFTZ news and client testimonials through the Region's e-newsletter.
- Updates were provided to the Director, Economic Development and the CEO, Niagara Development Corridor Partnership Inc. (NDCPi) through bi-monthly meetings, participating in NDCPi meetings and important updates to Team Niagara representatives' for their timely support and participation.
- Q4: planning for NFTZ task force meeting; 3 FTZ seminars, networking events and conferences.

Manager, Business Development and Expedited Services (Incentives Review, research impact of Development Charges on economic development).

- Site Selection Support: A total of nine site selection requests were received. This included leads directly related to the work done by the Manager of Trade and Investment, inbound inquiries through the Niagara Canada website, and direct inquiries from private investors.
- Facilitated a site tour for a foreign manufacturer considering expansion in the North American market. They had short-listed Niagara due its strategic location and proximity to key markets.
- Two Industrial Development Charge Grant applications were approved. This program has supported \$2.9 million in new investment and the creation of 30 jobs this quarter.
- Niagara Region has received three new applications to the Niagara Gateway Economic Zone & Centre Community Improvement Plan. This has attracted an estimated \$19 million in new investment; upon project completion will create an estimated 55 new jobs; and support the retention of 32 existing jobs.

As part of the on-going Regional incentive review the Manager of Business Development & Expedited Services participated in six inter-departmental meetings.

Employment Land Strategy: Identifying and Creating Regionally Significant Employment Lands.

Existing employment lands in Niagara, which are located throughout the region, are generally smaller sites, which has limited the ability to create a truly regional employment area. Niagara Region Planning and Development, with support from Niagara Region Economic Development, is reviewing the opportunity to create a large provincially significant regional employment zone.

Manager, Business Development and Expedited Services (Support the Regional Employment Lands Study and act on recommendations, provide input into the MR/OP, Site Finder, Premier Sites.)

- Collaborated with Niagara Region Planning and Development on the creation of a Niagara Employment Areas Strategy. This included two workshops with community and industry stakeholders and the revision of draft strategy materials.
- Engaged the Niagara Association of Realtors on potential partnership opportunities that include the re-launch of Niagara Site Finder as a tool for industrial-commercial realtors and brokers.
- As part of the re-launch of Niagara Site Finder, two local Commercial and Industrial have begun using the site to test its updated capabilities.

- Niagara Premier Sites website and property inventory was shared with local economic development offices and community partners.

Marketing Niagara Region: Raising the Profile of Niagara as a Place to Live and Do Business.

The success of the Niagara Region, in terms of economic and population growth, is dependent on successfully marketing the region to target audiences. There are two distinct marketing initiatives. The first initiative is aimed at foreign and domestic companies and promotes Niagara as a competitive location in which to do business. The second initiative is focused on attracting new and recent immigrants to Ontario, to the region to increase the population and workforce and achieve long-term sustainable growth.

Manager, Trade and Investment (Identify FDI target markets and sectors, lead investment missions with partners, lead generation, organize and participate in inward missions.)

- The 3rd Quarter was dedicated to adopting the new Index CRM system, utilizing the ‘qualified leads’ generated under the Trade & Investment platform as the “beta test” for the NED Team. In summary, this initial loading of active leads yielded the following data banks: 30 leads from the U.S. Great Lakes States; 47 leads from the United Kingdom; 45 leads from Europe; and, 23 leads from Mexico [the latter Mexican leads were generated by the Hamilton-Niagara Partnership; but the Manager, Trade and Investment, NED, was the only participant in the Mexican lead meetings on behalf of the Partnership]. In addition, although the priority has always been to place more than half of NED’s FDI efforts on the U.S., the challenges of finding a top quality lead generation firm in the U.S. resulted in a 12-month time delay [compared to the U.K. and Europe] generating “qualified” leads. This gap will be much reduced by a new U.S. lead generation mission in Q4.
- The balance of Q3 was dedicated to refining the Index CRM system as an effective client status and follow-up management tool. By the end of Q3, the Trade & Investment Manager was on top of the entire roster of leads and active follow-up was ongoing.
- September witnessed the participation of the Trade & Investment Manager in the fifth consecutive Toronto Global Forum of the Americas, accompanied for the first time ever in 2019, by the Regional Chair, for part of the program.
- The Manager, Trade & Investment represented the Regional Chair at an event held at Old Fort Erie by the Niagara Branch of the Friends of Cuba Association, conveying greetings and gifts on behalf of the Chair and Council to the Cuban Ambassador to Canada, Her Excellency Joesfina de la C. Vidal Ferreiro; her husband, Jose Anselmo Lopez Perera, Minister Counsellor; and the Consul

General of Cuba to Toronto, Ms. Tania Lopez Larroque, along with 5 of her Consular staff.

- In Q3, the Trade & Investment program selected a company from an RFP competition to generate 20 'qualified leads' in the U.S. Great Lakes States, to be finished in time for TEAM Niagara representatives to hold face-to-face meetings with the 20 shortlisted companies in Q4.
- In addition, the Trade & Investment program released an RFP for 'A Comprehensive Review of Current Foreign Direct Investment Trends as they Impact Niagara Region and Ontario'. This project is planned to be finished before the end of Q4 and will inform strategy for 2020.

Manager, Strategic Marketing (Implementation of marketing plan to target audiences as a location for business and investment and to attract immigrants, Niagara Ambassador program, communications/PR campaign to promote Niagara's business and investment successes, implementation of a CRM system.)

Key Marketing Results

- Marketing plan on track for Q3 and Q4 deliverables
- Website traffic over the summer months has remained steady with the increased traffic from Q2. This is positive news, as website traffic tends to drop in the summer months.
- Niagara Economic Development e-newsletter engagement is strong, though a slight decrease from Q2, which is expected due to summer vacations and reduced email delivery and readership. Open rates averaged at 45%, with click through rates averaging 55%. E-newsletter subscriber rates have increased by 75% since the e-newsletter's launch.
- Ambassador Program engagement and social media engagement continues with steady results compared to Q2.

Marketing Projects

- Customer Relationship Management (CRM) system updates were complete in June, with team training and launch in July. Regular maintenance for data integrity, bugs and technical fixes are ongoing.
- Marketing support for Hamilton-Niagara Partnership included event support for the Toronto Global Forum of the Americas (September 4-6), and the development of a video jointly promoting both regions.
- Advertising for business attraction is launching in September, including sponsored content and digital advertising. The first sponsored content piece to launch is with Postmedia (National Post, Financial Post and affiliated publications) on September 23. Additional pieces in the Globe & Mail and Macleans Magazine will follow in the fall.
- Advertising for resident attraction, including sponsored content and digital advertising, will launch in Q4. Placements will include National Post, Today's Parent and Toronto Life.

- Advertising for immigrant attraction, including sponsored content and digital advertising will launch in Q4. Placements will include the National Post, Canadian Immigrant, and other multicultural publications.
- Updates to the business attraction website are underway, with the launch of the Premier Sites section of the website expected by September 30.
- Updates to immigrant attraction website will launch by September 30, with the immigration microsite being built out to increase accessibility and usability to newcomer audiences.
- Updates to resident attraction website are in planning, with updates expected to launch in Q4.
- Updates to existing print and digital marketing collateral is underway. Key brochure and design updates have been identified, with project completion estimated in Q4.

Media & Thought Leadership

- Manager of Economic Research & Analysis interviewed for July 10 Niagara This Week article on jobs in the cannabis sector in Niagara.
- Manager of Economic Research & Analysis interviewed for September 5th issue of the Lake Report, on the growth and economic impact of cannabis in Niagara.
- Niagara ranked prominently in national rankings, including Macleans “List of Canada’s Best Communities” (August), and local businesses highlighted in Canadian Business’ “Startup 50” and “Growth 500” rankings (September).

Manager, Business Development and Expedited Services

- On Saturday, September 7th participated in the Toronto Franchise Expo in collaboration with a local developer and realtor to promote Niagara to investors and developers based in the Greater Toronto Area.
- Collaborated with Durham and Niagara region industry stakeholders and the CISO Forum Organizing Committee to raise Niagara’s profile as a community open to ICT firms and investment at CISO Forum Canada from August 22nd to August 23rd, in Niagara Falls.

Streamline Planning Processes: Expediting Approvals Process

Niagara Region has been proactive in supporting business growth and economic prosperity. Niagara Economic Development will continue to identify and reduce barriers to new private sector investment.

Manager, Business Development and Expedited Services (expedite approval processes working with the LAMs and Regional departments, host a workshop to identify and address barriers to industrial and commercial development.)

- Worked directly with the City of Niagara Falls and a local business to resolve issues around the calculation of development charges that would have had a direct impact on the viability of the business.
- Met with the owner of a property in West Lincoln to address zoning restrictions and environmental constraints that are preventing new business investment in Niagara.

Increasing Niagara's Competitiveness: Addressing Unnecessary Regulatory Burdens on Business.

Niagara Economic Development supports the Province's initiative to reduce the regulatory burden on business. In Niagara, development is regulated by a number of different bodies and complex policies. This has the effect of increasing the difficulty of manufacturers and agribusiness to do business that affects Niagara's competitiveness.

- Manager, Business Development and Expedited Services participated in two conference calls with Niagara Region Planning and Development and the Ontario Ministry of Municipal Affairs and Housing regarding changes to the Greater Golden Horse Show Growth Plan and the creation of Provincially Significant Employment Zones.

Workforce: Meeting Current and Future Talent, Professional, Skilled Trades and Labour Needs

Access to a talented, professional, skilled and educated workforce is increasingly a concern for businesses and essential to ensure the continued growth of the regional economy.

Manager, Strategic Marketing (Promote Niagara as destination for skilled immigrants, working with the LIP)

- Welcome Niagara Canada website updates will launch by September 30, with the immigration microsite being built out to increase accessibility and usability to newcomer audiences
- Advertising for immigrant attraction, including sponsored content and digital advertising will launch in Q4. Placements will include the National Post, Canadian Immigrant, and other multicultural publications.

Advocacy: Improving Transportation Infrastructure Ensuring Niagara Remains Competitive in a Global Economy

Key infrastructure investments are required to increase Niagara's competitiveness and support business in the region as well as facilitate trade.

- Support to Public Works Department to submit an Expression of Interest to the National Trade Corridor Fund to initiate work on the East/West Corridor.

Alternatives Reviewed

None applicable.

Relationship to Council Strategic Priorities

Economic development activities described in this report directly support three of Council's 2019-2022 Strategic Priorities:

- Supporting Businesses and Economic Growth
- Responsible Growth and Infrastructure Planning
- Sustainable and Engaging Government

Other Pertinent Reports

ED 1-2019 Economic Development Overview
ED 2-2019 Economic Development Strategy
ED 4-2019 Q1 Economic Development Quarterly Update Report
ED 8-2019 Q2 Economic Development Quarterly Update Report

Prepared by:
Valerie Kuhns
Acting, Director
Economic Development

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

MEMORANDUM

PDS-C 16-2019

Subject: Combined Sewer Overflow (CSO) Control Policy 2019 In-year Application

Date: October 9, 2019

To: Planning and Economic Development Committee

From: Ilija Stetic, W/WW Planning & Development Project Manager

The purpose of this memorandum is to inform Planning & Economic Development Committee and Area Municipalities that the CSO program budget is now fully subscribed.

Background

The Combined Sewer Overflow (CSO) Control Policy is intended to facilitate shared funding with the Area Municipalities to help mitigate the impacts of wet weather events on municipal sanitary system and the environment.

A budget of \$4.0 M was approved as part of the 2019 Wastewater Operating Budget for the CSO program. PDS 14-2019 was presented to Committee on April 17, 2019. This report presented a list of 32 projects that were deemed in compliance for the 2019 CSO Program. The budget to fund all of these projects totaled \$3,944,230. The remaining \$55,770 was set aside in order to accommodate any unforeseen or not yet approved projects requested by Area Municipalities.

In-Year Funding Requests

An in-year application has been received from the Town of Fort Erie for Extraneous Flow Reduction - Shirley Rd. SPS Catchment. In accordance with the Terms the CSO Control Funding Conditions, funding will be provided from the remaining approved but unallocated CSO program funds in the amount of \$55,500. With this amount, the planned and approved budget for 2019 of \$4.0 M is now fully subscribed.

Respectfully submitted and signed by

Ilija Stetic, B.Sc., PMP
W/WW Planning & Development Project Manager

MEMORANDUM

PDS-C 18-2019

Subject: Glendale Niagara District Plan Update

Date: Wednesday, October 9, 2019

To: Planning and Economic Development Committee

From: Kirsten McCauley, Senior Planner

The purpose of this memorandum is to update Committee on the Glendale Niagara District Plan project. Additionally, it outlines the initiation of an amendment to the Regional Official Plan.

Background Information

The intent of the Glendale Niagara District Plan is to establish an urban vision for the future of the 700 ha area surrounding the Glendale Avenue/QEW interchange in the Town of Niagara-on-the-Lake (a small portion of the study area also extends into the adjacent City of St. Catharines). Approximately 400 hectares of this area is considered to be an urban strategic growth area for Niagara and is expected to provide for thousands of new residents and jobs over the course of the next 20+ years.

The Glendale Niagara District Plan was initiated by Niagara Region in cooperation with the Town of Niagara-on-the-Lake and the City of St. Catharines. The District Plan follows a two-phase approach:

- The Phase 1 Visioning Exercise and Conceptual Plan was completed and endorsed by Council in October, 2018.
- The Phase 2 Technical Review, Component Studies and preparation of the District Plan commenced in October, 2018. The Phase 2 work was to include technical component studies to inform the final land-use concept, including a transportation study, an urban design/public realm study and a commercial land needs study. Unfortunately, the consultants hired to undertake Phase 2 did not meet the expectations of Staff and timeframes of the work program and, as a result, are no longer engaged.

Revised Work Program

Regional Staff have evaluated and amended the work program, in consultation with Niagara on the Lake, to complete the District Plan using internal Regional resources and expertise. The revised work plan will utilize the information to date to refine the urban vision for growth, establish key strategies and action items for implementation,

and create associated policies to guide future development of the Glendale area. The technical studies, originally planned for Phase 2, will be completed through the update to the Glendale Secondary Plan.

From information collected through the Phase 1 Vision, Phase 2 background work and public engagement exercises, a number of emerging themes and key strategies have been identified for consideration. These themes include:

1. Lead with the landscape/natural features;
2. A convergence for the area's trails and active transportation facilities;
3. Provide transit – mobility first approach;
4. Integrate the college into the district, accommodate its expansion and integrate/create a focus with food tech industries;
5. Create a “main street” as a transition from the outlet collection niagara to the adjacent urban neighbourhood;
6. Provide a diverse range of housing ensuring choice and affordability;
7. Create a public/civic space as a focus for the urban district; and
8. Use sustainability measures related to resiliency and climate change.

The final District Plan will further elaborate on these themes. The result will be a proactive strategy for the evolution of Glendale which has been refined based on the background work completed, sound planning principles and agency/stakeholder/ public input.

The District Plan will incorporate policy direction for Glendale into the Region's Official Plan through the amendment process. A recommendation of the District Plan will also be to update the Glendale Secondary Plan.

Engagement

The Glendale Niagara District Plan study is a collaborative process involving input from a Technical Advisory Committee (TAC), a Community Focus Group (CFG) and the general public. The planned engagement with the TAC and CFG, through correspondence and meetings, will continue. Staff will also organize a final Public Information Centre to receive feedback on this project.

Staff will continue to consult with the Inter-Regional Transit Working Group for feedback on a future transit hub/terminal, as well as other key stakeholders and groups.

Staff also recognize the important contribution of Niagara College to the District Plan area and the need to coordinate this project with the creation of the College's Campus Master Plan. Staff will continue to work with the College representatives to integrate the recommendations of the Campus Master Plan into the final plan, as appropriate.

Timing

Staff will continue to move this project forward with an anticipated completion and recommendation for this District Plan by the end of the year.

Regional Official Plan Amendment Initiation

In order to implement the District Plan, the Regional Official Plan will need to be amended to include policy direction to realize the vision of Glendale District. When the final District Plan is brought forward for endorsement, Staff intend to have the draft Regional Official Plan Amendment (ROPA) prepared and hold a Public Meeting under the *Planning Act, 1990*, to collect input on the ROPA.

Other Pertinent Reports

Previously, staff submitted the following memorandums and reports related to this project:

PDS-C 21-2018 to advise the Committee of the commencement of the Glendale Niagara District Plan; and,

PDS-C 31-2018 to provide an update on the District Plan study after the first workshop sessions.

PDS-34-2018 to provide information on the conclusion of Phase 1 of the Study, and to request endorsement of the Phase 1 vision and authorization to proceed to Phase 2.

PDS 12-2019 to provide an update on Phase 2 of the Glendale project.

Glendale Niagara District Plan information and reports can be found here:
<https://www.niagararegion.ca/projects/glendale-niagara-district-plan/default.aspx>

The Phase 1 final report can be viewed here:
<https://www.niagararegion.ca/projects/glendale-niagara-district-plan/pdfs/glendale-district-plan-phase-one-final-report.pdf>

Respectfully submitted and signed by

Kirsten McCauley, MCIP, RPP
Senior Planner, Secondary Plans

This memorandum was prepared in consultation with Isaiah Banach, Manager of Long Range Planning.

MEMORANDUM

PDS-C 17-2019

Subject: Niagara-on-the-Lake Non-conforming Incentive Request

Date: October 9, 2019

To: Planning and Economic Development Committee

From: Rino Mostacci, Commissioner

This memo provides background information relative to a request for a retroactive grant approval. The grant is being sought retroactively and is therefore not within Staff's normal delegated authority to consider. Only Regional Council can consider applications which are non-conforming and outside program parameters.

The Region is in receipt of a letter dated August 12, 2019 and there will be a related presentation to Planning and Economic Development Committee for October 9, 2019. The Town of Niagara-on-the-Lake is requesting Regional matching funding through the Smarter Niagara Incentive Program (SNIP) of \$4,565.20 for a retroactive grant to cover work on a property at 16 Queen Street, Niagara-on-the-Lake.

BACKGROUND

Minutes of the Municipal Heritage Committee brought before the Town Council of Niagara-on-the-Lake on July 15, 2019 included a recommendation to approve retroactive funding for application MHC-19-022, a commercial heritage grant at 16 Queen Street, Niagara-on-the-Lake.

In 2017 windows were installed at a commercial property at 16 Queen Street. This work was funded in part by a heritage restoration grant, for which the Region provided matching funding of \$7,500. In April 2019, owners of the property painted these windows. The owner submitted a second heritage grant application after this work was complete in May 2019.

Town Council approved this retroactive grant request in July 2019. In its request for the Region to similarly approve retroactive funding, the Town cites that (1) at the time the windows were restored in 2017, it was suggested the windows be painted as soon as possible, and (2) that encroachment permits for scaffolding presumably necessary to paint the windows are not allowed on Queen Street between late May-September each year -- thus the applicant went ahead with the work before applying for the grant. The Town's encroachment permit policy regarding Queen Street has been in place for at least five years. Town heritage grants have a rolling intake and applications may be submitted at any time.

As Staff do not have delegated authority to consider non-conforming/retroactive grants, this request is at the discretion of Regional Council.

Respectfully submitted and signed by,

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

Minute Item No. 5.1
CSD 53-2019
2020 Capital Budget

That Report CSD 53-2019, dated October 10, 2019, respecting 2020 Capital Budget, **BE RECEIVED** and the following recommendations **BE APPROVED**:

1. That the 2020 Capital Budget for the Niagara Regional Departments and Agencies, Boards and Commissions of \$375,524,889 as per Appendix 1 to Report CSD 53-2019, **BE APPROVED IN PRINCIPLE** pending final by-law approval anticipated to be on December 12, 2019;
2. That a separate levy of \$5,620,496 or 1.54% for the Long Term Care redevelopment **BE APPROVED IN PRINCIPLE** and **REFERRED** to the 2020 Operating budget;
3. That \$1,580,200 for the incremental costs of capital projects as per Appendix 6 to Report CSD 53-2019, **BE REFERRED** for consideration as part of the 2020 Operating Budget to be funded from Assessment Growth;
4. That financing in the amount of \$374,524,889 gross and \$267,767,415 net **BE INITIATED** upon approval of the 2020 Capital Budget and **BE ALLOCATED** to the projects as summarized in Appendix 2 to Report CSD 53-2019; and
5. That the necessary by-laws **BE PREPARED** and **BE PRESENTED** to Council for consideration to coincide with the approval of the operating budget.

Minute Item No. 6.1
BRC-C 9-2019
Response to Budget Planning - Niagara Regional Police Services 2020 Operating Budget Report - 136.2019

That Memorandum BRC-C 9-2019, dated October 10, 2019, respecting Response to Budget Planning – 2020 Operating Budget 136.2019, **BE RECEIVED** for information.

**THE REGIONAL MUNICIPALITY OF NIAGARA
BUDGET REVIEW COMMITTEE OF THE WHOLE
MINUTES - OPEN SESSION**

**BRCOTW 7-2019
Thursday, October 10, 2019
Council Chamber
Niagara Region Headquarters, Campbell West
1815 Sir Isaac Brock Way, Thorold, ON**

Committee: Bradley (Regional Chair), Butters, Bylsma, Campion, Chiocchio, Darte, Diodati, Easton, Edgar, Fertich, Foster, Greenwood, Heit, Huson, Insinna, Ip, Nicholson, Redekop, Rigby, Sendzik, Ugulini, Villella, Whalen (Committee Vice Chair), Witteveen, Zalepa (Committee Chair)

Absent/Regrets: Bellows, Disero, Gale, Gibson, Jordan, Junkin, Steele

Staff: D. Ane, Manager, Program Financial Support, D. Barnhart, Executive Officer to Regional Chair, H. Chamberlain, Director, Financial Management & Planning/Deputy Treasurer, R. Cheung, Senior Budget Analyst, C. Habermebl, Director, Waste Management Services, T. Harrison, Commissioner/Treasurer, Corporate Services, Dr. M. M. Hirji, Acting Medical Officer of Health, A. Jugley, Commissioner, Community Services, K. Lotimer, Legislative Coordinator, R. Mostacci, Commissioner, Planning & Development Services, M. Murphy, Associate Director, Budget Planning & Strategy, A.-M. Norio, Regional Clerk, C. Ryall, Director, Transportation Services, J. Tonellato, Director, Water/Wastewater Services, R. Tripp, Commissioner, Public Works/Acting Chief Administrative Officer

1. CALL TO ORDER

Committee Chair Zalepa called the meeting to order at 6:30 p.m.

2. DISCLOSURES OF PECUNIARY INTEREST

There were no disclosures of pecuniary interest.

3. PRESENTATIONS

There were no presentations.

4. DELEGATIONS

There were no delegations.

5. **ITEMS FOR CONSIDERATION**

5.1 **CSD 53-2019**

2020 Capital Budget

Helen Chamberlain, Director, Financial Management & Planning/Deputy Treasurer, provided information respecting the 2020 Capital Budget.

Topics of the presentation included:

- 2020 Capital Expenditure
- 2020 Financing Strategy
- Multi-year Forecast
- Risks and Opportunities
- Next Steps

Moved by Councillor Fertich
Seconded by Councillor Ip

That Report CSD 53-2019, dated October 10, 2019, respecting 2020 Capital Budget, **BE RECEIVED** and the following recommendations **BE APPROVED**:

1. That the 2020 Capital Budget for the Niagara Regional Departments and Agencies, Boards and Commissions of \$375,524,889 as per Appendix 1 to Report CSD 53-2019, **BE APPROVED IN PRINCIPLE** pending final by-law approval anticipated to be on December 12, 2019;
2. That a separate levy of \$5,620,496 or 1.54% for the Long Term Care redevelopment **BE APPROVED IN PRINCIPLE** and **REFERRED** to the 2020 Operating budget;
3. That \$1,580,200 for the incremental costs of capital projects as per Appendix 6 to Report CSD 53-2019, **BE REFERRED** for consideration as part of the 2020 Operating Budget to be funded from Assessment Growth;
4. That financing in the amount of \$374,524,889 gross and \$267,767,415 net **BE INITIATED** upon approval of the 2020 Capital Budget and **BE ALLOCATED** to the projects as summarized in Appendix 2 to Report CSD 53-2019; and
5. That the necessary by-laws **BE PREPARED** and **BE PRESENTED** to Council for consideration to coincide with the approval of the operating budget.

Carried

Councillor Information Request(s):

Provide information for a budget scenario that would assume maximum allowable debt of \$320 million (120% of own source revenue) that considers the amount of expenditures allowed, the deferred projects that could be included, the amount of the annual repayment limit and impacts to the operating budget. Councillor Easton.

Provide information on the local area municipal rate increases. Councillor Heit.

6. CONSENT ITEMS FOR INFORMATION

6.1 BRC-C 9-2019

Response to Budget Planning - Niagara Regional Police Services 2020 Operating Budget Report - 136.2019

Moved by Councillor Ugolini
Seconded by Councillor Rigby

That Memorandum BRC-C 9-2019, dated October 10, 2019, respecting Response to Budget Planning – 2020 Operating Budget 136.2019, **BE RECEIVED** for information.

Carried

7. OTHER BUSINESS

There were no items of other business.

8. NEXT MEETING

The next meeting will be held on Thursday, November 7, 2019 at 6:30 p.m. in the Council Chamber, Regional Headquarters.

9. ADJOURNMENT

There being no further business, the meeting adjourned at 8:43 p.m.

Councillor Zalepa
Committee Chair

Kelly Lotimer
Legislative Coordinator

Ann-Marie Norio
Regional Clerk

Subject: 2020 Capital Budget

Report to: Budget Review Committee of the Whole

Report date: Thursday, October 10, 2019

Recommendations

1. That the 2020 Capital Budget for the Niagara Regional Departments and Agencies, Boards and Commissions of \$375,524,889 as per **Appendix 1** to CSD 53-2019, **BE APPROVED IN PRINCIPLE** pending final by-law approval anticipated to be on December 12, 2019
2. That a separate levy of \$5,620,496 or 1.54% for the Long Term Care redevelopment **BE APPROVED IN PRINCIPLE** and **REFERRED** to the 2020 Operating budget.
3. That \$1,580,200 for the incremental costs of capital projects as per **Appendix 6** **BE REFERRED** for consideration as part of the 2020 Operating Budget to be funded from Assessment Growth.
4. That financing in the amount of \$374,524,889 gross and \$267,767,415 net **BE INITIATED** upon approval of the 2020 Capital Budget and **BE ALLOCATED** to the projects as summarized in **Appendix 2** to CSD 53-2019;
5. That the necessary by-laws **BE PREPARED** and **PRESENTED** to Council for consideration to coincide with the approval of the operating budget.

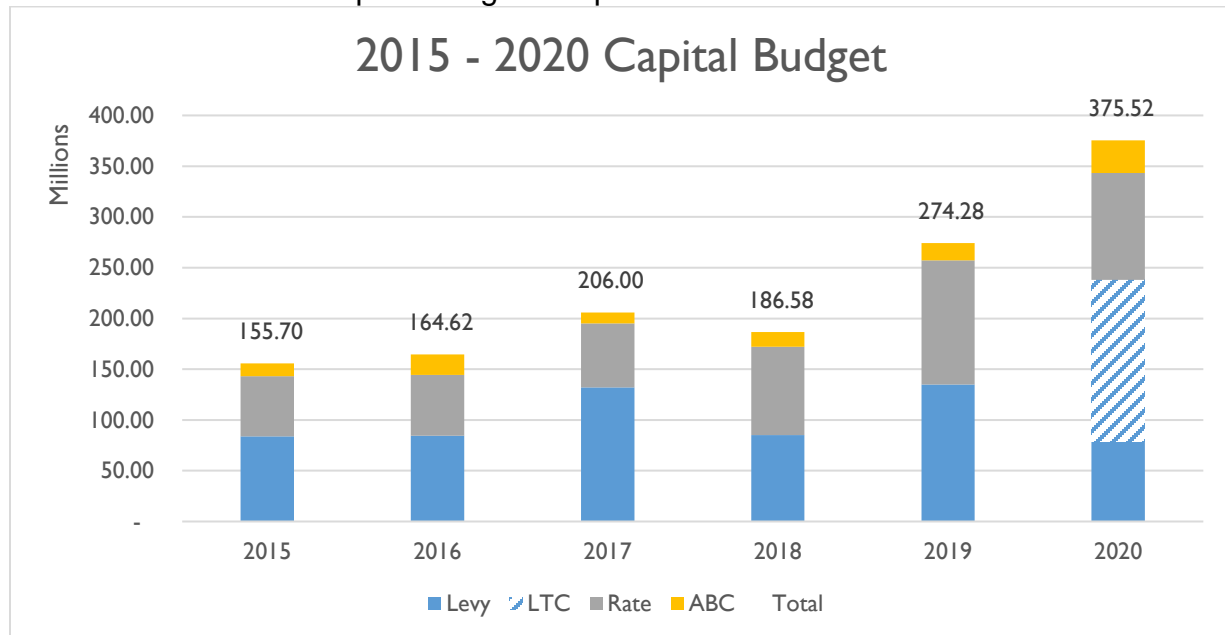
Key Facts

- The capital budget is the Region's plan to build and replace capital assets and infrastructure. It directly impacts the Region's operating budget to finance the capital and to cover operating expenses associated with the asset. These costs are incorporated in the operating budget.
- The capital program is \$375.52 million with 193 projects. Capital projects are supported by data sheets included in eScribe. All but one project is proposed to be initiated concurrently with the approval of the 2020 Capital Budget (**Appendix 2**).
- The 2020 Levy Capital Budget was prepared in accordance with council direction of 2% CPI which required the deferrals of \$71.1 million in Capital projects and a separate levy of 1.54% for LTC redevelopment. The projects and associated risk with the deferrals are included in **Appendix 3**.
- The 2020 Rate Capital budget was prepared in accordance with council direction of 2% CPI which required the deferral of \$80.8 million in Capital projects. The projects and associated risk with the deferrals are included in **Appendix 3**.

Financial Considerations

The proposed 2020 Capital Budget of \$375.52 million (\$270.40 million Levy Capital Budget and \$105.12 million Rate Capital Budget) is included in **Appendix 1**.

Chart 1: 2015 – 2020 Capital Budget comparison



The 2020 Capital Budget being presented is funded as follows:

Table 1: 2020 vs 2019 Levy Capital Funding Sources

	2020	2019
Regional Funding:		
Reserves	36,145,679	\$46,126,066
Infrastructure Deficit Reserves	3,677,256	3,708,000
Debenture for LTC (Separate levy)	129,187,000	-
Debentures	15,762,650	27,774,804
	<u>184,772,585</u>	<u>77,609,470</u>
External Funding:		
Area Municipalities	2,700,000	3,025,000
Federal Gas Tax	10,348,900	10,300,000
Other External	12,621,546	2,511,396
	<u>25,670,466</u>	<u>15,836,396</u>
Development Charges	59,956,458	37,313,600
Total	<u>270,399,489</u>	<u>130,759,466</u>

Table 2: 2020 vs 2019 Rate Capital Funding Sources

	2020	2019
Regional Funding:		
Reserves	83,994,830	\$84,052,400
Debentures	-	33,110,000
	83,994,830	117,162,400
External Funding:		
Area Municipalities	-	-
Federal Gas Tax	4,000,000	3,000,000
Other External	800,000	4,800,000
	4,800,000	7,800,000
Development Charges	16,330,570	18,562,100
Total	105,125,400	143,524,500

Assumptions for the funding are as follows:

- No increase in the debt charge budget with the exception of the LTC project (\$5.6 million). The impacts to the debt metrics are identified in **Appendix 4**. Niagara remains below the average of comparable Regions in 4 of the 6 debt metrics.
- A separate levy of 1.54% (\$5.6 million) required to support LTC debt servicing costs as identified in COM 32-2019, "Long Term Care Home Redevelopment Project Update".
- LTC debt provides for one time funding of \$5.6 million in 2020 due to the timing of the debenture issuance. If the separate levy is not approved, an additional \$5.6 million of levy capital projects will have to be deferred or reduced (**Appendix 5**).
- General Capital Levy and Infrastructure Deficit Reserve are fully utilized.
- Closure of 70 Capital projects in 2019 provided \$15 million in funding for the 2020 Capital Budget.
- Development charges of \$76.3 million have been maximized in accordance with the background study for growth related projects.
- Due to the fact that 2020 funding sources were inadequate for the preliminary request; \$151.95 million of Gross capital requests across 45 projects were deferred/reduced (**Appendix 3**).

Operating impacts with capital

To align with the budget planning by-law, the operating impacts of capital will be presented for consideration to be funded through assessment growth. This allows for more transparency into the incremental revenues, expenditures or cost savings to the operating budget. This information is collected and displayed on the capital data sheets within Escribe. A summary of the operating impacts can be seen in **Appendix 6**.

Preliminary estimates of net assessment growth is \$3.4 million with a development charge rebate shortfall of \$2.4 million. The assessment growth will be allocated based on the budget planning bylaw's methodology. The remaining net assessment growth may be recommended for the projected 2020 operating costs of capital of \$1,580,200.

9 Year Forecast Financing Strategy

The 10-year capital program is \$3.0 billion with an estimated funding deficit of \$1.2 billion (\$744 million levy, \$442 million rate) (**Appendix 8**). This amount changes every year due to the timing of projects and new funding assumptions.

Changes from the prior year forecast funding deficit of \$480 million are summarized as follows:

- \$300 million of capital projects rolling into the 10-year forecast
- The 10-year Water and Wastewater financial plan has been revised to reflect an annual increase at CPI of 2% from the previously approved 5.15% from the Safe Drinking Water Act Financial plan. This increases the funding gap by \$372 million.
- No additional increase in capital financing in the multi-year. Additional debt will only be financed through existing budget room from principal repayments.
- Capital reserves are fully committed as shown in the forecast of capital reserve balances in **Appendix 7**.

Analysis

Capital Financing Sustainability and Asset Management Plan

The detailed information available in the 2017 comprehensive Asset Management Plan was utilized in the 2020 budget cycle to validate all proposed capital projects identified for the replacement of existing assets. In the current year, 55% (2019 – 60%) of the projects are directly attributable to the AMP.

In 2017, council approved the creation of an Infrastructure Deficit Reduction (IDR) reserve through a 1% increase on the levy. The establishment of the reserve was the first step in a long-term capital financing strategy to reduce the infrastructure funding gap. Since the creation of this reserve, it has funded \$13.7M of Capital projects which are identified in **Appendix 9**.

Per CSD 40-2019, 2020 Budget Planning, a preliminary estimate of a requirement of an annual increase of 2% for the next ten years to reduce the infrastructure deficit was identified. The proposed capital program only relies on 1.54% (Long Term Care funding) of that amount. However, Council can still consider up to 2% increase for 2020 to support asset management.

Table 3: Tax Levy Impact: Budget Planning vs Capital Budget proposed

	Dollars Required	% of levy
LTC Redevelopment Debt Charge	8,786,935	
MOHLTC Per Diem	(2,683,018)	
Debt Charge/Net Cost	6,103,917	
Budgeted in 2016 for previously approved debt of \$15 million	(483,421)	
Net requirement for LTC	5,620,496	1.54%
Requirement for Asset Management		0.46%
Total		2.00%

To accommodate the available funding, \$151.9M of projects were deferred into the multi-year. The risks of deferral was identified and their related risks can be seen in **Appendix 3**.

Last year council approved the Asset Management Office. Their mandate is to manage assets through a co-ordinated approach to ensure the desired level of service is managed against the potential risk of failure due to deferrals from a lack of funding.

Supporting Growth

In the 2020 Capital Budget, \$70.5M or 19% of the gross request is growth related, eligible to be financed through development charges. This is an increase of \$13M from the 2019 Capital budget and is reflective of the continued investment in growth.

On May 2, 2019, Ministry of Municipal Affairs and Housing announced it's Housing Supply Action Plan and concurrently introduced *Bill 108 More Homes, More Choice Act, 2019*. Bill 108 proposes a restructuring of the collection and use of soft-service DCs through amendments to the *Development Charges Act, 1997* and *Planning Act, 1990*. The Region currently collects soft service development charges for the following categories which includes \$38.8 million in the 2020 Capital Budget:

- General Government
- Emergency Medical Services
- Long Term Care
- Provincial Offences Act
- Health
- Social Housing

In the future, soft service charges will be collected through Community Benefit Charges instead of development charges. Community Benefit Charges are a different funding mechanism which will likely require a separate study and by-law. The changes pose risks to funding the projects listed in **Appendix 10**.

Opportunities in the Future

Some opportunities at the Region for managing capital projects that staff are undertaking are as follows:

- Asset Management Office is working on a risk based strategy for prioritization of state of good repair and renewal capital requests which will assist with the alignment to funding available.
- Financial Management and Planning are enhancing the Regions quarterly report with additional metrics that gives more transparency to work in progress and forecasted expenditure.
- On July 1, 2018, *Bill 142 Construction Lien Amendment Act, 2017* was introduced to ensure “prompt payment” of construction projects. The Project Management Office is reviewing the Region’s processes to ensure alignment.
- Strategies for reporting on health equity are in progress and will be incorporated in future budgets.
- The capital financing policy will establish strategies for establishing adequate level of funding for capital projects that address sustainment, growth and new strategic investments.

Alternatives Reviewed

Staff are currently working on a capital financing strategy that establishes criteria to ensure the appropriate source of financing is applied on a project specific basis.

Relationship to Council Strategic Priorities

The 2020 Capital Budget aligns with the approved Niagara Region’s 2019 – 2022 Council Strategic Plan. The following is the percentage of gross capital expenditures aligned to each strategic priority:

- 66%, Responsible growth and infrastructure planning - Sustainable investments in transportation, transit and infrastructure.
- 27%, Healthy and Vibrant Community - Foster a high quality of life through safe, healthy and inclusive neighbourhoods through the delivery of quality, affordable and accessible human services.
- 7%, Businesses and Economic Growth and Sustainable and Engaging environment - A coordinated approach to fostering economic growth in Niagara and a commitment to high quality, efficient, fiscally sustainable and coordinated core services through enhanced communication, partnerships and collaborations with the community.

Other Pertinent Reports

COM 32 – 2019 Long Term Care Redevelopment Project Update

CSD 21 – 2017	Asset Management Plan
CSD 40 – 2019	2020 Budget Planning
CSD 41 – 2019	Capital Financing Policy
CSD 63 – 2017	Regional Development Charges and Proposed By-law
CSD 65 – 2019	Budget Planning By-law
PDS 37 – 2016	Niagara 2041 Growth Strategy - Local Municipal Growth Allocations
PW 22 – 2017	2016 Water & Wastewater Master Servicing Plan Update
TSC-C 3 – 2017	Niagara Region Transportation Master Plan

Prepared by:

Helen Chamberlain, CPA, CA
Director / Deputy Treasurer
Financial Management and Planning

Recommended by:

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

Submitted by:

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

This report was prepared by Ricci Cheung, Senior Budget Analyst and reviewed by Margaret Murphy, Associate Director, Budget, Planning and Strategy.

Appendices

Appendix 1	2020 Capital Budget Summary by Department with Funding
Appendix 2	2020 Capital Projects Initiation Status
Appendix 3	Deferred Projects
Appendix 4	Debt Metrics and Forecasted Debt outstanding
Appendix 5	Projects Allocated LTC Placeholder
Appendix 6	Operating Impacts of Capital
Appendix 7	Forecasted Capital Reserve Balances
Appendix 8	2020 – 2029s Capital Budget and Nine Year Forecast
Appendix 9	Projects Allocated 1% Infrastructure Deficit Reduction Funding
Appendix 10	2020 and Historical Soft Service Capital projects
Appendix 11	Treasurer's Certificate

2020 Capital Budget by Department

Operating Unit / Division	Gross Capital Request	Reserves	Debt	Development Charges	Federal Gas Tax	Area Municipality	Other External
Community Services	\$1,897,808	\$1,897,808	-			-	-
Corporate Administration	\$167,241,000	\$7,876,000	\$129,187,000	\$24,578,000	0	-	\$5,600,000
Public Health and Emergency Services	\$3,467,644	\$3,267,746	-	\$199,898		-	-
Niagara Regional Housing	\$28,164,858	\$4,788,395	\$5,819,316	\$14,039,087		-	\$3,518,060
Niagara Regional Police	\$4,154,500	\$3,004,500	\$1,150,000			-	-
Transportation	\$65,473,679	\$18,988,486	\$8,793,334	\$21,139,473	\$10,348,900	\$2,700,000	\$3,503,486
Waste Management	\$8,485,400	\$8,469,830	-	\$15,570		-	-
Wastewater	\$60,195,000	\$44,540,000	-	\$11,655,000	\$4,000,000	-	-
Water	\$36,445,000	\$30,985,000	-	\$4,660,000		-	\$800,000
Total	\$375,524,889	\$123,817,765	\$144,949,650	\$76,287,028	\$14,348,900	\$2,700,000	\$13,421,546

2020 Capital Projects Initiated Concurrent with Budget Approval

Program	Project ID	Project Name	Gross Capital Request	Reserves	Debt	Development Charges	Federal Gas Tax	Local Area Municipality	Other External
Community Services	J_20001106	20-LTC Bed Replacement	245,358	245,358	-	-	-	-	-
	J_20001107	20-LTC Cap Imp/Replace	274,133	274,133	-	-	-	-	-
	J_20001108	20-LTC Machinery/Equipment	270,733	270,733	-	-	-	-	-
	J_20001109	20- LTC Resident Care Equipment	561,317	561,317	-	-	-	-	-
	J_20001110	20-LTC Roof Replacement	357,500	357,500	-	-	-	-	-
	J_20001111	20-LTC Tech Imprv	188,767	188,767	-	-	-	-	-
Community Services Total			1,897,808	1,897,808	-	-	-	-	-
Corporate Services	J_20001061	20- IT Asset Replacement	1,035,000	1,035,000	-	-	-	-	-
	J_20001240	20-HR Time + Attendance Software Upgrade	300,000	300,000	-	-	-	-	-
	J_20001241	20-HRIS Development	200,000	200,000	-	-	-	-	-
	J_20001236	20- Annual Application Lifecycle Replacement	300,000	300,000	-	-	-	-	-
	J_10GD1505	20-LTC Fort Erie New Home	57,365,000	-	42,687,000	9,078,000	-	-	5,600,000
	J_20001203	20-LTC St. Catharines New Home	102,000,000	-	86,500,000	15,500,000	-	-	-
	J_20001204	20-Ann-Staff Accommodations	100,000	100,000	-	-	-	-	-
	J_20001206	20-Ann-Code & Leg Compliance	100,000	100,000	-	-	-	-	-
	J_20001207	20-Bld Ext-Welland Child Found	62,000	62,000	-	-	-	-	-
	J_20001210	PW Smithville Yard - Main Building Roof Replacement	314,000	314,000	-	-	-	-	-
	J_20001213	NRHQ - Campbell East Roof Replacement	795,000	795,000	-	-	-	-	-
	J_20001219	NRHQ - Campbell East Main Entry Door Replacement	80,000	80,000	-	-	-	-	-
	J_20001220	Building Automation Redesign	100,000	100,000	-	-	-	-	-
	J_20001221	NRHQ - Campbell East - Building Mechanical Humidification	110,000	110,000	-	-	-	-	-
	J_20001223	NRHQ - Civic Park Security Enhancements	100,000	100,000	-	-	-	-	-
	J_20001235	SAEO Peer Street Niagara Falls - Plumbing Replacement	40,000	40,000	-	-	-	-	-
	J_20000979	NRPS Welland Gun Range - Roof Replacement	750,000	750,000	-	-	-	-	-
	J_20001226	NRPS Emerg Services St. Cath - Roof Replacement	280,000	280,000	-	-	-	-	-
	J_20001227	PW Yards Septic Replacement	880,000	880,000	-	-	-	-	-
	J_20001228	PW Pelham Yard - Exterior and Platform Replacement	55,000	55,000	-	-	-	-	-
	J_20001229	PW Pelham Yard - Dome Roof Replacement	300,000	300,000	-	-	-	-	-
	J_20000980	PW Thorold Yard - Roof Replacement	210,000	210,000	-	-	-	-	-
	J_20001232	PW Thorold Yard - Wash Bay Structural Repair and Siding	94,000	94,000	-	-	-	-	-
	J_20001233	PW Thorold Yard - Dome Roof Replacement	281,000	281,000	-	-	-	-	-
	J_20001238	20-OCR Software Implmentation	140,000	140,000	-	-	-	-	-
	J_20001239	20-Misc Levy Properties	250,000	250,000	-	-	-	-	-
Corporate Services Total			166,241,000	6,876,000	129,187,000	24,578,000	-	-	5,600,000
Niagara Regional Housing	J_20000680	NRH - Multi-Residential Intensification - Niagara Falls	20,090,000	3,050,913	-	14,039,087	-	-	3,000,000
	J_20001101	NRH - 2020 Annual Grounds Capital Program	1,009,739	175,368	775,280	-	-	-	59,091
	J_20001102	NRH - 2020 Annual Unit Capital Program	3,470,763	711,802	2,519,117	-	-	-	239,844
	J_20001103	NRH - 2020 Annual Building Capital Program	3,394,356	650,312	2,524,919	-	-	-	219,125
	J_20001104	NRH - 2020 Annual Emergency Capital Program	200,000	200,000	-	-	-	-	-
Niagara Regional Housing Total			28,164,858	4,788,395	5,819,316	14,039,087	-	-	3,518,060
NRPS	J_20001257	NRPS - Annual Vehicle Replacements - NRPS - Annual Forecast (2020)	1,500,000	1,500,000	-	-	-	-	-
	J_20001263	20- NRPS Vehicle Deployment System	157,000	157,000	-	-	-	-	-
	J_20001267	20- NRPS Intelligence Software	49,700	49,700	-	-	-	-	-
	J_20001260	NRPS - Command Post	450,000	-	450,000	-	-	-	-
	J_20001262	NRPS - LIDAR Units - Annual Forecast (2020)	14,000	14,000	-	-	-	-	-

2020 Capital Projects Initiated Concurrent with Budget Approval

Program	Project ID	Project Name	Gross Capital Request	Reserves	Debt	Development Charges	Federal Gas Tax	Local Area Municipality	Other External
NRPS	J_20001266	20- NRPS Tactical Training Site Upgrade	50,000	50,000	-	-	-	-	-
	J_20001270	20- NRPS Tactical Search Camera	26,000	26,000	-	-	-	-	-
	J_20001268	20- NRPS Diver Surface Supply Consoles	38,000	38,000	-	-	-	-	-
	J_20001261	NRPS - CEW Replacement - Annual Forecast (2020)	200,000	200,000	-	-	-	-	-
	J_20001265	20- NRPS Judgement Simulator	81,800	81,800	-	-	-	-	-
	J_20001269	20- NRPS Application Tourniquets	38,000	38,000	-	-	-	-	-
	J_20001258	NRPS - IT & Network Equipment Replacement - Annual Forecast (2020)	700,000	700,000	-	-	-	-	-
	J_20001259	NRPS – NG 911 Equipment Replacement (2020)	700,000	-	700,000	-	-	-	-
	J_20001264	20- NRPS Equipment Asset Tracker	150,000	150,000	-	-	-	-	-
NRPS Total			4,154,500	3,004,500	1,150,000	-	-	-	-
Public Health Emergency Serv	J_20001201	20-Ann Ambulance&Equip Replace	3,367,644	3,167,746	-	199,898	-	-	-
	J_20001202	20-EMS - Inventory Software	100,000	100,000	-	-	-	-	-
Public Health Emergency Serv Total			3,467,644	3,267,746	-	199,898	-	-	-
Public Works - Levy	J_10RC1329	Cpcty Imprv - Casablanca Blvd Widening - Livingston to QEW	16,000,000	-	-	11,305,000	1,995,000	2,700,000	-
	J_10RC1562	Rds Rehab - RR 42 Ontario St. Reconstruction - Lakeshore to Linwell	1,400,000	1,260,000	-	140,000	-	-	-
	J_20000494	NRT - Capital Acquisition	3,513,950	1,010,464	-	-	-	-	2,503,486
	J_20000498	McLeod Rd at Stanley/CNR Tracks - Storm Pumping Station	1,800,000	-	1,800,000	-	-	-	-
	J_10RC0816	Cpcty Imprv-Recon RR 57 (Thorold Stone Rd) ext east of Stanley Ave	6,000,000	203,022	-	5,100,000	696,978	-	-
	J_20000661	Struc Rehab - Schisler Road Bridge (027230)	1,700,000	-	1,700,000	-	-	-	-
	J_20000662	Int Imprv-RR81 King St @ Main & Nineteenth-LN	500,000	500,000	-	-	-	-	-
	J_20000667	Rds Rehab - RR49 McLeod Rd Phase 2 - HEPC to Wilson	1,000,000	150,000	-	850,000	-	-	-
	J_10RC1354	Rds Rehab - Lakeshore Rd West recon from Third St to Seventh St	1,300,000	300,000	-	-	1,000,000	-	-
	J_20000895	Int Imprv - RR 24 Victoria Ave at RR 63 Canboro Road, WL and RR27 East Main at RR84 Moyer, WE	2,000,000	500,000	-	-	1,500,000	-	-
	J_20000896	Rds Rehab - RR 43 Bridge St - Victoria Ave to Erie	750,000	750,000	-	-	-	-	-
	J_20000929	Int Imprv- RR46 Geneva St at Carlton-SC	1,000,000	1,000,000	-	-	-	-	-
	J_10RC1554	Cpcty Imprv - Glendale Ave Interchange at QEW	1,000,000	150,000	-	850,000	-	-	-
	J_20001113	20- Ann-Development Projects	1,000,000	-	-	-	-	-	1,000,000
	J_20001118	20- Ann-Misc Road Properties	200,000	200,000	-	-	-	-	-
	J_20001122	20 Ann-Roads Resurfacing and Strengthening Program	8,344,729	-	3,343,334	834,473	4,166,922	-	-
	J_20001126	20 Ann-Struc Rehab-Eng &Constr	1,000,000	1,000,000	-	-	-	-	-
	J_20001123	20 Ann-Roads Equip Upgrade	1,000,000	1,000,000	-	-	-	-	-
	J_20001125	20 Ann-Patrol Yard Imprv	1,000,000	640,000	-	360,000	-	-	-
	J_20001130	Line Marking Improvements	100,000	100,000	-	-	-	-	-
	J_20001114	20 Ann-Guide Rail Imprv	200,000	200,000	-	-	-	-	-
	J_20001119	20 Ann-Railway Crossing Imprv	120,000	120,000	-	-	-	-	-
	J_20001121	20 Ann-Storm Sewers & Culverts	1,100,000	1,100,000	-	-	-	-	-
	J_20001115	20 Ann-Illum Install and Upgrade	1,000,000	900,000	-	100,000	-	-	-
	J_20001120	20 Ann-Traffic Signals	3,000,000	2,700,000	-	300,000	-	-	-
	J_20001116	20- Ann-Roads Eng for Future	500,000	500,000	-	-	-	-	-
	J_20001124	20 Ann-Struc-Eng Stdy Fut Brdg	300,000	300,000	-	-	-	-	-
	J_20001182	20-Struc Rehab-RR81 Forty Mile Creek Bridge (081205)	100,000	-	100,000	-	-	-	-
	J_20001183	20-Rds Rehab-Misc Road Construction	1,000,000	310,000	-	100,000	590,000	-	-
	J_20001184	20-Struc Rehab-RR12 Mountain St Retaining Wall	500,000	-	500,000	-	-	-	-
	J_20001185	Int Imprv - RR 49 McLeod Rd at Drummond Rd	200,000	100,000	-	100,000	-	-	-
	J_20001186	Rds Rehab - RR 20 Lundy's Lane - Highland Ave to Montrose Rd	500,000	450,000	-	50,000	-	-	-
	J_20001188	20-Int Imprv-RR47 Lyon's Creek at Montrose	200,000	30,000	-	170,000	-	-	-
	J_20001189	20-Struc Rehab-RR24 Sixteen Creek Culvert (024310)	200,000	-	200,000	-	-	-	-

2020 Capital Projects Initiated Concurrent with Budget Approval

Program	Project ID	Project Name	Gross Capital Request	Reserves	Debt	Development Charges	Federal Gas Tax	Local Area Municipality	Other External
Public Works - Levy	J_20001190	Struc Rehab -021210-Thompson Rd Bridge	100,000	-	100,000	-	-	-	-
	J_20001191	20-Cpcty Imprv-RR98 Montrose Rd from Lyon's Creek to Canadian	1,000,000	150,000	-	850,000	-	-	-
	J_20001192	Struc Rehab - Glendale Ave Bridge (089215)	200,000	-	200,000	-	-	-	-
	J_20001193	Int Imprv - RR 55 Niagara Stone Rd at Airport Rd and Concession 4	200,000	200,000	-	-	-	-	-
	J_20001194	20-Rds Rehab-RR56 Burleigh Hill-Warkdale to St. David's	300,000	270,000	-	30,000	-	-	-
	J_20001195	Struc Rehab -021215-Thompson Rd Bridge	100,000	-	100,000	-	-	-	-
	J_20001196	Struc Rehab - Lakeport Road (087210) and Frank Weir (087205)	100,000	-	100,000	-	-	-	-
	J_20001197	Struc Rehab -054205-Prince Charles Dr Bridge	150,000	-	150,000	-	-	-	-
	J_20001198	Struc Rehab -020215-Hwy 20 CPR Subway	500,000	-	500,000	-	-	-	-
	J_20001199	20-Rds Rehab-RR87 Lakeshore Rd-MUP Townline to FMC	300,000	300,000	-	-	-	-	-
	J_20001200	Rds Rehab - RR40 South Service Rd Go Bus Sidewalk	350,000	350,000	-	-	-	-	-
	J_20001127	20-Ann - Survey Equipment Repl	90,000	90,000	-	-	-	-	-
	J_20001128	20- Vision Zero	250,000	250,000	-	-	-	-	-
	J_20001117	20 Ann-Fleet & Vehicle Replace	1,520,000	1,520,000	-	-	-	-	-
	J_20001245	20-Facilities Maint Vehicles	35,000	35,000	-	-	-	-	-
	J_20001248	Int Imprv-RR67 Beaverdams at Decew	250,000	250,000	-	-	-	-	-
	J_20001249	20-Int Imprv-Thirty Rd at Young Street	500,000	100,000	-	-	400,000	-	-
Public Works - Levy Total			65,473,679	18,988,486	8,793,334	21,139,473	10,348,900	2,700,000	3,503,486
Waste Management	J_20000338	Humberstone - Infrastructure Upgrades	4,400,000	4,400,000	-	-	-	-	-
	J_20001179	20-Annual-Miscellaneous Enhance/Replace-Other	225,500	225,500	-	-	-	-	-
	J_20001180	20-Property Acquisition	110,000	110,000	-	-	-	-	-
	J_20001177	20-Humberstone Drop-Off Depot Upgrades	385,000	385,000	-	-	-	-	-
	J_20001176	20-Elm Street - Asphalt Road	220,000	220,000	-	-	-	-	-
	J_20001178	20-Recycling Facility Improvements	834,900	819,330	-	15,570	-	-	-
	J_20001181	20-Recycling Building & Equipment	110,000	110,000	-	-	-	-	-
	J_20001247	20-Recycling - Fibre Line Enhancements	2,200,000	2,200,000	-	-	-	-	-
Waste Management Total			8,485,400	8,469,830	-	15,570	-	-	-
Wastewater Operations	J_20000692	Mewburn Pumping Station Upgrade	250,000	250,000	-	-	-	-	-
	J_20000699	Stamford Sewer Trunk Rehabilitation - Phase II	7,600,000	7,600,000	-	-	-	-	-
	J_20000690	Niagara Parkway Sanitary Trunk Sewer Rehabilitation	600,000	600,000	-	-	-	-	-
	J_20000708	Port Robinson Lagoon Decommissioning	250,000	250,000	-	-	-	-	-
	J_20000729	Catherine Street Pumping Station Upgrades	200,000	40,000	-	160,000	-	-	-
	J_20000201	Port Dalhousie WWTP Upgrade	10,000,000	6,000,000	-	-	4,000,000	-	-
	J_10SW1118	Shirley Road Pump Station Upgrade	1,900,000	950,000	-	950,000	-	-	-
	J_20000869	19-Seaway WWTP Influent Channel Upgrade	300,000	300,000	-	-	-	-	-
	J_20000687	Port Weller WWTP Chemical System Upgrade	1,700,000	1,700,000	-	-	-	-	-
	J_20000202	Port Weller WWTP Bar Screen Replacement	2,000,000	2,000,000	-	-	-	-	-
	J_10SW1268	Wellandvale Pumping Station Upgrades	1,300,000	1,300,000	-	-	-	-	-
	J_20000685	Fuel Tank Replacement Program	250,000	250,000	-	-	-	-	-
	J_20000881	19-Dain City Pump Station Forcemain Replacement	5,500,000	5,500,000	-	-	-	-	-
	J_10SW1513	Garner Road Access & Lagoon Improvements	2,200,000	2,200,000	-	-	-	-	-
	J_10SW1526	East Side Pumping Station Upgrades	4,100,000	4,100,000	-	-	-	-	-
	J_20000866	19-Decomission Old Central PS	600,000	600,000	-	-	-	-	-
	J_20000702	Laurie Ave Pumping Station and Forcemain Upgrade	4,000,000	400,000	-	3,600,000	-	-	-
	J_20000707	Bridgeport Pumping Station Upgrade and Forcemain Replacement	3,000,000	600,000	-	2,400,000	-	-	-
	J_20000709	Jordan Valley Pumping Station Upgrade and Forcemain Replacement	3,000,000	600,000	-	2,400,000	-	-	-

2020 Capital Projects Initiated Concurrent with Budget Approval

Program	Project ID	Project Name	Gross Capital Request	Reserves	Debt	Development Charges	Federal Gas Tax	Local Area Municipality	Other External
Wastewater	J_20001131	20-Pipe and Manhole Rehabilitation Program	250,000	250,000	-	-	-	-	-
	J_20001132	20-Flow Meters in Trunk Sewer	225,000	225,000	-	-	-	-	-
	J_20001133	20-WWTP Digester / Sludge Management Program	1,250,000	1,250,000	-	-	-	-	-
	J_20001134	20-Chemical System Upgrade Program - Wastewater	400,000	400,000	-	-	-	-	-
	J_20001135	20-Wastewater Five Trucks and Five Vans	530,000	530,000	-	-	-	-	-
	J_20001136	20-Heat Exchanger Replacement Program	150,000	150,000	-	-	-	-	-
	J_20001137	20-Facilities Security Improvement Program Wastewater	600,000	600,000	-	-	-	-	-
	J_20001139	20-Portable Sewage Bypass Pumps	240,000	240,000	-	-	-	-	-
	J_20001140	20-Laboratory and Sampling Equipment Upgrade Program	150,000	150,000	-	-	-	-	-
	J_20001141	20-Corporate WIFI Expansion at Wastewater Facilities	240,000	240,000	-	-	-	-	-
	J_20001142	20-WW Generator Replacement Program	300,000	300,000	-	-	-	-	-
	J_20001143	20-Niagara Falls WWTP PLC Upgrade for Primaries	160,000	160,000	-	-	-	-	-
	J_20001144	20-New Queenston/ St.David's Wastewater Servicing	800,000	400,000	-	400,000	-	-	-
	J_20001145	20-Queenston WWTP Sustainability Upgrades	600,000	600,000	-	-	-	-	-
	J_20001138	20-Anger Ave WWTP Grit Upgrade	250,000	250,000	-	-	-	-	-
	J_20001146	20-Lakeshore Road Pumping Station Upgrade	400,000	40,000	-	360,000	-	-	-
	J_20001147	20-Welland OAW Diversion Building Decommissioning	300,000	300,000	-	-	-	-	-
	J_20001148	20-Gordon Street Trunk Sewer Rehabilitation	300,000	300,000	-	-	-	-	-
	J_20001149	20- Quaker Rd Trunk Sewer	300,000	-	-	300,000	-	-	-
	J_20001150	20-Crystal Beach Wastewater Treatment Plant Upgrade	300,000	300,000	-	-	-	-	-
	J_20001151	20-Seaway WWTP Generator Replacement	250,000	250,000	-	-	-	-	-
	J_20001152	20-Oxford Pump Station Upgrades	250,000	25,000	-	225,000	-	-	-
	J_20001153	20-Seaway WWTP Ferric System Upgrade	200,000	200,000	-	-	-	-	-
	J_20001154	20-Four Mile Creek Sewer Rehabilitation	400,000	400,000	-	-	-	-	-
	J_20001155	20-Lakewood Garden Pumping Station Upgrades	200,000	200,000	-	-	-	-	-
	J_20001156	20-Biggar Lagoon Pumping Station Upgrade	600,000	300,000	-	300,000	-	-	-
	J_20001157	20-Victoria Avenue Pumping Station Upgrades	700,000	140,000	-	560,000	-	-	-
	J_20001158	20-Bal Harbor Pumping Station Electrical Upgrade	200,000	200,000	-	-	-	-	-
	J_20000469	Port Dalhousie WWTP Chemical System Upgrades	500,000	500,000	-	-	-	-	-
	J_20001278	20- Niagara Falls WWTP Maintenance Building Replacement	400,000	400,000	-	-	-	-	-
Wastewater Operations Total			60,195,000	44,540,000	-	11,655,000	4,000,000	-	-
Water Operations	J_20000458	Rosehill WTP New Intake	800,000	800,000	-	-	-	-	-
	J_20000462	Decew WTP New Intake Channel	1,000,000	-	-	200,000	-	-	800,000
	J_20000508	Virgil Elevated Tank – Corrosion Protection	3,000,000	3,000,000	-	-	-	-	-
	J_20000618	Niagara Falls WTP Upgrades - High Lift Low Lift and Substation	4,000,000	4,000,000	-	-	-	-	-
	J_20000614	New Fort Erie Elevated Tank and Trunk Watermain	1,200,000	600,000	-	600,000	-	-	-
	J_20000619	New Pelham Elevated Tank	1,200,000	600,000	-	600,000	-	-	-
	J_20000982	19-St.David's Rd Watermain Replacement	1,000,000	1,000,000	-	-	-	-	-
	J_20000612	2018 WTP Upgrade - GAC Replacement	2,000,000	2,000,000	-	-	-	-	-
	J_10CW1314	Port Colborne Water Treatment Plant Upgrade	5,000,000	5,000,000	-	-	-	-	-
	J_20000609	18 -Generator Fuel Tank Replacement	100,000	100,000	-	-	-	-	-
	J_20000187	Grimsby WTP Upgrade - Laneway and Valve Replacements	700,000	700,000	-	-	-	-	-
	J_20000467	Grimsby Watermain Replacement Elizabeth St to Park Rd	4,000,000	2,000,000	-	2,000,000	-	-	-
	J_20001159	20-Water Generator Replacement Program	600,000	600,000	-	-	-	-	-
	J_20001160	20-Water Security Improvement Program	500,000	500,000	-	-	-	-	-
	J_20001161	20-Water Hardware and Software Upgrade Program	350,000	350,000	-	-	-	-	-
	J_20001162	20-Water Three New Vans	150,000	150,000	-	-	-	-	-
	J_20001163	20-Water Chemical System Upgrade Program	250,000	250,000	-	-	-	-	-

2020 Capital Projects Initiated Concurrent with Budget Approval

Program	Project ID	Project Name	Gross Capital Request	Reserves	Debt	Development Charges	Federal Gas Tax	Local Area Municipality	Other External
Water Operations	J_20001164	20-Water Reservoir and Storage Program	700,000	700,000	-	-	-	-	-
	J_20001165	20-Water Valve Replacement Program	400,000	400,000	-	-	-	-	-
	J_20001166	20-Niagara Falls WTP Filter Controls Upgrade	270,000	270,000	-	-	-	-	-
	J_20001167	20-Shoalt's Drive High and Low Lift Pumping Station Upgrades	1,400,000	140,000	-	1,260,000	-	-	-
	J_20001168	20-Watermain Replacement Aqueduct St/ Merritt St	300,000	300,000	-	-	-	-	-
	J_20001169	20-DeCew WTP Plant 2 Upgrades	2,000,000	2,000,000	-	-	-	-	-
	J_20001170	20-Watermain Interconnection from Decew WTP to Townline Rd E	1,000,000	1,000,000	-	-	-	-	-
	J_20001171	20-Watermain Replacement Vineland - Nineteenth St and Glen Rd	2,500,000	2,500,000	-	-	-	-	-
	J_20001172	20-Watermain Replacement along Victoria Ave (between King St and Moyer Rd)	250,000	250,000	-	-	-	-	-
	J_20001173	20-St.Davids Chlorination Facility Upgrade	250,000	250,000	-	-	-	-	-
	J_20001174	20-Decommissioning Carlton St. Reservoir	300,000	300,000	-	-	-	-	-
	J_20001175	20-Watermain Replacement Ontario St in the Town of Lincoln	500,000	500,000	-	-	-	-	-
	J_20001243	20-Vineland and Jordan Reservoir Decommissioning	600,000	600,000	-	-	-	-	-
	J_20001244	20-Warner Rd Pumping Station Decommissioning	125,000	125,000	-	-	-	-	-
Water Operations Total			36,445,000	30,985,000	-	4,660,000	-	-	800,000
Grand Total			374,524,889	122,817,765	144,949,650	76,287,028	14,348,900	2,700,000	13,421,546

2020 Capital Projects for Future Initiation

Program	Project ID	Project Name	Gross Capital Request	Reserves	Debt	Development Charges	Federal Gas Tax	Local Area Municipality	Other External
Corporate Services	J_20001271	911 Backup Rationalization	1,000,000	1,000,000	-	-	-	-	-
Corporate Services Total			1,000,000	1,000,000	-	-	-	-	-
Grand Total			1,000,000	1,000,000	-	-	-	-	-

Projects Deferred

The following is the listing of Capital projects deferred and their related risk of deferral.

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Project ID	Project Name	Deferral	Risk of Deferral
J_20001107	20-LTC Cap Imp/Replace	75,000	High - Not completing the identified capital improvement projects may expose the organization to risk in the form of compliance orders through the MOHLTC in regards to maintaining the residents environment, local area municipal fire services in regards to flame performance ratings of textiles as well as risks associated with infection control strategies
J_20001108	20-LTC Machinery/Equipment	58,500	High - The risk associated with not replacing the equipment identified at end of life include additional costs associated with repairs, increased down time, staffing costs related to transporting food items to an alternate service area, urgent procurement processes eliminating the opportunity for competitive bidding as well as costs associated with expedited delivery/installation of equipment.
J_20001111	20-LTC Tech Imprv	100,000	High- the technology projects align with industry best practice identified to mitigate responsive behaviors through the use of interactive technologies. Studies have shown the use of interactive technology with residents suffering from dementia and advanced Alzheimer's has reduced responsive behaviors among this demographic minimizing risks associated with staff intervention as well as risk to other residents.
J_20000937	20-Online Planning Portal Phase 2	750,000	Application will not be able to meet overall objectives.
J_20000981	Asset Management Software Phase 2	500,000	Significant - Risk of impacting various sources of government funding if the timeline for meeting requirements of O. Reg. 588/17 are not achieved.
J_20001205	20-Space Utilzn/Rationzn Plan	145,000	Without the requested funds, the Region will be forced to continue operating with a physically fragmented workforce. Staff in certain departments will no longer be able to

Project ID	Project Name	Deferral	Risk of Deferral
			accommodate new or temporary staff. Public Health impacts are n/a.
J_20001208	20-Ener-Meadows of Dorchester Lighting Retrofit	692,000	Initiated by Construction, Energy & Facilities Management Department the lighting retrofit was identified as an energy conservation project aligned with the Niagara Region Energy Conservation & Demand Management Plan. The design phase for this project will be completed in 2019. If the project is delayed, the design specifications will have to be reviewed and revised (at additional cost to the Region) to ensure that the specified fixtures, switches and controls are still available before tender. Additionally, the Region will continue to be outside of the MOHLTC specification for lighting levels and continue to incur comparably large utility costs for lighting the facility. Public Health impacts are n/a.
J_20001209	NRHQ - Campbell West HVAC Investigation and Design	115,000	Delay in designing and specifying replacement equipment for Campbell West will result in continued mechanical breakdowns, poor building performance, and comparatively high utility costs. Maintenance staff will also be unable to source replacement parts for the 30+ year old equipment. Public Health impacts are n/a.
J_20001211	NRPS Port Colborne - Generator Replacement	215,000	Delaying this project will force Facilities staff to continue renting a mobile backup generator to serve the building at a monthly cost of \$3051. Public Health impacts are n/a.
J_20001213	NRHQ - Campbell East Roof Replacement	250,000	Delaying this project exposes the Region to the risk of further roof leaks which can lead to interior damage, mold growth, and loss of productivity due to staff displacement. Public Health impacts are n/a.
J_20001214	NRHQ - Public Works/Planning Staff Accommodations	420,000	Delaying this project will result in the inability to accommodate new or temporary staff. Public Health impacts are n/a.
J_20001215	NRHQ - ERMS Staff Accommodations Phase 2	220,000	Delaying this project will result in the inability to accommodate new or temporary staff. Public Health impacts

Project ID	Project Name	Deferral	Risk of Deferral
			are n/a.
J_20001216	NRHQ - Campbell East Atrium Green Wall	80,000	Delaying this project will result in continued humidity complaints in Campbell East facility and lack of visual appeal for Regional and external events that take place in the Campbell East atrium. Public Health impacts are n/a.
J_20001217	NRHQ - Campbell East Windows	855,000	A delay in replacing the glazing units will result in continued poor energy performance and high utility costs, discomfort for staff situated close to the windows, and poor public perception of Niagara Region maintenance standards. Public Health impacts are n/a.
J_20001218	NRHQ - Campbell West Shipping/Receiving Dock Expansion	50,000	Delaying this project exposes the Region to potential property theft and complaints from both public and staff concerning unsafe storage. Public Health impacts are n/a.
J_20001222	NRHQ - Campbell East - Door Replacements For Civic Park Security	80,000	Delaying this work will prevent Facilities staff from being able to secure Regional Headquarters in the event that the Campbell East corridor is used as a thoroughfare after work hours. Public Health impacts are n/a.
J_20001224	EMS Hub - Land	11,000,000	The Region has committed to a new location for the NRPS/PPSAP backup communications centre of no later than January 2023. Delay of this project could result in the Region not meeting that commitment. The risk of purchasing land is minimal as the land could be sold in the future. Further delay will only result in land prices escalating, potentially missing out on purchasing at the right location and possible missed opportunities for local and provincial partnerships. This will have Public Health impacts.
J_20001225	Backup 911 Call Centre Relocation	2,000,000	If the Backup 911 and Communications Centre is not relocated prior to completion of the new 1 District facility, it will need to remain at 68 Church Street until a permanent location can be found. The Region would be required to maintain the entire facility for this single purpose, resulting in significant operating

Project ID	Project Name	Deferral	Risk of Deferral
			costs and potential capital investments to maintain the integrity of the facility. Until such time that the facility is fully vacated, the Region would be unable to sell the property and receive any associated revenues. Public Health impacts are n/a.
J_20001229	PW Pelham Yard - Dome Roof Replacement	85,000	Delaying the project will result in water penetration into the dome, accelerating structural degradation and potentially compromising the contents of the domes. Public Health impacts are n/a.
J_20001230	PW Smithville Yard - Exterior and Window Replacement	90,000	The risk of delaying this repair work is water intrusion into the building structure, resulting in structural decay, mold growth, and interior property damage. Public Health impacts are n/a.
J_20001231	PW Thorold Yard - Exterior and Window Replacement	61,000	The risk of delaying this repair work is water intrusion into the building structure, resulting in structural decay, mold growth, and interior property damage. Public Health impacts are n/a.
J_20001234	PW Thorold Yard - Asphalt Replacement	138,000	Delaying the funds will expose the Region to the risk of damage to staff, fleet, and contractor vehicles. Public Health impacts are n/a.
J_20001237	20- Annual - IT In-Year External Dept Projects	100,000	Funds will not be available to accommodate unplanned initiatives and could result in the Region being unable to meet deadlines associated with legislative changes or changes in priorities. Public Health impacts are N/A
J_20001101	NRH - 2020 Annual Grounds Capital Program	288,649	<p>The costs are based on the Building Condition Assessment study done in 2017 on NRH Owned-units. If the projects are delayed then the costs will continue to increase the following years. Delay could impact the safety of the residents.</p> <p>Public Health impacts: This project ensures that the health & safety of the tenants living in and around the Owned unit properties are protected through providing the appropriate capital repairs to the Owned-units.</p>

Project ID	Project Name	Deferral	Risk of Deferral
J_20001102	NRH - 2020 Annual Unit Capital Program	1,799,279	<p>The risk of delay would impact the safety of the residents and increase costs of repair in future years.</p> <p>The costs are based on the Building Condition Assessment study done in 2017 on NRH Owned-units. If the projects are delayed then the costs will continue to increase the following years. Delay could impact the safety of the residents.</p> <p>Public Health impacts: This project ensures that the health & safety of the tenants living in and around the Owned unit properties are protected through providing the appropriate capital repairs to the Owned-units.</p>
J_20001103	NRH - 2020 Annual Building Capital Program	1,420,427	<p>Deferring "essential" projects creates the potential of further deterioration, increased capital replacement costs, increased legal liability/litigation, and non-compliance with legislation.</p> <p>The costs are based on the Building Condition Assessment study done in 2017 on NRH Owned-units. If the projects are delayed then the costs will continue to increase the following years. Delay could impact the safety of the residents.</p> <p>Public Health impacts: This project ensures that the health & safety of the tenants living in and around the Owned unit properties are protected through providing the appropriate capital repairs to the Owned-units.</p>
J_20001112	Niagara Airports	4,800,000	<p>The Niagara Airports have a positive net economic impact on the Niagara Region. Continuing to defer capital replacement and land and facility improvements may result in a deterioration of existing airport infrastructure and a missed opportunity for future economic benefit and business opportunities; specifically as it relates to the over capacity at Toronto Pearson airport and potential overflow to the</p>

Project ID	Project Name	Deferral	Risk of Deferral
			Southern Ontario airports. The NDA is also eligible to apply for federal funding for safety related airport capital improvements in 2020, which would require a portion of the investment to come from the airport owner.
J_10RC1244	Rds Rehab Lakeshore Rd from Townline to Creek	2,000,000	High-This road section is currently under construction. Delaying this project will increase maintenance costs and further expose residents to construction conditions. Public Health Impacts are not applicable to this project.
J_10RC1560	Rds Rehab - RR 1 Dominion Rd Reconstruction - Helena to Lakeshore Rd	4,860,000	Medium- The pavement is in poor condition with a PCI of <50. The road structure continues to deteriorate and will require advanced maintenance if further delayed. Public Health impacts are not applicable for this project.
J_10RC1564	Rds Rehab - RR 81 King St Reconstruction - Durham Rd to Lincoln Ave	1,000,000	Medium- King St is a major arterial road connecting the Town of Lincoln and the Town of Grimsby with access to many residential and commercial areas. This road section is a maintenance concern and delaying the project may put the Region at risk for damage claims. The condition of the existing road will further deteriorate and increase maintenance costs. Public Health impacts are not applicable to this project.
J_10RC1566	Struc Rehab - St. Paul W CNR Bridge Replacement	14,000,000	High-This structure is in poor condition with a Bridge Condition Index (BCI) of 42 and requires immediate replacement. Public Health impacts are not applicable to this project.
J_20000145	Rds Rehab - RR 63 Canborough Rd - RR27 Wellandport Rd to Wellandport Community Centre	500,000	Medium – The pavement is in poor condition. Delaying this project will cause further deterioration of the road resulting in added maintenance costs as well the risk of private property

Project ID	Project Name	Deferral	Risk of Deferral
			<p>damage due to storm water flooding.</p> <p>Public Health impacts are not applicable for this project</p>
J_20000486	Rds Rehab - RR 48 Niagara St - Carlton to Scott	500,000	<p>Medium- Niagara St is a major road with access to many residential areas. This road section is a maintenance concern. Delaying the project will allow further deteriorate of the road and increase maintenance costs.</p> <p>Public Health impacts are not applicable to this project.</p>
J_20000489	Rds Rehab - RR 529 Effingham St - Webber Rd to River Rd	5,500,000	<p>High- This road section is a concern from a maintenance perspective. Delaying this project will further expose residents to potential risks and the condition of the existing road will further deteriorate increasing maintenance costs.</p> <p>Public Health Impacts are not applicable to this project.</p>
J_20000494	NRT - Capital Acquisition	1,000,000	<p>The risk of delaying this project is high. After evaluating the fleet requirements of 2019, it is imperative that the NRT fleet replacement schedule remains a priority due to deteriorating original fleet. The use of local transit fleet on NRT routes results in operational rate premium of 10% & creates confusion for riders. A lag time of 9-12mths exists between procurement & delivery of fleet which could cause delays.</p> <p>Public Health impacts are not applicable to this project.</p>
J_20000663	Struc Rehab - 20 Mile Arch - (Str. 081210) - Replace	1,000,000	<p>High- The bridge continues to deteriorate extensively. Further delays may result in additional cost for temporary repairs and emergency repairs, putting the Region at risk for damage claims.</p> <p>Public Health impacts are not applicable to this project.</p>

Project ID	Project Name	Deferral	Risk of Deferral
J_20000897	Rds Rehab RR20 - Griffin St South to Industrial Park Rd (Phase 4)	3,200,000	Medium- This road section is a concern from a road safety perspective. Delaying this project will further expose residents to potential risks and the condition of the existing road will further deteriorate increasing maintenance costs. Public Health Impacts are not applicable to this project.
J_20000900	Rds Rehab - RR 81 Main St - Oakes Rd N to Casablanca Blvd	5,000,000	Medium-The road surface is beginning to loosen and is being projected onto private property. This road section is a maintenance concern and delaying the project may put the Region at risk for damage claims. The condition of the existing road will further deteriorate and increase maintenance costs. Public Health impacts are not applicable for this project.
J_20000928	Int Impr - RR100 Four Mile Creek at York Rd, NOTL	1,800,000	Medium - Delaying this project will result in increased delays, frustrations to motorists and tourists with a potential for increase in collisions. Public Health impacts are not applicable to this project.
J_20001120	20 Ann-Traffic Signals	700,000	High - Drivers and pedestrians have certain expectations when approaching traffic signals. Consistency in design standards throughout the Region ensures driver's expectations are consistently applied. If one or more of these "expected" conditions is not present or is located in an unfamiliar position, the safety and efficiency of the signal installation decreases. Public Health impacts associated with this program are unsafe intersection for motorists.
J_20001122	20 Ann-Roads Resurfacing and Strengthening Program	3,655,271	High-Resurfacing of roads is only recommended when roads have deteriorated beyond a recognized standard of fair quality, after such time full road reconstruction, at a higher cost, becomes the recommended solution.

Project ID	Project Name	Deferral	Risk of Deferral
			Public Health impacts are not applicable to this project.

Rate

Project ID	Project Name	Deferral	Risk of Deferral
J_10SW1517	Niagara Falls WWTP Secondary Treatment Upgrade	58,000,000	High – The WWTP is currently out of compliance and there are orders from the Provincial government, and warnings have been issued by the Federal government. There is a risk to Public Health because the wastewater effluent is out of compliance.
J_20000201	Port Dalhousie WWTP Upgrade	14,000,000	High – Failure of the aeration system or any wastewater process would result in improper wastewater treatment. There is a risk to Public Health because the wastewater effluent would be out of compliance.
J_20000704	Thundering Waters - Sanitary Trunk Sewer Rehabilitation	8,300,000	High – The sanitary sewer requires relining prior to further degradation of the pipes which would result in pipe replacement. Further degradation could result in failure of the sewer, impacting Public Health.
J_20000881	19-Dain City Pump Station Forcemain Replacement	550,000	High – Further failure of the forcemain may cause basement flooding and environmental spills causing a risk to Public Health.

Debt Metrics

The following is a comparison of the Region's debt-related metrics compiled from the Financial Information Return (FIR) compared to our upper tier municipal peers. The information on the FIR below represents actual debt issued with the exception of the S&P ratio. The S&P Ratio and ARL are presented in the table are based on forecasted timing of debt issuance. The worst case scenario in which all debt is issued upon approval would put the S&P ratio at 107.4% and the ARL at 10.1%.

Metric	Current State	Proposed with 2020 Budget	Average of Comparable Regions ¹	Key thresholds
Debt as a % of Operating Revenues	36.0%	51.0%	52.0%	
Debt as a % of Reserves & Reserve Funds	79.0%	112.0%	77.0%	
Debt per Capita	\$755.58	\$1,062.93	\$1,119.30	
Debt per Household	\$1,775.43	\$2,497.63	\$3,430.07	
S&P Ratio of Total Region and lower tier Debt to Operating Revenue ²	75.85%	88.6%	69.20%	120.00% ³
Annual Repayment Limit (ARL)	7.09%	8.30%	10.77%	25.00% ⁴

Source: Ministry of Municipal Affairs Financial Information Return

1 - The comparable regions are Durham, Halton, Peel, York and Waterloo

2 - Waterloo does not use S&P as their credit agency and thus was not included for this analysis. The Region's S&P ratio is calculated as of August 31, 2019.

3 - If this ratio surpasses 120% or total consolidated debt surpasses \$1 billion there is a risk of downgrade in the Region's credit rating.

4 - Legislated maximum ratio set by the Province is 25%.

Five-year Forecasted Debt Outstanding

Forecasted Debt Outstanding	2019	2020	2021	2022	2023	2024
Regional Debt						
Opening Balance	\$ 356,982,728.32	\$ 379,977,804.78	\$ 445,215,147.03	\$ 521,920,423.70	\$ 567,746,656.03	\$ 541,765,219.69
Closing Balance	\$ 379,977,804.78	\$ 445,215,147.03	\$ 521,920,423.70	\$ 567,746,656.03	\$ 541,765,219.69	\$ 517,940,607.22

Projects Allocated Long Term Care Placeholder

The following are capital projects financed with the 1.54% one-time pay as you go.

Project ID	Project Name	LTC Placeholder
J_20001106	20-LTC Bed Replacement	\$224,204
J_20001107	20-LTC Capital Improvement	\$76,200
J_20001109	20-LTC Resident Care Equipment	\$189,240
J_20001122	20 Ann-Roads Resurfacing and Strengthening Program	\$2,444,728
J_20001201	20-Ann Ambulance&Equip Replace	\$1,189,725
J_20001249	20-Int Imprv-Thirty Rd @ Young Street	\$500,000
J_20001271	911 Backup Rationalization	\$1,000,000
Total		\$5,620,497

Operating Impacts of Capital

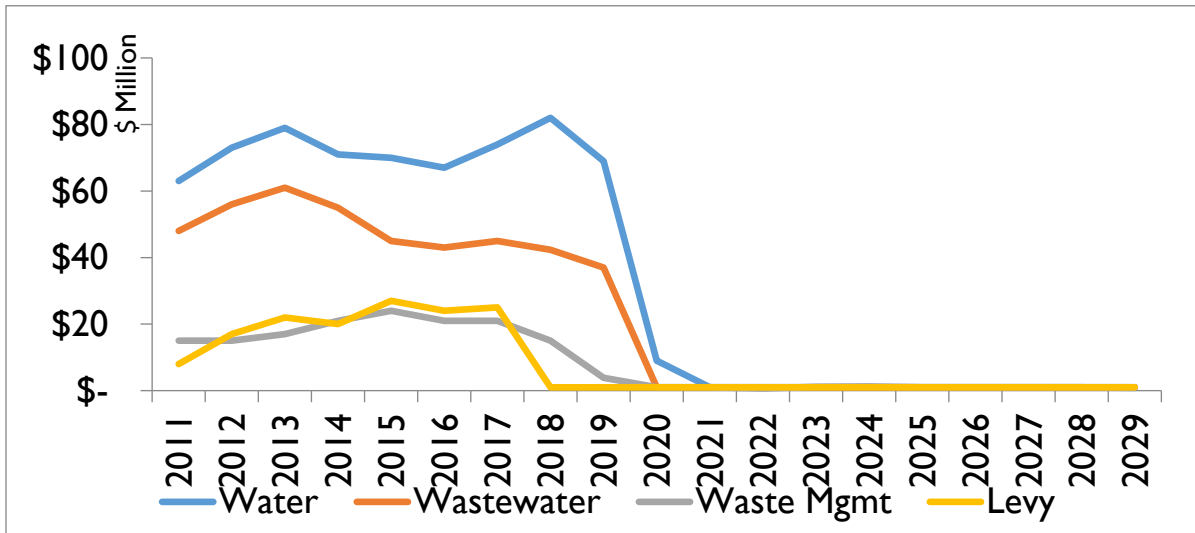
The following are capital projects that will have impact on the operating budget.

Project ID	Project Name	Operating Impact
J_20001061	20- IT Asset Replacement	90,000.00
J_20001223	NRHQ - Civic Park Security Enhancements	11,500.00
J_20001120	20 Ann-Traffic Signals	22,000.00
J_20001245	20-Facilities Maint Vehicles	1,450.00
J_20000140	GO Transit	1,410,000.00
J_20000515	Civic Park/International Plaza	45,250.00
Total		\$1,580,200.00

Forecasted Capital Reserve Balances

	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029
Water	63	73	79	71	70	67	74	82	69	9	1	1	1	1	1	1	1	1	1
Wastewater	48	56	61	55	45	43	45	42.4	37	1	1	1	1	1	1	1	1	1	1
Waste Mgmt	15	15	17	21	24	21	21	15	4	1	1	1	1	1	1	1	1	1	1
Levy	8	17	22	20	27	24	25	1	1	1	1	1	1	1	1	1	1	1	1
	134	161	179	167	166	155	165	140	111	12	4	4	4	4	4	4	4	4	4

*Figures presented for Levy may not be comparable for years 2010 – 2012 as CSD 48-2014 authorized the closure of several reserve and reserve funds to capital levy reserves



Capital Request Summary - 10 Year

Operating Unit / Division	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	Total
Community Services	\$1,897,808	\$2,328,000	\$1,693,000	\$2,335,000	\$2,313,000	\$1,727,000	\$1,967,000	\$1,991,000	\$1,585,640	\$3,034,256	\$20,871,704
Corporate Administration	167,241,000	83,221,000	13,250,000	8,250,000	8,250,000	8,350,000	8,450,000	8,450,000	106,730,000	8,550,000	420,742,000
Planning	-	6,425,000	3,500,000	350,000	2,650,000	8,050,000	1,350,000	550,000	4,050,000	750,000	27,675,000
Public Health and EMS	3,467,644	9,684,201	10,308,616	5,612,361	6,899,898	6,653,959	11,216,609	6,335,896	5,919,157	7,521,075	73,619,416
Niagara Regional Housing	28,164,858	15,573,274	12,447,994	19,467,892	9,555,401	10,186,817	10,818,055	10,200,049	7,186,115	3,262,804	126,863,259
Niagara Regional Police	4,154,500	10,554,000	7,389,000	27,979,000	2,964,000	37,964,000	3,064,000	3,264,000	3,264,000	3,264,000	103,860,500
Transportation	65,473,679	161,262,000	133,587,000	118,864,000	63,489,000	91,022,000	82,388,000	72,401,000	65,222,000	68,871,000	922,579,679
Waste Management	8,485,400	6,710,000	8,231,500	2,935,000	2,064,500	1,891,000	2,295,500	2,775,000	4,228,500	3,753,000	43,369,400
Wastewater	60,195,000	90,165,000	93,515,000	89,865,000	93,800,000	117,740,000	64,665,000	47,040,000	35,940,000	40,375,000	733,300,000
Water	36,445,000	68,010,000	70,245,000	78,955,000	49,430,000	38,570,000	49,590,000	45,780,000	44,440,000	43,490,000	524,955,000
Grand Total	\$375,524,889	\$453,932,475	\$354,167,110	\$354,613,253	\$241,415,799	\$322,154,776	\$235,804,164	\$198,786,945	\$278,565,412	\$182,871,135	\$2,997,835,958

Projects Allocated 1% Infrastructure Deficit Reduction Funding

The following are capital projects financed with the 1% infrastructure deficit reduction reserve since 2017

Historically Approved

Project ID	Project Name	IDR Funded
10RC0627	RR38 QEW/4 th Avenue St. Catharines	500,000
10RC0816	RR57 Thorold Stone Rd Extension Niagara Falls	1,440,000
10RC1329	RR10 Livingston/QEW Grimsby	1,650,000
10RC1554	Glendale Ave Interchange QEW St. Catharines	250,000
10RC1559	RR69 Wessel/Centre Phase 3 Lincoln	450,000
10RC1560	RR1 Albert/Lakeshore Fort Erie	936,000
10RC1567	RR27 PCD/Lincoln Welland	945,000
20000145	RR63 Wellandport/Com Centre West Lincoln	270,000
20000147	RR89 Welland Canal/Homer NOTL	270,000
20000319	St. Davids Road East Thorold	1,158,576
20000497	Interchange St Davids @ 406 Thorold	1,140,000
20000658	Structural Rehab Mewburn @ CNR Tracks Niagara Falls	75,000
20000660	RR56 Glend to St David St. Catharines	180,000
20000667	RR49 HEPC to Wil P2 Niagara Falls	105,000
20000668	RR81 Burgoyne to CNR St. Catharines	450,000
20000898	RR72 Louth St. St. Catharines	300,000
Total		\$10,119,576

Proposed with the 2020 Capital Budget

Project ID	Project Name	IDR Funded
10RC0816	RR57 Thorold Stone Rd Extension Niagara Falls	203,022
10RC1354	Lakeshore Rd West 3rd St to 7th St St. Catharines	64,234
10RC1562	RR42 Ontario St. Lakeshore to Linwell St. Catharines	1,260,000
20000662	RR81 King St @ Main & Nineteenth Lincoln	500,000
20000667	RR49 HEPC to Wil P2 Niagara Falls	150,000
20000895	RR24 Victoria Ave at RR 63 Canboro Road, West Lincoln RR27 East Main at RR84 Moyer, Welland	500,000
20000929	RR46 Geneva St at Carlton St. Catharines	1,000,000
Total		\$3,677,256

2020 Soft Service Capital Projects

The following are soft service capital projects financed with development charges.

Proposed with the 2020 Capital Budget

Project ID	Project Name	Gross Budget	DC Budget
20000680	2018 NRH Intensification – Phase 2	20,090,000	14,039,087
20001201	2020 Annual EMS Ambulance/Equip	3,367,250	199,898
10GD1505	LTC Fort Erie New Home	57,365,000	9,078,000
20001203	LTC St. Catharines New Home	102,000,000	15,500,000
Total		182,822,250	38,816,985

TREASURER'S REPORT

PROJECT IDENTIFICATION AND FINANCING INFORMATION

Project ID	Description	Long-term Financing	Term (min-max)
J_20000661	Struc Rehab - Schisler Road Bridge (027230)	\$ 1,700,000	1 - 30
J_20001184	20-Struc Rehab-RR12 Mountain St Retaining Wall	500,000	1 - 30
J_20001198	Struc Rehab -020215-Hwy 20 CPR Subway	500,000	1 - 30
J_20001192	Struc Rehab - Glendale Ave Bridge (089215)	200,000	1 - 30
J_20001189	20-Struc Rehab-RR24 Sixteen Creek Culvert (024310)	200,000	1 - 30
J_20001197	Struc Rehab -054205-Prince Charles Dr Bridge	150,000	1 - 30
J_20001182	20-Struc Rehab-RR81 Forty Mile Creek Bridge (081205)	100,000	1 - 30
J_20001190	Struc Rehab -021210-Thompson Rd Bridge	100,000	1 - 30
J_20001195	Struc Rehab -021215-Thompson Rd Bridge	100,000	1 - 30
J_20001196	Struc Rehab - Lakeport Road (087210) and Frank Weir (087205)	100,000	1 - 30
J_20001203	20-LTC St. Catharines New Home	86,500,000	1 - 25
J_10GD1505	20-LTC Fort Erie New Home	42,687,000	1 - 25
J_20001122	20 Ann-Roads Resurfacing and Strengthening Program	3,343,334	1 - 10
J_20001103	NRH - 2020 Annual Building Capital Program	2,524,919	1 - 10
J_20001102	NRH - 2020 Annual Unit Capital Program	2,519,117	1 - 10
J_20000498	McLeod Rd at Stanley/CNR Tracks - Storm Pumping Station	1,800,000	1 - 10
J_20001101	NRH - 2020 Annual Grounds Capital Program	775,280	1 - 10
J_20001259	NRPS – NG 911 Equipment Replacement (2020)	700,000	1 - 5
J_20001260	NRPS - Command Post	450,000	1 - 5
	TOTAL	\$ 144,949,650	

TREASURER'S VERIFICATION REPORT

(REQUIRED ONLY ON PROJECTS INVOLVING DEBENTURE FINANCING)

This confirms that I have checked the "Debt Repayment Limit" for Regional Niagara and passage of the by-law to approve these projects will not cause the Region to exceed its limit.

DATE _____

SIGNATURE _____

MEMORANDUM

BRC-C 9-2019

Subject: Response to Budget Planning - 2020 Operating Budget 136.2019

Date: October 10th, 2019

To: Budget Review Committee of the Whole

From: Helen Chamberlain, Director Financial Management and Planning

A memo was received by the Office of the Regional Clerk, dated July 3, 2019, from Deb Reid, Executive Director, of the Niagara Regional Police Services Board (NRPSB). The memo included a motion that was passed at the NRPSB public meeting held June 27, 2019. The motion is as follows:

'That the Board formally request the Region to restate the 2020 Net Expenditures Budget before Indirect Allocations to include the portion of the 2019 Program Changes amount of \$706,196 that was deferred.'

During the 2019 Budget Process the Niagara Regional Police Services (NRPS) presented its budget to BRCOTW on January 31, 2019 at an initial request of \$147,420,210 or a 6.5% increase. On February 14, 2019 BRCOTW passed a motion as follows:

'That the NRPS BE REQUESTED to find further cost savings related to program changes of 3.1 million dollars.'

Subsequently, the NRPS returned the budget to BRCOTW, through a memo dated February 21, 2019, with a reduction of \$706,196, or 0.5%. This reduction was achieved by deferring the initiation of the program changes to April 1, 2019.

In order to continue offering the programs on an annual basis in 2020, the NRPS must include the 2019 deferred portion within their 2020 budget. As a result the NRPSB has made their request for restatement.

In order to restate a base budget as requested, a budget adjustment is required as per By-law 2017-63 Budget Control. The definition of a budget adjustment per the By-law is as follows:

"Budget (Operating) Adjustment" means a change in the allocation of Budget resources for Operating Programs and Operating Projects from one Dept ID or account combination to another. A Budget Adjustment must be net zero; it cannot increase or decrease the Net Tax Levy or Net Rate Requisition and can be applied to the Working, Base or Commitment Budget;

In order to undertake an adjustment, an offsetting reduction funded elsewhere through the tax levy would be required, meeting the definition of “a change in the allocation of budget resources”. This request does not provide for an offsetting reduction to net to zero or an alternative non-taxation funding source and therefore does not meet the definition of an adjustment.

The procedure for addressing a pressure in a budget as a result of the annualized cost of a program is to identify the impact in the NRPS 2020 budget. If this pressure cannot be accommodated within the budget planning recommendations approved by Council, Regional staff would advise the NRPS staff to identify the pressure as well as possible mitigation options.

Respectfully submitted and signed by

Helen Chamberlain, CPA, CA
Director Financial Management and Planning, Deputy Treasurer

Appendix 1 Memo from NRPSB



REGIONAL MUNICIPALITY OF NIAGARA
POLICE SERVICES BOARD

5700 VALLEY WAY, NIAGARA FALLS, ONTARIO L2E 1X8

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July 3, 2019

Ms. Ann-Marie Norio, Regional Clerk
Regional Municipality of Niagara
1815 Sir Isaac Brock Way
P.O. Box 1042
Thorold, ON L2V 4T7

**Re: Budget Planning – 2020 Operating Budget
136.2019**

Dear Ms. Norio:

At its Public Meeting held June 27, 2019, the Niagara Police Services Board considered a Service report dated June 10, 2019 providing the Board with the details of the proposed Budget Planning By-law as recommended in Corporate Services Committee report CSD 41-2019 and the recommended items that can be implemented in the 2020 budget planning.

The following motion was passed:

'That the Board formally request the Region to restate the 2020 Net Expenditures Budget before Indirect Allocations to include the portion of the 2019 Program Changes amount of \$706,196 that was deferred.

Carried.'

Further to Board direction, I would ask that you take the necessary action to place this information before Regional Council for consideration. A copy of the report is enclosed.

Yours truly,

Deb Reid
Executive Director

Encl.

c: Chief B. MacCulloch, Niagara Regional Police Service
Mr. T. Harrison, Commissioner/Treasurer, Enterprise Resource Management Services, RMON



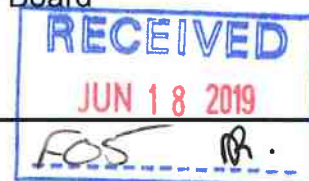
NIAGARA REGIONAL POLICE SERVICE

Police Services Board Report

136.

PUBLIC AGENDA

Subject: Budget Planning – 2020 Operating Budget
Report To: Chair and Members, Niagara Police Services Board
Report Date: 2019-06-10



Recommendation(s)

That the Niagara Police Services Board receives the report for information.

That the Police Services Board formally request the Region to restate the 2020 Net Expenditure Budget before Indirect Allocations to include the portion of the 2019 Program Changes amount of \$706,196 that was deferred.

Key Facts

- The purpose of this report is to present the details of the proposed Budget Planning By-Law (replacing the Affordability Guidance Policy) as recommended by Corporate Services staff to the Corporate Services Committee in report CSD 41-2019.
- Pending the completion and approval of the by-law by Council at a later date, Corporate Services staff has recommended items that can be implemented in the 2020 budget planning.
- Corporate Services staff have recommended that Region Agencies, Boards and Commissions (ABCs) be allotted a base budget inflationary increase of 3.0% based on a Municipal Price Index.
- Further operating budget funding from Assessment Growth and new programs stream will be available on a case by case basis as approved by Council.
- Service faces a number of cost pressures for the 2020 base budget year including collective bargaining negotiations, provincial grant funding shortfalls, annualizing the 2019 program changes and the budget of an extra salary day.

Financial Considerations

The approval of this report will impact the formation of the 2020 Operating Budget.

Analysis

For the preparation of the budget, guidelines and timetables are developed with the objective of balancing the information requirements of the Police Services and Municipal Acts, as well as facilitating the approval of the Service's budgets in accordance with the Region's timetable, as required by the Act.

In a report to the Corporate Services Committee on June 12, 2019, Corporate Services staff recommended the development of a Budget Planning By-Law to replace the Affordability Guidance Policy. This revised by-law will not be completed for the 2020 budget cycle, however, Corporate Staff has recommended items that can be implemented for this budget cycle. Highlighted below are extracts from the report on the proposed funding envelopes that specifically impact ABCs.

- Base Budget Development:

- Use a Municipal Price Index (MPI) as a measurement of inflation (formerly used Core Consumer Price Index; CPI); an MPI for Region Departments including Waste Management, Water and Wastewater and a specific MPI for Agencies, Boards and Commissions
- For the 2020 budget, the recommendation would be 2.7% for Regional Departments and 3.0% for ABCs (2019; ABCs allotted 2.0%)

- Assessment Growth:

- This is the sum of all changes that happened to the Region's tax base as a result of new constructions, expansions, demolitions, and change-in-use of property. The increase in tax base compared to the prior year, is the Assessment Growth.
- For 2019, the Service was allotted 1.4% for Assessment Growth for an overall guidance budget rate of 3.4%.

-

- The recommendation by corporate staff, is that ABCs submit business cases along with regional departments for approval under the Assessment Growth Funding envelope.
- The Assessment Growth rate for 2020 has yet to be established, however, over the five years, it has averaged 1.3%.

- New Programs:

- Historically, new programs have been funded from Assessment Growth or reductions in other Base Budget spending. They have been supported with business cases and addressed a public need, strategic priority, leveraging of an opportunity etc.
- The recommendation by staff is to set up a separate levy and rate increase above the Base Budget development.

The 2020 Budget Guidance formulary proposed by Corporate Services in their new Budget Planning Policy is summarized in the table below:

	\$ M	%
2019 Approved Net Expenditure Budget bef Indirect Allocation	146.7	
+ 2019 Program Change Deferred Portion	0.7	
Restated 2019 Net Expenditure Budget bef Indirect Allocations	147.4	
2020 Base Budget Increase	4.4	3.0
2020 Net Expenditure Budget bef Program Changes and Indirect Allocations	151.8	

Based on the proposed new Budget Planning Policy, funding for New Program Changes will be available through the Assessment Growth rate and the new program levy rate. At the date of this report, Corporate Services had not recommended a rate for Assessment Growth or new programs for the 2020 budget year.

The foundation of the 2020 budget supports the Service's mandate to uphold all Adequacy Standards set by the Act, while providing efficient and effective policing to the community.

As in prior years, the budget process includes a detailed line by line rationalization of spending by program. Consistent with other Regional Departments, Boards and Agencies, the Service faces a number of ongoing budget pressures and limited funding options. These pressures on the base budget include but are not limited to:

- Collective Bargaining provisions
- Impact from Annualizing the 2019 Program Changes
- Shortfall from Community Safety and Policing Provincial Grant funding
- Salary impact resulting from an additional budget day to 262 days (2019; 261 days)

In conclusion, the Service has provided budget planning recommendations, put forward by Corporate Services, which forms the basis of the Service's budget guidance target. In addition, has highlighted pressures impacting the 2020 Budget.

Alternatives Reviewed

The Board not approve the recommendation.

Relationship to Police Service/Board Strategic Priorities

The budget preparation process is conducted in consideration of Regional objectives, with efforts to balance the information requirements of the Region as outlined in the Municipal Act with the accountabilities of the Police Services Board under the Police Services Act

Relevant Policy Considerations

- Municipal Act
- Police Service Act

Other Pertinent Reports

- CSD 41-2019 Budget Planning Policy Review
- 54.2019 Special Consideration of RMON Request -2019 Niagara Regional Police Service and Board Approved Operating Budget

This report was prepared by Laura Rullo, Manager, Finance, reviewed by Lisa DiDonato-DeChellis, Director, Business Services and recommended by Bill Fordy, Deputy Chief of Police, Support Services.



Submitted by:

Bryan MacCulloch, M.O.M. #5835
Chief of Police

Appendices

No appendices

In accordance with the notice and submission deadline requirements of Sections 18.1(b) and 11.3, respectively, of Niagara Region's Procedural By-law, the Regional Clerk received from Councillor Ip a motion to be brought forward for consideration at the October 17, 2019 Council meeting respecting Proposed Provincial Cuts to Legal Aid Ontario Budget.

WHEREAS the Niagara Community Legal Clinic is a not-for-profit agency providing access to justice and vital service to low-income Niagara citizens in civil law matters, including landlord-tenant disputes, Ontario Disability Support Payment (ODSP) appeals, pension appeals, workplace injury/WSIB compensation, consumer law protection, refugee assistance, migrant worker support, human rights law, power of attorney matters, and wills and estates for low-income seniors;

WHEREAS the Niagara Community Legal Clinic is funded by Legal Aid Ontario, an arm's-length agency of the Ministry of the Attorney General for Ontario, which (in addition to funding the province's legal clinics) provides much-needed support to low-income people in matters of family law, refugee law, and criminal law;

WHEREAS the two historic Niagara legal clinics – Justice Niagara, founded in 1978, and Niagara North Community Legal Assistance, founded in 1982 – merged on January 1, 2019, to form the Niagara Community Legal Clinic;

WHEREAS Legal Aid funding saves money in the overall justice system budget, in light of the evidence that the cases of self-represented parties (i.e., parties without Legal Aid support) consume significantly greater amounts of expensive court time and/or tribunal time; and

WHEREAS the Province cut approximately \$70 million from the Legal Aid Ontario budget in 2019, with approximately \$14.5 million of that being cut from the legal clinic system, and has indicated an intention to cut an additional \$17.3 million from the LAO budget in 2020:

NOW THEREFORE BE IT RESOLVED:

1. That Regional Chair Jim Bradley **BE DIRECTED** to send a letter to Ontario Attorney General Doug Downey, on behalf of Regional Council, reading as follows:

“The Region of Niagara is grateful for the work of the Niagara Community Legal Clinic, whose professionals provide meaningful access to justice for low-income people in Niagara. In light of the deep challenges Niagara faces in terms of poverty and lack of sufficient affordable housing, the services that the Niagara Community Legal Clinic provides are truly vital to our community.

It has come to our attention that the Province has proposed additional cuts to the budget of Legal Aid Ontario (LAO), the Niagara clinic's funder, to be implemented in 2020. Because our Council deeply values the work of our Niagara Community Legal Clinic, and the supports that LAO provides to citizens facing challenges in family law, criminal law, and refugee law, we request that you not implement any additional cuts to the LAO budget. We also ask that you re-invest in the Legal Aid and clinic systems, so as to address the many barriers to access to justice that our citizens face.

Thank you for your consideration.”

2. That this motion and the Chair's letter **BE CIRCULATED** to municipalities throughout Ontario and the Association of Municipalities of Ontario.

THE REGIONAL MUNICIPALITY OF NIAGARA

BY-LAW NO. <>

A BY-LAW TO APPROVE THE SUBMISSION OF AN APPLICATION TO ONTARIO INFRASTRUCTURE AND LANDS CORPORATION ("OILC") FOR THE LONG-TERM FINANCING OF CERTAIN CAPITAL WORK(S) OF THE CORPORATION OF THE TOWN OF NIAGARA-ON-THE-LAKE AND THE CORPORATION OF THE TOWN OF LINCOLN THROUGH THE ISSUE OF DEBENTURES BY THE REGIONAL MUNICIPALITY OF NIAGARA (THE "UPPER-TIER MUNICIPALITY"); AND TO AUTHORIZE THE ENTERING INTO OF RATE OFFER LETTER AGREEMENTS PURSUANT TO WHICH THE UPPER-TIER MUNICIPALITY WILL ISSUE DEBENTURES ON BEHALF OF EACH SUCH LOWER-TIER MUNICIPALITY TO OILC

WHEREAS the Municipal Act, 2001 (Ontario), as amended, (the "Act") provides that a municipal power shall be exercised by by-law unless the municipality is specifically authorized to do otherwise;

WHEREAS the respective Council of The Corporation of the Town of Lincoln and The Corporation of the Town of Niagara-On-The-Lake, each forming part of the Upper-tier Municipality (individually a "Lower-tier Municipality", collectively the "Lower-tier Municipalities"), for its purposes has requested the Upper-tier Municipality to authorize the issue of debentures for certain capital work(s) described in column (2) of Schedule "A" (the "Capital Work(s)") attached hereto and forming part of this By-law (Schedule "A") in the amount of the respective estimated expenditure set out in column (3) of Schedule "A", subject in each case to approval by OILC of the long-term financing for such Capital Work(s) requested by each Lower-tier Municipality in its Application as hereinafter defined;

WHEREAS before the Council of each Lower-tier Municipality approved its Capital Work(s) in accordance with section 4 of Ontario Regulation 403/02 (the "Regulation"), the Council of each such Lower-tier Municipality had its Treasurer calculate an updated limit in respect of its then most recent annual debt and financial obligation limit received from the Ministry of Municipal Affairs and Housing (as so updated, the "Updated Limit"), and, on the basis of the authorized estimated expenditure for the Capital Work or each Capital

Work, as the case may be, as set out in column (3) of Schedule “A” (the “Authorized Expenditure” for any such Capital Work), the Treasurer of each Lower-tier Municipality calculated the estimated annual amount payable in respect of its Capital Work or each of its Capital Works, as the case may be, and determined that the estimated annual amount payable in respect of its Capital Work or each of its Capital Works, as the case may be, did not cause either Lower-tier Municipality to exceed the Updated Limit, and accordingly the approval of the Local Planning Appeal Tribunal pursuant to the Regulation, was not required before any such Capital Work was authorized by the Council of each Lower-tier Municipality;

WHEREAS subsection 401(1) of the Act provides that a municipality may incur a debt for municipal purposes, whether by borrowing money or in any other way, and may issue debentures and prescribed financial instruments and enter prescribed financial agreements for or in relation to the debt;

WHEREAS subsection 401(3) of the Act provides that a lower-tier municipality in a regional municipality does not have the power to issue debentures;

WHEREAS subsection 403(1) of the Act provides that a by-law of an upper-tier municipality authorizing the issuing of debentures for the purposes or joint purposes of one or more of its lower-tier municipalities may require those lower-tier municipalities to make payments in each year to the upper-tier municipality in the amounts and on the dates specified in the by-law;

WHEREAS the Act also provides that a municipality shall authorize long-term borrowing by the issue of debentures or through another municipality under section 403 or 404 of the Act and subsection 403(7) of the Act provides that all debentures issued under a by-law passed by an upper-tier municipality under section 403 are direct, joint and several obligations of the upper-tier municipality and its lower-tier municipalities;

WHEREAS OILC has invited Ontario municipalities desirous of obtaining long-term debt financing in order to meet capital expenditures incurred on or after the year that is five years prior to the year of an application in connection with eligible capital works to make application to OILC for such financing by completing and submitting an application in the form provided by OILC;

WHEREAS each Lower-tier Municipality requested the Upper-tier Municipality to issue debentures for its Capital Work(s) and in this connection the Upper-tier Municipality and each Lower-tier Municipality have completed and submitted or are in the process of submitting an application to OILC, as the case may be, to request financing for its Capital

Work(s) by way of long-term borrowing through the issue of debentures to OILC, substantially in the form of Schedule "B" hereto and forming part of this By-law (each an "Application");

WHEREAS OILC has accepted and has approved or will notify the Upper-tier Municipality and each Lower-tier Municipality only if it accepts and approves the Application that relates to that Lower-tier Municipality, as the case may be; and,

WHEREAS at least 5 business days prior to the passing of any debenture by-law in connection with the issue of Debentures as defined below, OILC will provide the Upper-tier Municipality with a rate offer letter agreement for each Lower-tier Municipality substantially in the form of Schedule "C" hereto and forming part of this By-law (individually a "Rate Offer Letter Agreement").

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

1. That the Council of the Upper-tier Municipality hereby confirms, ratifies and approves the execution by the Treasurer of the Application for each Lower-tier Municipality and the submission by such authorized official of each such Application, duly executed by such authorized official, to OILC for the long-term financing of the Capital Work(s) in the maximum aggregate principal amount of \$2,661,144.84 for the Capital Works of The Corporation of the Town of Lincoln and in the maximum principal amount of \$1,805,324.29 for the Capital Work of The Corporation of the Town of Niagara-On-The-Lake, with such changes thereon as such authorized official may hereafter approve, such execution and delivery to be conclusive evidence of such approval.
2. That the Regional Chair and the Treasurer are hereby authorized to execute and deliver for and on behalf of the Upper-tier Municipality the Rate Offer Letter Agreement for each Lower-tier Municipality under the authority of this By-law in respect of the respective Capital Work(s) on such terms and conditions as such authorized officials may approve, such execution and delivery to be conclusive evidence of such approval.
3. That Subject to the terms and conditions of each Rate Offer Letter Agreement, the Regional Chair and the Treasurer are hereby authorized to long-term borrow for the Capital Work(s) and to issue debentures to OILC on the terms and conditions provided in each Rate Offer Letter Agreement (collectively, the "Debentures"); provided that the principal amount of the Debentures issued in respect of a Capital

Work or of each Capital Work, as the case may be, does not exceed the Authorized Expenditure for such Capital Work and does not exceed the related loan amount set out in column (4) of Schedule "A" in respect of such Capital Work.

4. That in accordance with the provisions of section 25 of the Ontario Infrastructure and Lands Corporation Act, 2011, as amended from time to time hereafter, the Upper-tier Municipality is hereby authorized to agree in writing with OILC that the Minister of Finance is entitled, without notice to the Upper-tier Municipality, to deduct from money appropriated by the Legislative Assembly of Ontario for payment to the Upper-tier Municipality, amounts not exceeding the amounts that the Upper-tier Municipality fails to pay to OILC on account of any unpaid indebtedness of the Upper-tier Municipality to OILC under the Debentures (the "Obligations") and to pay such amounts to OILC from the Consolidated Revenue Fund.
5. That for the purposes of meeting the Obligations, the Upper-tier Municipality shall, in accordance with the Act, provide for raising in each year as part of the general upper-tier levy, the amounts of principal and interest payable in each year under the Debentures issued pursuant to the Rate Offer Letter Agreement for each Lower-tier Municipality, to the extent that the amounts have not been provided for by any other available source including other taxes or fees or charges imposed on persons or property by a by-law of any municipality.
6. (a) That the Regional Chair and the Treasurer are hereby authorized to execute and deliver the Rate Offer Letter Agreement for each Lower-tier Municipality, and to issue the Debentures, one or more of the Clerk and the Treasurer are hereby authorized to generally do all things and to execute all other documents and papers in the name of the Upper-tier Municipality in order to perform the terms and conditions that apply to the Upper-tier Municipality as set out in each Rate Offer Letter Agreement and to perform the Obligations of the Upper-tier Municipality under the Debentures, and the Treasurer is authorized to affix the Upper-tier Municipality's municipal seal to any such documents and papers.

(b) That the money realized in respect of the Debentures for each Lower-tier Municipality, including any premium, and any earnings derived from the investment of that money, after providing for the expenses related to the issue of such Debentures, if any, shall be delivered to the appropriate Lower-tier Municipality on the basis that each of the Lower-tier Municipalities will apportion and apply such money to its Capital Work(s) and to no other purpose except as permitted by the Act.

7. That this By-law takes effect on the day of passing.

THE REGIONAL MUNICIPALITY OF NIAGARA

James Bradley, Regional Chair


Ann-Marie Norio, Regional Clerk

Passed: <date>

Schedule "A"
Capital Work(s)

(1)	(2)	(3)	(4)
<u>By-Law Number</u>	<u>Description of Capital Work</u>	<u>Estimated Expenditure</u>	<u>Loan Amount</u>
2016-88	Drake Avenue Road reconstruction	\$1,133,922.84	\$1,133,922.84
2017-111	Academy St Road Reconstruction	\$527,222.00	\$527,222.00
2019-33	Quarry Road Land Purchase	\$1,000,000.00	\$1,000,000.00
Total – Town of Lincoln		\$2,661,144.84	\$2,661,144.84
5164-19	Dee Road Pump House	\$1,805,324.29	\$1,805,324.29
Total – Town of Niagara-On-The-Lake		\$1,805,324.29	\$1,805,324.29

Schedule "B"



Webloans Loan Application PDF

FA Number

Application for

Projects

ID	SIT Project ID	Project Name	Construction/Purchase Start	Construction/Purchase End	Project Cost	OILC Loan Amount
1014	1	Lincoln Roads Projects	05/21/2017	05/01/2019	\$2,661,144.84	2,661,144.84

Details of Project Lincoln Roads Projects

Project Category

Project Name

Construction/Purchase Start

Construction/Purchase End

Energy Conservation ☐

Project Address 1

Project Address 2

City / Town

Province

Postal Code

Description

Comments and/or Special Requests

Project Life Span (Years)

Project Financial Information

Project Cost (A)

Other Project Funding / Financing (B):

Other Project Funding/Financing Total (B)

OILC Loan Amount (A-B)

Only include long-term borrowing in this section. If you anticipate that you will require short-term financing during the construction phase of the project, the information will be gathered as part of the Financing Agreement.

Required Date	Amount	Term	Type
<input type="text" value="11/30/2019"/>	<input type="text" value="\$0.00"/>	<input type="text" value="20"/>	<input type="text" value="Serial"/>

Long-term Borrowing Total

Schedule "B"

Debt and Re-payments Summary

Has there been any new/undisclosed debt acquired since last FIR was submitted?

☐ Yes ☒ No

Please describe any re-financing plans for any existing "interest only" debt, if applicable.

Non Re-payments of Loans or Debenture

In the last 10 years, has the borrower ever failed to make a loan payment or debenture repayment on time to any lender, including the Provincial Government?

If yes, please provide details.

OILC Loan Repayment Information

Please indicate the source(s) of revenue you plan to use to repay the OILC Loan

Taxation	100.00
User Fees	0.00
Service Charges	0.00
Development Charges	0.00
Connection Fees	0.00
Repayment Subsidies	0.00
Other	
Total	100.00%

Documentation and Acknowledgements

Please ensure all required documents are submitted with the signed application. OILC requires originals as noted below to be mailed or couriered. Also, please retain a copy of all documents submitted to OILC for your records.

To obtain templates for documents see listed below.

- Loan Application Signature Page signed and dated by the appropriate individual (original to be submitted)
- Certificate and sealed copy of OILC template By-Law authorizing project borrowing and applying for a loan (original with seal)
- Certificate of Treasurer Regarding Litigation using the OILC template (original, signed & sealed)
- Updated Certified Annual Repayment Limit Calculation (original)


☒ I acknowledge and agree that all of the above referenced documents must be submitted in the form required by OILC and understand that the application will not be processed until such documents have been fully completed and received by Infrastructure Ontario.

Please note: OILC retains the right to request and review any additional information or documents at its discretion.

Confidential Information

OILC is an institution to which the Freedom of Information and Protection of Privacy Act (Ontario) applies. Information and supporting documents submitted by the Borrower to process the loan application will be kept secure and confidential, subject to any applicable laws or rules of a court or tribunal having jurisdiction.

Schedule "B"



Webloans Loan Application PDF

FA Number

1432

Application for

Niagara-on-the-Lake, The Town of

Projects

ID	SIT Project ID	Project Name	Construction/Purchase Start	Construction/Purchase End	Project Cost	OILC Loan Amount
1013	1	Dee Road Pump House	12/01/2016	04/30/2018	\$2,001,521.06	1,805,324.29

Details of Project Dee Road Pump House

Project Category

Municipal Other Infrastructure

Work Type

Others

Other Description

Irrigation Pump House

Project Name

Dee Road Pump House

Construction/Purchase Start

12/01/2016

Construction/Purchase End

04/30/2018

Energy Conservation

☐

Project Address 1

Queenston Street ES

Project Address 2

CP 1 Lot 150 Lot 151

City / Town

Niagara-on-the-Lake

Province

ON

Postal Code

L0S 1T0

Description

Upgrade the enhancements to existing irrigation pump house to provide increased water pumping capacity and shoreline protection.

Upgrades and enhancements include increasing the size of the pump house, increasing the number of pumps from 1 to 2 total, brand new pumps with increased pumping capacities, new piping and screening for intake, a hydro burst system, a maintenance crane, new electrical systems, and shoreline protection.

Comments and/or Special Requests

Project Life Span (Years)

50

Project Financial Information

Project Cost (A)

\$2,001,521.06

Other Project Funding / Financing (B):

Description	Timing	Amount
Town Reserve Funding	Existing	\$126,996.77
IESO Rebate for Electrical Upgrades	Expected	\$69,200.00
Other Project Funding/Financing Total (B)		\$196,196.77

OILC Loan Amount (A-B)

\$1,805,324.29

Schedule "B"

Only include long-term borrowing in this section. If you anticipate that you will require short-term financing during the construction phase of the project, the information will be gathered as part of the Financing Agreement.

Required Date	Amount	Term	Type
11/30/2019	\$0.00	15	Amortizing
Long-term Borrowing Total		\$0.00	

Debt and Re-payments Summary

Has there been any new/undisclosed debt acquired since last FIR was submitted? ☐ Yes ☒ No

Please describe any re-financing plans for any existing "interest only" debt, if applicable.

Non Re-payments of Loans or Debenture

In the last 10 years, has the borrower ever failed to make a loan payment or debenture repayment on time to any lender, including the Provincial Government?

If yes, please provide details.

OILC Loan Repayment Information

Please indicate the source(s) of revenue you plan to use to repay the OILC Loan

Taxation	100.00
User Fees	0.00
Service Charges	0.00
Development Charges	0.00
Connection Fees	0.00
Repayment Subsidies	0.00
Other	
Total	100.00%

Documentation and Acknowledgements

Please ensure all required documents are submitted with the signed application. OILC requires originals as noted below to be mailed or couriered. Also, please retain a copy of all documents submitted to OILC for your records.

To obtain templates for documents see listed below.

- Loan Application Signature Page signed and dated by the appropriate individual (original to be submitted)
- Certificate and sealed copy of OILC template By-Law authorizing project borrowing and applying for a loan (original with seal)
- Certificate of Treasurer Regarding Litigation using the OILC template (original, signed & sealed)
- Updated Certified Annual Repayment Limit Calculation (original)

☒ I acknowledge and agree that all of the above referenced documents must be submitted in the form required by OILC and understand that the application will not be processed until such documents have been fully completed and received by Infrastructure Ontario.

Please note: OILC retains the right to request and review any additional information or documents at its discretion.

Confidential Information
OILC is an institution to which the Freedom of Information and Protection of Privacy Act (Ontario) applies. Information and supporting documents submitted by the Borrower to process the loan application will be kept secure and confidential, subject to any applicable laws or rules of a court or tribunal having jurisdiction.

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THE REGIONAL MUNICIPALITY OF NIAGARA

BY-LAW NO. 2019-77

A BY-LAW TO PROVIDE FOR THE ADOPTION OF
AMENDMENT 13 TO THE OFFICIAL PLAN FOR THE
NIAGARA PLANNING AREA TO UPDATE THE
TRANSPORTATION POLICIES AND MAPPING

WHEREAS in accordance with Sections 17 and 26 of the *Planning Act, R.S.O. 1990*, as amended, Council may adopt an Official Plan or amendments thereto;

AND WHEREAS, it is deemed appropriate to further amend the Official Plan as adopted by Regional Council for the Niagara Planning Area,

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

1. That the text attached hereto as Schedule "A" is hereby adopted as Amendment 13 to the Official Plan for the Niagara Planning Area.
2. That the Regional Clerk is hereby authorized and directed to give notice of Council's adoption in accordance with Section 17(23) of the Planning Act.
3. That this by-law shall come into force and effect on the day upon which it is approved.

THE REGIONAL MUNICIPALITY OF NIAGARA

James Bradley, Regional Chair

Ann-Marie Norio, Regional Clerk

Passed: <date>

Schedule "A"

AMENDMENT NO. 13

TO THE OFFICIAL PLAN
FOR THE NIAGARA PLANNING AREA

PART "A" - THE PREAMBLE

The preamble provides an explanation of the Amendment including the purpose, location, background, and basis of the policies, and implementation, but does not form part of this Amendment. The Preamble includes:

- Title and Components
- Purpose of the Amendment
- Location of the Amendment
- Background
- Basis for the Amendment
- Implementation

PART "B" – THE AMENDMENT

The Amendment describes the additions and/or modifications to the Official Plan for the Niagara Planning Area, which constitute Regional Official Plan Amendment No. 13.

- Schedule Changes
- Table Changes
- Text Changes

PART "C" – THE APPENDICES

The Appendices provide information, public participation and agency comments relevant to the Amendment, but do not form part of this Amendment.

Schedule "A"

PART "A" - THE PREAMBLE**TITLE AND ITS COMPONENTS:**

This document, when approved in accordance with Section 26 of the Planning Act, 1990, shall be known as Amendment 13 to the Regional Official Plan of the Niagara Planning Area. Part "A" – The Preamble, contains background information and does not constitute part of this Amendment. Part "B" – The Amendment, which consists of text and map changes, constitutes Amendment 13 to the Regional Official Plan of the Niagara Planning Area. Part "C" – The Appendices, does not constitute part of the Amendment. These Appendices contain information related to public involvement and agency comments associated with the Amendment and do not form part of this Plan.

PURPOSE OF THE AMENDMENT

The purpose of this Amendment is to update the existing transportation mapping, definitions and policies of the Regional Official Plan. Specifically, this Amendment is intended to:

1. Conform to the applicable policies of the Provincial Policy Statement (2014) and the Provincial Growth Plan for the Greater Golden Horseshoe (2017).
2. Equip the Niagara Region with current and sound transportation policies that implement and promote best practices for the movement of goods and people throughout the Niagara Region's transportation system.
3. Ensure that the Regional Official Plan is consistent with the goals, vision, and recommendations identified in the Niagara Region Transportation Master Plan, approved by Regional Council in 2017.

LOCATION OF THE AMENDMENT

This Amendment applies to the entire Niagara Planning Area.

Schedule “A”

BACKGROUND

In accordance with Section 26 (3) of the *Planning Act*, a special meeting of Regional Council was held on October 10, 2013 in order to initiate a public engagement process known as “Imagine Niagara”, which would inform the comprehensive review of the Regional Official Plan. Through consultation with key community stakeholders, “Imagine Niagara” sought to generate public interest in the review process and provide an opportunity for Niagara residents to outline the future vision for their communities.

Following this public engagement process, the Niagara Region launched the “Niagara 2041” initiative, which included the development of a Transportation Master Plan (TMP). The TMP, which was approved by Regional Council on July 20, 2017, is a comprehensive study that defines policies, programs, and infrastructure improvements needed to address the Region’s transportation and growth requirements until the year 2041. The TMP emphasizes the need to integrate and co-ordinate transportation planning, land use planning, and urban design as part of its implementation in order to reflect the unique needs of the Region’s urban and rural communities.

Accordingly, it is imperative that the existing transportation policies of the Regional Official Plan are revised in co-ordination with the TMP to ensure that the direction and recommendations identified in the study are properly implemented. Given that the new Regional Official Plan and its background studies are only just commencing, it is appropriate for the proposed Amendment to the Regional Official Plan to be brought forward at this time.

BASIS FOR THE AMENDMENT

1. This Amendment implements and conforms to the Provincial Growth Plan for the Greater Golden Horseshoe (2017) and other Provincial Plans with respect to transportation planning across the Niagara Region. The Amendment is consistent with the Provincial Policy Statement (2014) and the Niagara Region Transportation Master Plan.
2. The policies proposed through this Amendment will provide consistency with the goals, vision, and recommendations identified in the TMP, and equip the Region with current and sound transportation policies that will strategically align with the ongoing comprehensive review of the Regional Official Plan.
3. This Amendment will provide new transportation policies which implement and promote best practices for the movement of goods and people throughout the Niagara Region’s transportation system.

Schedule “A”

4. The new transportation policies within the Amendment will replace the existing policies within Chapter 9 of the Regional Official Plan. The Amendment will also include new mapping schedules, definitions, and minor modifications to policies in other sections of the Regional Official Plan that will improve its structure and organization.
5. The Amendment is divided into sections, which constitute the Amendment:
 - a) Part I: Modifications to Existing Policies
 - b) Part II: New Policies
 - c) Part III: Definitions
 - d) Part IV: Mapping
6. The Amendment was the subject of a Public Open House and Statutory Public Meeting held under the *Planning Act*. Public and agency comments were addressed as part of the preparation of this Amendment.
7. Based on the Region’s review of the *Planning Act*, the Growth Plan for the Greater Golden Horseshoe (2017), the Provincial Policy Statement (2014), the Regional Official Plan, and the Niagara Region Transportation Master Plan, Regional staff is of the opinion that the Amendment is consistent with and aligns with Provincial and Regional policies and plans and, therefore, represents good planning.

IMPLEMENTATION

Chapter 14 – Implementation of the Official Plan for the Niagara Planning Area, shall apply where applicable.

Schedule “A”

PART “B” – THE AMENDMENT

**Amendment 13
To The Official Plan for the
Niagara Planning Area**

Schedule Changes (attached)

1. “Schedule E – Niagara Region Bicycle Network” is repealed.
2. “Schedule E1 – Transportation Infrastructure” is added to the Plan as “**Schedule E1 – Transportation Infrastructure**”.
3. “Schedule E2 – Strategic Cycling Network” is added to the Plan as “**Schedule E2 – Strategic Cycling Network**”.

Table Changes (attached)

1. Table 9-1 is modified to include “Regional Roads – Minimum Sight Triangle Requirements Table”.

Text Changes

The Official Plan for the Niagara Planning Area is amended as follows:

Part I – Modifications to Existing Policies

1. **Policy 2.D.2.8** is repealed.
2. **Policy 2.D.2.9** is renumbered as **Policy 2.D.2.8**.
3. **Policy 2.D.2.10** is renumbered as **Policy 2.D.2.9**.
4. **Policy 2.D.2.11** is renumbered as **Policy 2.D.2.10**.
5. **Policy 3.A.3.22 c)** is modified to “Preparation of a Regional Goods Movement Study”.
6. **Section 4.G.13 Transportation Corridors** is removed.
7. **Policy 4.G.13.1** is repealed.

Schedule “A”

8. **Section 4.G.14 District Plans** is renumbered as **Section 4.G.13 District Plans**.
9. **Objective 4.G.14.A.1 to Objective 4.G.14.A.3** is renumbered to **Objective 4.G.13.A.1 to Objective 4.G.14.A.3**.
10. **Policy 4.G.14.B** is renumbered to **Policy 4.G.13.B**.
11. **Policy 4.G.14.C.1** is renumbered to **Policy 4.G.14.C.11**.
12. **Policy 10.C.2.3.3** is modified to “When developing or redeveloping leased, operated or owned facilities (buildings or structures) the Region will consider and apply the Region’s Model Urban Design Guidelines and Facility Accessibility Design Standards”.
13. **Policy 10.C.2.3.6** is repealed.
14. **Policy 10.C.2.3.7** is renumbered as **Policy 10.C.2.3.6**.

Part II – New Policies

1. With the exception of Table 9-1, Chapter 9 is repealed in its entirety and replaced with the following policies and objectives:

9. Transportation: Moving People and Goods

The Provincial Growth Plan for the Greater Golden Horseshoe identifies where and provides direction on how growth will occur amid its single- and upper-tier municipalities to a 2041 planning horizon. The Niagara Region is an upper-tier municipality located within the Provincial Growth Plan area and is responsible for the dissemination of its provincially-forecasted growth number amongst its local area municipalities. In order to appropriately accommodate forecasted growth, the Region must plan for and implement a sustainable *transportation system* that has the ability to withstand stresses associated with population growth.

This chapter provides for a safe and efficient *transportation system* for *multimodal* travel for all users. Objectives and policies reflect direction and recommendations outlined within the Niagara Region’s Transportation Master Plan. The Region is committed to improving social equity, protecting short- and long-term economic competitiveness, and reducing greenhouse gas emissions by advancing initiatives which enable comprehensive *active transportation* networks, interconnected public transit systems, and efficient goods movement networks. The Niagara Region remains dedicated to working with its local area municipal partners, agencies, and other public entities on cross-jurisdictional transportation-related matters.

Schedule “A”

9.A General Objectives

- Objective 9.A.1** Promote and support for a *multimodal transportation system* to enable the movement of goods and people of all ages and abilities to jobs, housing, school, cultural destinations, *public service facilities*, recreational and tourist opportunities, and other *major trip generators*, especially in *strategic growth areas*.
- Objective 9.A.2** Reduce single-occupant vehicle trips by enhancing opportunities for residents, workers, and visitors of all ages and abilities to walk, cycle, take transit and carpool.
- Objective 9.A.3** Support a connected and convenient public transit network throughout the region.
- Objective 9.A.4** Create and enhance interconnected *active transportation* systems and programs.
- Objective 9.A.5** Support the implementation of *complete streets* at regional and local levels.
- Objective 9.A.6** Encourage the most cost-effective and environmentally appropriate modes of sustainable transportation to reduce greenhouse gas emissions.
- Objective 9.A.7** Ensure that agricultural vehicles and equipment are accommodated within the *transportation system* where appropriate.

9.B Coordinated Transportation System Planning

- Policy 9.B.1** The Niagara Region will encourage the implementation of a comprehensive *transportation system* through the co-ordination of land use planning and strategic investments in *infrastructure*.
- Policy 9.B.2** The Niagara Region will work with the *Province*, agencies and local municipalities to plan for, improve, and protect the following *planned corridors* and facilities:
- a) Queen Elizabeth Way (QEW) widenings from Hamilton to Highway 406 and from McLeod Road to Mountain Road;

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- b) Interchanges at Highway 406 and Third Avenue Louth, the Queen Elizabeth Way (QEW) and Glendale Avenue, and Highway 405 and Concession 6/Mewburn Road;
- c) the Niagara Escarpment Crossing ;
- d) the Niagara-Hamilton Trade Corridor;
- e) the South Niagara East-West Arterial Road/Niagara Greater Toronto Area (NGTA) East Corridor;
- f) the Highway 406 extension to the South Niagara East-West Arterial Road/NGTA East Corridor; and
- g) The roads of the Niagara Parks Commission.

Policy 9.B.3 The Niagara Region, in consultation with local municipalities, will work with the Federal government, the *Province*, Metrolinx, and other stakeholders to improve linkages between the Niagara Regional Transit System and GO Transit.

Policy 9.B.4 The Niagara Region will work with Federal, Provincial and municipal governments to help strengthen the provision of an efficient and safe Provincial Highway network throughout the region.

Policy 9.B.5 The Niagara Region will ensure there is suitable transportation *infrastructure* to support the Region's growth and economic strategy.

Policy 9.B.6 The Niagara Region will ensure that transportation *infrastructure* within the boundaries of the Niagara Escarpment Plan will be designed and located so that the least possible impact occurs on the Escarpment's scenic quality, landform, and existing environmental features.

Policy 9.B.7 The Niagara Region will work with the Niagara Parks Commission to improve linkages between the Niagara Region's *transportation system* and the Niagara Park Commission's *transportation system*.

9.C Public Transit

Policy 9.C.1 Public transit will be a priority for transportation *infrastructure* planning and major transportation investments.

Policy 9.C.2 The Niagara Region supports the expansion of public transit across the region through:

- a) Prioritizing investment in transit *infrastructure* to *strategic growth areas* to optimize return on investment and the

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efficiency and viability of existing and planned transit service levels;

- b) Permitting *infrastructure*, including *municipal water and wastewater systems*, on lands adjacent to or near *settlement areas* for uses principle or ancillary to transit-supportive uses abutting *higher order transit* facilities;
- c) Improving linkages from nearby neighbourhoods to *major trip generators*, including: the Downtown St. Catharines *Urban Growth Centre*, locally designated *strategic growth areas*, *employment areas*, including tourism destinations, *public service facilities*, post-secondary institutions, and *major transit station areas*;
- d) Providing transit linkages within and between *settlement areas* in and outside of the Region to increase the *modal share* of transit;
- e) Improving accessibility to public transit;
- f) Providing park-and-ride facilities that support *multimodal* travel by offering linkages to pedestrian and transit routes, *bicycle infrastructure*, and priority spaces for carpool and car-share vehicles;
- g) Establishing fare and *transit service integration* between local agencies; and
- h) Considering the role public transit plays in reducing greenhouse gas emissions.

Policy 9.C.3 The Niagara Region will leverage public transit to promote *transit-supportive development*.

Policy 9.C.4 The Niagara Region will encourage the provision of *demand-responsive transit service*, where operationally and economically feasible, in local municipalities to serve low-density areas.

Policy 9.C.5 The Niagara Region supports *transit service integration* of municipal transit agencies to provide *frequent transit service*.

Policy 9.C.6 The Niagara Region will ensure *transit service integration* as part of the implementation of inter-municipal regional transit, and will work with transit operators, including the *Province* and Metrolinx, where applicable.

Policy 9.C.7 The Niagara Region will support transit investment for improved services to provide *multimodal* access to *major transit station areas* and reduce *modal share* by single-occupant vehicles.

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- Policy 9.C.8** The Niagara Region and its local municipalities should plan lands adjacent to or near existing and planned *frequent transit* **or** *higher order transit* facilities, including those within the *Greenbelt Area* where such lands have been approved through a Municipal Class Environmental Assessment, to:
- a) provide *transit-supportive* **uses** that enable opportunities **for** improved *transit service integration*;
 - b) facilitate *multimodal* connections that encourage a more evenly distributed *modal share*; and
 - c) support *active transportation*.
- Policy 9.C.9** The Niagara Region will prioritize and expedite *higher order transit* connections to the Greater Toronto Hamilton Area (GTHA), to promote *intensification* and new employment markets.
- Policy 9.C.10** The Niagara Region shall plan to ensure *higher order transit* facilities are supported by and serve adjacent *intensification areas* and new employment markets.
- Policy 9.C.11** The Niagara Region will examine the feasibility of establishing a West Niagara Transit Terminal in order to facilitate *multimodal* connections within the Niagara Region and to the Greater Toronto Hamilton Area (GTHA).
- Policy 9.C.12** Local municipalities shall develop secondary plans, or undertake an equivalent planning exercise with reference to the Province's Transit-Supportive Guidelines, to delineate *major transit station areas* for any confirmed or identified future potential *higher order transit* facility. These plans shall include policies that, where appropriate:
- a) support *transit service integration*;
 - b) support the implementation of *active transportation-friendly* facilities;
 - c) provide for a diverse mix of uses;
 - d) prohibit land uses and a built form that would adversely affect the achievement of *transit-supportive* densities; and,
 - e) provide alternative *development* standards that promote *transit-supportive* uses and redevelopment.
- Policy 9.C.13** The Niagara Region will work with the *Province*, local municipalities, and Metrolinx, where applicable, to support the integration of *active transportation* and public transit. Improvements may include: permitting bicycles on transit vehicles, providing bicycle racks on

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buses, and providing *bicycle infrastructure* at and to transit *facilities*, public and institutional areas, and *employment areas*.

9.D Active Transportation

- Policy 9.D.1** The Niagara Region and local municipalities will ensure that comprehensive *active transportation* networks are integrated into *transportation systems* to enable safe and convenient inter- and intra-municipal travel for *active transportation* users.
- Policy 9.D.2** The Niagara Region will prioritize the implementation of the Strategic Cycling Network as identified in the Niagara Region’s Transportation Master Plan to advance the implementation of the Niagara Bikeways Master Plan as shown in Schedule E2.
- Policy 9.D.3** The Niagara Region will fund the implementation of the Strategic Cycling Network along Regional Roads through the Niagara Region’s *public works projects* and other funding or cost-sharing opportunities.
- Policy 9.D.4** The Niagara Region will support local municipalities in implementing sections of the Strategic Cycling Network that are within their jurisdiction.
- Policy 9.D.5** Local municipalities are encouraged to develop Official Plan policies which support *bicycle infrastructure* to ensure a connected and extended bicycle network within the region.
- Policy 9.D.6** Local municipalities are encouraged to establish *development* standards for *transit-supportive* uses within *strategic growth areas* that achieve *compact built forms* to promote *active transportation*.
- Policy 9.D.7** The Niagara Region supports the re-purpose of abandoned rail and other linear corridors, including hydro corridors, for off-road trails and recommends that local municipalities consider various means to protect and/or acquire such corridors. The Niagara Region will require early pre-consultation with relevant stakeholders, including TransCanada Pipeline or its designated representative, in the acquisition of abandoned rail and other linear corridors.
- Policy 9.D.8** The Niagara Region will work with the Ministry of Transportation and other stakeholders for the provision of *active transportation* infrastructure across the QEW, 400 Series Highways, and other highways.

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- Policy 9.D.9** The Niagara Region will work with the Niagara Escarpment Commission, local municipalities, property owners, and other stakeholders, where applicable, to protect a continuous pedestrian route generally following the Bruce Trail along the Niagara Escarpment. The role and function of off-road-trails within the Niagara Escarpment Planning Area will be subject to the policies of the Niagara Escarpment Plan.
- Policy 9.D.10** The Niagara Region will implement the recommendations of the Travel Demand Management Study with respect to *active-transportation friendly* facilities.
- Policy 9.D.11** The Niagara Region will have regard to the Niagara Region's Wayfinding Signage for Cyclists Guidelines as part of the design, refurbishment or reconstruction of Regional Roads.
- Policy 9.D.12** The Niagara Region will develop guidelines for local Official Plans and Zoning By-laws that outline minimum provisions for accommodating *active transportation-friendly* facilities in new *development*, redevelopment, and *public work projects*.

9.E Complete Streets

- Policy 9.E.1** The Niagara Region's *Complete Streets Design Guidelines* shall be used in the design, refurbishment, or reconstruction of the Niagara Region's *transportation system* to ensure the needs and safety of all road users are considered and appropriately accommodated.
- Policy 9.E.2** The Niagara Region shall ensure that the Niagara Region's *Complete Streets Design Guidelines* is included as a reference document within the Request for Proposal (RFP) process for Municipal Class Environmental Assessments.
- Policy 9.E.3** Local municipalities shall include policies within Official Plans that ensure that a *complete streets* approach is used in the design, refurbishment, or reconstruction of their planned or existing street network.
- Policy 9.E.4** In the absence of local *complete street* guidelines, local municipalities shall refer to the Niagara Region's *Complete Streets Design Guidelines* for the design, refurbishment or reconstruction of their existing and planned local street network.

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Policy 9.E.5 *Complete streets* elements within local jurisdiction shall be maintained by the *local municipality*.

9.F The Regional Road System

Policy 9.F.1 As conditions of the approval of a *development* application:

- a) The Niagara Region may acquire from the landowner land required for the *road allowance* as identified in Table 9-1 at no cost to the Region free of all encumbrance, encroachments, and improvements unless otherwise agreed to by the Region; and,
- b) The Niagara Region is to be provided with a certificate of an Ontario Land Surveyor noting that all legal survey documentation on the widened *road allowance* is in place.

Policy 9.F.2 The Niagara Region shall require the conveyance of land, at no cost to the Region, as condition of the approval of a *development* application, beyond the designated *road allowance* widths identified in Table 9-1, to accommodate items such as sight triangles, turning lanes, channelization, grade separations, traffic control devices, rapid transit, public transit facilities and rights-of-way, *active transportation* facilities cuts, fills and storm drainage requirements, as required to meet accepted/current engineering design criteria/standards. These do not require an amendment to this Plan.

Policy 9.F.3 Land for Regional Road widenings will be required equally from both sides of the centreline of the designated Regional Road unless existing land uses, topographic features or other physical or environmental constraints necessitate taking greater widening on one side than the other.

Policy 9.F.4 The Niagara Region may acquire, at its own expense, additional land that exceeds the *road allowance* widths identified in Table 9-1, without an amendment to this Plan.

Policy 9.F.5 The Niagara Region will consider the need for noise mitigation measures to address traffic noise from Regional Roads, where required, premised on noise study recommendations per Ministry of the Environment, Conservation, and Parks guidelines for the following situations:

- a) New *development* adjacent to a Regional Road; or,

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- b) Impact of noise generated by increased traffic on Regional Roads adjacent to established *development*.

Policy 9.F.6

As part of the *development* application process, a *road allowance* not yet owned by the Niagara Region and identified in the Niagara Region's Transportation Master Plan should be protected in the following cases:

- a) A local street that could be ultimately assumed by the Region; and,
- b) Plans for the extension of an existing *road allowance*.

Policy 9.F.7

The Niagara Region will have regard to the Niagara Region's Model Urban Design Guidelines, *Complete Streets Design Guidelines*, and Wayfinding Signage for Cyclists Guidelines when providing comments on *development* applications located along Regional Roads.

Policy 9.F.8

The Niagara Region will plan and protect rights-of-way for the Niagara Region's *transportation system, major goods movement facilities and corridors, active transportation corridors* and transit facilities to meet current and projected needs, while ensuring that *development* is not permitted in *planned corridors* that could preclude or negatively affect the purposes of the corridor.

Policy 9.F.9

Local municipalities, in consultation with the Niagara Region and the *Province*, shall develop official plan policies that provide protection for *planned corridors* to ensure that decisions on *development* applications will not preclude or negatively affect the use of the corridor for the purpose(s) for which it was identified. .

Policy 9.F.10

The Niagara Region will encourage the co-location of linear *infrastructure* along Regional Roads, where applicable.

Policy 9.F.11

The Niagara Region will consider the separation of transportation modes within corridors.

Policy 9.F.12

As part of the construction, optimization, or expansion of transportation *infrastructure* within the Niagara Region's *agricultural area* and *natural heritage system*, the Niagara Region will require, where applicable:

- a) the preparation of an agricultural impact assessment, or equivalent analysis as part of a Municipal Class Environmental Assessment, that demonstrates that any impacts on the

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agricultural system have been avoided or, if avoidance is not possible, minimized, and, to the extent feasible, mitigated; and/or

- b) the preparation of an environmental impact study, or equivalent analysis as part of a Municipal Class Environmental Assessment, that demonstrates that any impacts on the ***natural heritage system*** have been avoided or, if avoidance is not possible, minimized, and to the extent feasible, mitigated.

Policy 9.F.13 The Niagara Region and local municipalities shall conform to National Energy Board regulations and provisions in relation to the requirements for *development* within proximity to its pipelines and corridors.

Policy 9.F.14 The Niagara Region's *transportation system* will be implemented as per the recommended actions and schedules of the Niagara Region Transportation Master Plan.

9.G Transportation Demand Management

Policy 9.G.1 The Niagara Region will develop and implement a Travel Demand Management Study that is consistent with the recommendations of the Niagara Region's Transportation Master Plan and the Provincial Growth Plan for the Greater Golden Horseshoe.

Policy 9.G.2 Local municipalities shall develop and implement *TDM* policies to be incorporated into local official plans that are consistent with the future Niagara Region's Travel Demand Management Study.

9.H Goods Movement

Policy 9.H.1 The Niagara Region, in partnership with local municipalities, will develop and implement a Goods Movement Study that is consistent with the recommendations of the Niagara Region's Transportation Master Plan and the Province's Freight-Supportive Guidelines. The Goods Movement Study will take advantage of cross-border trade opportunities, including the Foreign Free Trade Zone, support employment activity, and maximize the use of the Gateway Economic Zone and Gateway Economic Centre.

Policy 9.H.2 The Niagara Region and its local municipalities will ensure the protection of lands adjacent to or near major goods movement

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facilities and corridors, including those outside of *settlement areas* and/or within the *Greenbelt Area* for the expansion of *infrastructure* and uses ancillary to that of the principle major goods movement facility and/or corridor use while:

- a) requiring a Municipal Class Environmental Assessment to demonstrate the need and alternative options for the infrastructure required for the expansion;
- b) avoiding specialty crop areas, and other prime agricultural areas in that order of priority, unless need has been demonstrated and it has been established that there is no reasonable alternative for the location of the infrastructure as determined through the applicable Municipal Class Environment Assessment;
- c) avoiding, or where avoidance is not possible, minimizing and mitigating adverse impacts to the agricultural system or other *sensitive land uses* vulnerable to encroachment;
- d) requiring an agricultural impact assessment during instances where *infrastructure* or uses are proposed within, adjacent to, or near the *Greenbelt Area* or agricultural system; and
- e) considering subject lands for designation as provincially significant employment zones.

- Policy 9.H.3** The Niagara Region and its local municipalities will ensure that *development* of lands adjacent to or near *major goods movement facilities and corridors* will be compatible with the goods movement function of those facilities and be designed to avoid, mitigate or minimize negative impacts on and from the facilities and corridors.
- Policy 9.H.4** The Niagara Region will support the implementation of a *multimodal transportation system*, which accommodates the movement of goods, where identified through the Goods Movement Study.
- Policy 9.H.5** The Niagara Region will work with the *Province*, local municipalities, agencies, and transportation service providers to implement a *transportation system* which is able to accommodate agricultural vehicles and equipment, where appropriate.
- Policy 9.H.6** The Niagara Region will continue to advocate for highway capacity improvements to address inter-regional and international trade related demands for the purposes of goods movement.
- Policy 9.H.7** The Niagara Region will consider, where possible, the protection of abandoned rail corridors for future *freight-supportive* activity.

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Part III – Definitions

1. The following definitions are added to Chapter 15 of the Plan:

Airports

means all Ontario *airports*, including designated lands for future *airports*, with Noise Exposure Forecast (NEF)/Noise Exposure Projection (NEP) mapping. (PPS 2014)

Bicycle Infrastructure

means all *infrastructure* and facilities used for cycling, including bicycle routes (dedicated, buffered, and separated bike lanes, multi-use paths, and off-road trails), and trip end facilities such as bicycle parking and storage (e.g. bicycle racks and lockers).

Complete Streets

means streets that are planned to balance the needs of all road users, including pedestrians, cyclists, transit-users, and motorists, and are designed for the safety of people of all ages and abilities. (Based on Growth Plan, 2017 and modified for this Plan)

Complete Streets Design Guidelines

means guidelines developed as part of the Niagara Region’s Transportation Master Plan which define Regional Road typologies and provide guidance on the implementation of complete streets elements that fall within the public right-of-way.

Demand-responsive Transit Service

means door-to-door transportation service which has flexible routing and scheduling, and can operate either as an “on-demand” service or a “fixed-schedule” service, such as airport shuttles or paratransit services for people with disabilities and the elderly.

Freight-supportive

means *transportation systems* and facilities that facilitate the movement of goods, including policies or programs intended to support efficient freight movement through the planning, design and operation of land use and *transportation systems*. (Based on Growth Plan, 2017 and modified for this Plan)

Frequent Transit

means a public transit service that runs at least every 15 minutes in both directions throughout the day and into the evening every day of the week. (Growth Plan, 2017)

Major Goods Movement Facilities and Corridors

means transportation facilities and corridors associated with the inter- and intra-provincial movement of goods. Examples include: inter-modal facilities, ports, *airports*, *rail facilities*, truck terminals, freight corridors, freight facilities, and haul routes and primary transportation corridors used for the movement of goods. Approaches that are

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freight-supportive may be recommended in guidelines developed by the Province or based on municipal approaches that achieve the same objectives. (PPS, 2014)

Major Trip Generators

means origins and destinations with high population densities or concentrated activities which generate many trips (e.g. *urban growth centres* and other downtowns, *major office* and office park, major retail, *employment areas*, community hubs, large parks and recreational destinations, post-secondary institutions, other *public service facilities*, and other mixed-use areas). (Growth Plan, 2017)

Marine Facilities

means ferries, harbours, ports, ferry terminals, canals and associated uses, including designated lands for future marine facilities. (PPS, 2014)

Natural Heritage System

means the system comprised of natural heritage features and areas, and linkages intended to provide connectivity (at the regional or site level) and support natural processes which are necessary to maintain biological and geological diversity, natural functions, viable populations of indigenous species, and ecosystems. The system can include key natural heritage features, key hydrologic features, federal and provincial parks and conservation reserves, other natural heritage features and areas, lands that have been restored or have the potential to be restored to a natural state, associated areas that support hydrologic functions, and working landscapes that enable ecological functions to continue.

Planned Corridors

means corridors or future corridors which are required to meet projected needs, and are identified through this Plan, preferred alignment(s) determined through the Environmental Assessment Act process, or identified through planning studies where the Ministry of Transportation, Ministry of Energy, Metrolinx or Independent Electricity System Operator (IESO) or any successor to those Ministries or entities, is actively pursuing the identification of a corridor. (Based on Growth Plan, 2017 and modified for this Plan)

Public Service Facilities

means lands, buildings and structures for the provision of programs and services provided or subsidized by a government or other body, such as social assistance, recreation, police and fire protection, health and educational programs, and cultural services. Public service facilities do not include *infrastructure*. (Growth Plan, 2017)

Rail Facilities

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means rail corridors, rail sidings, train stations, inter-modal facilities, rail yards and associated uses, including designated lands for future *rail facilities*. (PPS, 2014)

Road Allowance

means widths that are intended to accommodate travel lanes, turning lanes, intersections, sidewalks, bicycle lanes, public transit lanes, transit facilities, utilities, *active transportation*, noise control measures, snow storage, drainage measures, curb and gutters, fencing, sidewalks, *cultural tourism* features, landscaping, illumination, signage, street enhancements and other elements noted as compatible with the transportation *system*.

Sensitive Land Uses

means buildings, amenity areas, or outdoor spaces where routine or normal activities occurring at reasonably expected times would experience one or more adverse effects from contaminant discharges generated by a nearby major facility. *Sensitive land uses* may be a part of the natural or built environment. Examples may include, but are not limited to: residences, day care centres, and educational and health facilities. (Growth Plan, 2017)

Strategic Growth Areas

means, within *settlement areas*, nodes, corridors, and other areas that have been identified by municipalities or the Province to be the focus for accommodating intensification and higher-density mixed uses in a more *compact built form*. *Strategic growth areas* include *urban growth centres*, *major transit station areas*, mobility hubs and other major opportunities that may include infill, *redevelopment*, *brownfield sites*, the expansion or conversion of existing buildings, or *greyfields*. Lands along major roads, arterials or other areas with existing or planned *frequent transit service* or *higher-order transit* corridors may also be identified as *strategic growth areas*. (Growth Plan, 2017)

Transit Service Integration

means the co-ordinated planning or operation of transit service between two or more agencies or services that works to facilitate seamless service for riders. *Transit service integration* can include considerations of service schedules, service routes, information, fare policy, and fare payment. (Growth Plan, 2017)

2. The following definitions in Chapter 15 of the Plan will be modified to the following:

Active Transportation

means any form of self-propelled transportation that relies on the use of human energy such as walking, cycling, inline skating, jogging, or travel with the use of mobility aids, including motorized wheelchairs and other power-assisted devices at a comparable speed. (Growth Plan, 2017)

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Compact Built Urban Form

means a land-use pattern that encourages efficient use of land, walkable neighbourhoods, mixed land uses (residential, retail, workplace and institutional all within one neighbourhood), active transportation, proximity to transit and reduced need for *infrastructure*. *Compact built form* can include detached and semi-detached houses on small lots as well as townhouses and walk-up apartments, multistorey commercial developments, and apartments or offices above retail. Walkable neighbourhoods can be characterized by roads laid out in a well-connected network, destinations that are easily accessible by transit and *active transportation*, sidewalks with minimal interruptions for vehicle access, and a pedestrian-friendly environment along roads to encourage *active transportation*. (Growth Plan, 2017)

Major Transit Station Areas

means the area including and around any existing or planned *higher order transit station* or stop within a settlement area; or the area including and around a major bus depot in an urban core. Major transit station areas generally are defined as the area within an approximate 500 to 800 metre radius of a transit station, representing about a 10-minute walk.

Multimodal

means the availability or use of more than one form of transportation, such as automobiles, walking, cycling, buses, rapid transit, rail (such as commuter and freight), trucks, air, and marine. (Growth Plan, 2017)

Transit-supportive

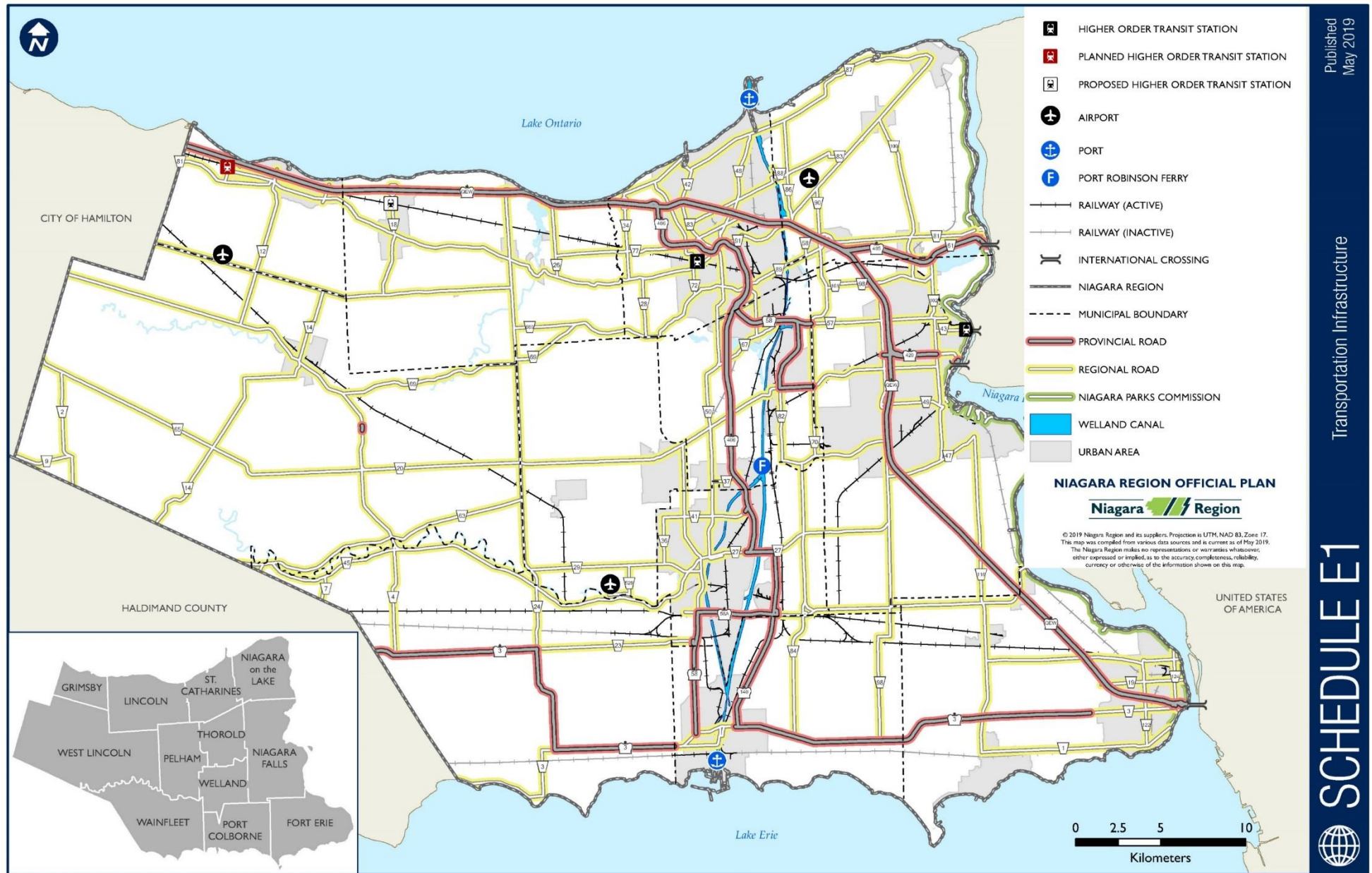
Relating to *development* that makes transit viable and improves the quality of the experience of using transit. It often refers to compact, mixed-use *development* that has a high level of employment and residential densities. *Transit-supportive development* will be consistent with Ontario’s Transit Supportive Guidelines. (Growth Plan, 2017)

Part IV: Table 9-1 – Road Allowance Widths

1. That the following “minimum sight triangle requirements” table be added to Table 9-1 of the Plan:

Regional Intersection Type	Minimum Sight Triangle Dimension Requirements
Urban (signalized)	10 metres x 10 metres
Urban (non-signalized)	6 metres x 6 metres
Rural	15 metres x 15 metres

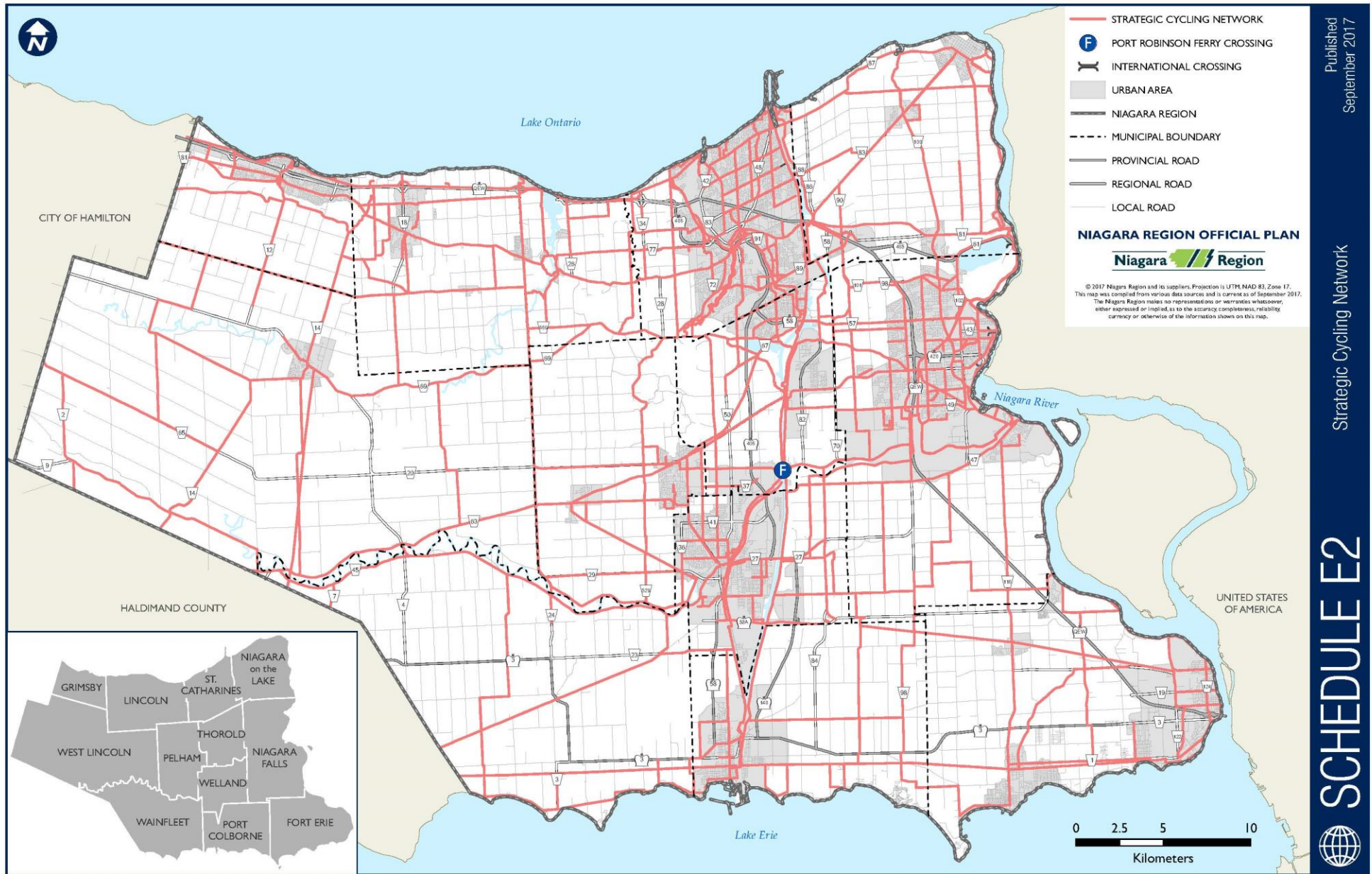
SCHEDULE A

Published
May 2019

Transportation Infrastructure

SCHEDULE E1

Schedule “A”



THE REGIONAL MUNICIPALITY OF NIAGARA

BY-LAW NO. <>

A BY-LAW TO APPROVE THE SUBMISSION OF AN APPLICATION TO ONTARIO INFRASTRUCTURE AND LANDS CORPORATION ("OILC") FOR THE LONG-TERM FINANCING OF CERTAIN CAPITAL WORK(S) OF THE REGIONAL MUNICIPALITY OF NIAGARA (THE "MUNICIPALITY"); AND TO AUTHORIZE THE ENTERING INTO OF A RATE OFFER LETTER AGREEMENT PURSUANT TO WHICH THE MUNICIPALITY WILL ISSUE DEBENTURES TO OILC

WHEREAS the Municipal Act, 2001 (Ontario), as amended, (the "Act") provides that a municipal power shall be exercised by by-law unless the municipality is specifically authorized to do otherwise;

WHEREAS the Council of the Municipality has passed the by-law(s) enumerated in column (1) of Schedule "A" attached hereto and forming part of this By-law ("**Schedule A**") authorizing the capital work(s) described in column (2) of Schedule "A" ("**Capital Work(s)**") in the amount of the respective estimated expenditure set out in column (3) of Schedule "A", subject in each case to approval by OILC of the long-term financing for such Capital Work(s) requested by the Municipality in the Application as hereinafter defined;

WHEREAS before the Council of the Municipality approved the Capital Work(s) in accordance with section 4 of Ontario Regulation 403/02 (the "**Regulation**"), the Council of the Municipality had its Treasurer calculate an updated limit in respect of its then most recent annual debt and financial obligation limit received from the Ministry of Municipal Affairs and Housing (as so updated, the "**Updated Limit**"), and, on the basis of the authorized estimated expenditure for the Capital Work or each Capital Work, as the case may be, as set out in column (3) of Schedule "A" (the "**Authorized Expenditure**" for any such Capital Work), the Treasurer calculated the estimated annual amount payable in respect of the Capital Work or each Capital Work, as the case may be, and determined that the estimated annual amount payable in respect of the Capital Work or each Capital Work, as the case may be, did not cause the Municipality to exceed the Updated Limit, and accordingly the approval of the Local Planning Appeal Tribunal pursuant to the

Regulation, was not required before any such Capital Work was authorized by the Council of the Municipality;

WHEREAS subsection 401(1) of the Act provides that a municipality may incur a debt for municipal purposes, whether by borrowing money or in any other way, and may issue debentures and prescribed financial instruments and enter prescribed financial agreements for or in relation to the debt;

WHEREAS the Act also provides that a municipality shall authorize long-term borrowing by the issue of debentures or through another municipality under section 403 or 404 of the Act;

WHEREAS OILC has invited Ontario municipalities desirous of obtaining long-term debt financing in order to meet capital expenditures incurred on or after the year that is five years prior to the year of an application in connection with eligible capital works to make application to OILC for such financing by completing and submitting an application in the form provided by OILC;

WHEREAS the Municipality has completed and submitted or is in the process of submitting an application to OILC, as the case may be to request financing for the Capital Work(s) by way of long-term borrowing through the issue of debentures to OILC, substantially in the form of Schedule "B" hereto and forming part of this By-law (the "**Application**");

WHEREAS OILC has accepted and has approved or will notify the Municipality only if it accepts and approves the Application, as the case may be; and,

WHEREAS at least 5 business days prior to the passing of the debenture by-law in connection with the issue of Debentures as defined below, OILC will provide the Municipality with a rate offer letter agreement substantially in the form of Schedule "C" hereto and forming part of this By-law (the "**Rate Offer Letter Agreement**").

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

1. That the Council of the Municipality hereby confirms, ratifies and approves the execution by the Treasurer of the Application and the submission by such authorized official of the Application, duly executed by such authorized official, to OILC for the long-term financing of the Capital Work(s) in the maximum principal amount of \$ 25,816,676.00, with such changes thereon as such authorized official

may hereafter, approve such execution and delivery to be conclusive evidence of such approval.

2. That the Regional Chair and the Treasurer are hereby authorized to execute and deliver for and on behalf of the Municipality the Rate Offer Letter Agreement under the authority of this By-law in respect of the Capital Work(s) on such terms and conditions as such authorized officials may approve, such execution and delivery to be conclusive evidence of such approval.
3. That subject to the terms and conditions of the Rate Offer Letter Agreement, the Regional Chair and the Treasurer are hereby authorized to long-term borrow for the Capital Work(s) and to issue debentures to OILC on the terms and conditions provided in the Rate Offer Letter Agreement (the "Debentures"); provided that the principal amount of the Debentures issued in respect of the Capital Work or of each Capital Work, as the case may be, does not exceed the Authorized Expenditure for such Capital Work and does not exceed the related loan amount set out in column (4) of Schedule "A" in respect of such Capital Work.
4. That in accordance with the provisions of section 25 of the Ontario Infrastructure and Lands Corporation Act, 2011, as amended from time to time hereafter, the Municipality is hereby authorized to agree in writing with OILC that the Minister of Finance is entitled, without notice to the Municipality, to deduct from money appropriated by the Legislative Assembly of Ontario for payment to the Municipality, amounts not exceeding the amounts that the Municipality fails to pay to OILC on account of any unpaid indebtedness of the Municipality to OILC under the Debentures (the "Obligations") and to pay such amounts to OILC from the Consolidated Revenue Fund.
5. That for the purposes of meeting the Obligations, the Municipality shall provide for raising in each year as part of the general levy, the amounts of principal and interest payable in each year under the Debentures issued pursuant to the Rate Offer Letter Agreement, to the extent that the amounts have not been provided for by any other available source including other taxes or fees or charges imposed on persons or property by a by-law of any municipality.
6. (a) That the Regional Chair and the Treasurer are hereby authorized to execute and deliver the Rate Offer Letter Agreement, and to issue the Debentures, one or more of the Clerk and the Treasurer are hereby authorized to generally do all things and to execute all other documents and papers in the name of the Municipality in order to perform the terms and conditions that apply to the Municipality as set out

in the Rate Offer Letter Agreement and to perform the Obligations of the Municipality under the Debentures, and the Treasurer is authorized to affix the Municipality's municipal seal to any such documents and papers.

(b) That the money realized in respect of the Debentures, including any premium, and any earnings derived from the investment of that money, after providing for the expenses related to the issue of the Debentures, if any, shall be apportioned and applied to the respective Capital Work and to no other purpose except as permitted by the Act.

7. That this By-law takes effect on the day of passing.

THE REGIONAL MUNICIPALITY OF NIAGARA

James Bradley, Regional Chair


Ann-Marie Norio, Regional Clerk

Passed: <date>

Schedule "A"
(Capital Work(s))

(1)	(2)	(3)	(4)
<u>By-Law Number</u>	<u>Description of Capital Work</u>	<u>Estimated Expenditure</u>	<u>Loan Amount</u>
18-2015	PH Facilities - Niagara Falls	\$2,640,000	\$2,640,000
18-2015; 2017-105	27-E Main St @CNR-WE	\$800,000	\$800,000
100-2015; 80-2016; 2017-105	69-069205-Reece-WL	\$8,400,000	\$8,400,000
2019-25	Struc Rehab - Hydro Canal Bridge North (Str. 020230)	\$350,000	\$350,000
2019-25	Struc Rehab - Mewburn Road @ CNR Tracks	\$300,000	\$300,000
03-2006; 27-2007; 110-2009; 12-2008	Long-term Acc-2017 NRPS D1	\$8,766,676	\$8,766,676
2017-105	Sewer & Forcemain Prgm - Stam	\$650,000	\$650,000
2019-25	19-Dain City Pump Station Forcemain Replacement	\$2,775,000	\$2,775,000
2019-25	19-Generator Replacement Program	\$360,000	\$360,000
2019-25	19-Seaway WWTP Influent Channel	\$295,000	\$295,000
2019-25	19-Generator Replacement Program	\$150,000	\$150,000
2019-25	DeCew Falls Bypass Channel Weir Upgrade (Middle Res)	\$150,000	\$150,000
2019-25	19-DeCew High Lift Pump Sizing	\$90,000	\$90,000
2019-25	19-DeCew WTP Valve House Rehab	\$90,000	\$90,000

Schedule "B"



Webloans Loan Application PDF

FA Number

1416

Application for

Niagara, The Regional Municipality of

Projects

ID	SIT Project ID	Project Name	Construction/Purchase Start	Construction/Purchase End	Project Cost	OILC Loan Amount
954	1	PH Facilities Niagara Falls	01/15/2015	12/31/2019	\$2,640,000.00	2,640,000.00
955	2	Municipal Bridge and Roads Rehabilitation Projects	01/15/2015	12/31/2019	\$9,850,000.00	9,850,000.00
956	3	Long term Acc 2017 NRPS D1	01/01/2015	06/30/2020	\$8,766,676.00	8,766,676.00
957	4	Regional wastewater projects	01/01/2018	12/31/2019	\$4,080,000.00	4,080,000.00
958	5	Regional water capital projects	01/01/2019	12/31/2019	\$480,000.00	480,000.00

Details of Project PH Facilities Niagara Falls

Project Category

Work Type

Other Description

Project Name

Construction/Purchase Start

Construction/Purchase End

Energy Conservation

Project Address 1

Project Address 2

City / Town

Province

Postal Code

Description

Comments and/or Special Requests

Project Life Span (Years)

Municipal Other Infrastructure

Others

Niagara Falls Public Health Facilities

PH Facilities Niagara Falls

01/15/2015

12/31/2019

☐

7835 McLeod Road, Niagara Falls, ON

ON

Construction of a new public health facility in Niagara Falls

30

Project Financial Information

Project Cost (A)	\$2,640,000.00
Other Project Funding / Financing (B):	
Other Project Funding/Financing Total (B)	\$0.00
OILC Loan Amount (A-B)	\$2,640,000.00

Schedule "B"

Only include long-term borrowing in this section. If you anticipate that you will require short-term financing during the construction phase of the project, the information will be gathered as part of the Financing Agreement.

Required Date	Amount	Term	Type
11/30/2019	\$2,640,000.00	30	Serial
Long-term Borrowing Total		\$2,640,000.00	

Details of Project Municipal Bridge and Roads Rehabilitation Projects

Project Category	Municipal Bridge Infrastructure
Project Name	Municipal Bridge and Roads Rehabilitation Projects
Construction/Purchase Start	01/15/2015
Construction/Purchase End	12/31/2019
Energy Conservation	<input type="checkbox"/>
Project Address 1	1815 Sir Isaac Brock Way, Thorold, ON
Project Address 2	
City / Town	
Province	ON
Postal Code	
Description	Multiple Regional Roads and Bridge Rehabilitation Projects: 10RC1553, Structural Rehab - E Main St. Bridge, \$800,000 10RC1022, Structural Rehab, Reece St. Bridge, \$8,400,000 20000664, Structural Rehab, Hydro Canal Bridge, \$350,000 20000658, Structural Rehab, Mewburn Rd., \$300,000
Comments and/or Special Requests	
Project Life Span (Years)	30

Project Financial Information

Project Cost (A)	\$9,850,000.00
Other Project Funding / Financing (B):	
Other Project Funding/Financing Total (B)	\$0.00
OILC Loan Amount (A-B)	\$9,850,000.00

Only include long-term borrowing in this section. If you anticipate that you will require short-term financing during the construction phase of the project, the information will be gathered as part of the Financing Agreement.

Required Date	Amount	Term	Type
11/30/2019	\$0.00	30	Serial
Long-term Borrowing Total		\$0.00	

Details of Project Long term Acc 2017 NRPS D1

Project Category	Municipal Other Infrastructure
Work Type	Police
Project Name	Long term Acc 2017 NRPS D1
Construction/Purchase Start	01/01/2015
Construction/Purchase End	06/30/2020
Energy Conservation	<input type="checkbox"/>

Schedule "B"

Project Address 1	198 Welland Ave, St. Catharines, ON		
Project Address 2			
City / Town			
Province	ON		
Postal Code			
Description	Capital costs for the D1 police accommodations/HQ facility.		
Comments and/or Special Requests			
Project Life Span (Years)	30		

Project Financial Information			
Project Cost (A)	\$8,766,676.00		
Other Project Funding / Financing (B):			
Other Project Funding/Financing Total (B)	\$0.00		
OILC Loan Amount (A-B)	\$8,766,676.00		
Only include long-term borrowing in this section. If you anticipate that you will require short-term financing during the construction phase of the project, the information will be gathered as part of the Financing Agreement.			
Required Date	Amount	Term	Type
11/30/2019	\$8,766,676.00	30	Serial
Long-term Borrowing Total	\$8,766,676.00		

Details of Project Regional wastewater projects	
Project Category	Sewage Treatment Infrastructure
Project Name	Regional wastewater projects
Construction/Purchase Start	01/01/2018
Construction/Purchase End	12/31/2019
Energy Conservation	<input type="checkbox"/>
Project Address 1	1815 Sir Isaac Brock Way, Thorold, ON
Project Address 2	
City / Town	
Province	ON
Postal Code	
Description	10SW1512, Stamford Interceptor renewal, \$650,000 20000881, Forcemain replacement, \$2,775,000 20000870, Generator replacement program, \$360,000 20000869, wastewater treatment plant influent channel, \$295,000
Comments and/or Special	

Schedule "B"

Requests			
Project Life Span (Years)	30		
Project Financial Information			
Project Cost (A)	\$4,080,000.00		
Other Project Funding / Financing (B):			
Other Project Funding/Financing Total (B)	\$0.00		
OILC Loan Amount (A-B)	\$4,080,000.00		
Only include long-term borrowing in this section. If you anticipate that you will require short-term financing during the construction phase of the project, the information will be gathered as part of the Financing Agreement.			
Required Date	Amount	Term	Type
11/30/2019	\$0.00	30	Serial
Long-term Borrowing Total	\$0.00		
Details of Project Regional water capital projects			
Project Category	Clean Water Infrastructure		
Project Name	Regional water capital projects		
Construction/Purchase Start	01/01/2019		
Construction/Purchase End	12/31/2019		
Energy Conservation	<input type="checkbox"/>		
Project Address 1	1815 Sir Isaac Brock way, Thorold, ON		
Project Address 2			
City / Town			
Province	ON		
Postal Code			
Description	Multiple Regional water Infrastructure projects: 20000836, generator replacement program, \$150,000 20000615, bypass channel weir upgrade, \$150,000 20000844, lift pump sizing, \$90,000 20000834, valve house rehabilitation, \$90,000		
Comments and/or Special Requests			
Project Life Span (Years)	30		
Project Financial Information			
Project Cost (A)	\$480,000.00		
Other Project Funding / Financing (B):			
Other Project Funding/Financing Total (B)	\$0.00		
OILC Loan Amount (A-B)	\$480,000.00		

Schedule "B"

Only include long-term borrowing in this section. If you anticipate that you will require short-term financing during the construction phase of the project, the information will be gathered as part of the Financing Agreement.

Required Date	Amount	Term	Type
11/30/2019	\$480,000.00	30	Serial
Long-term Borrowing Total		\$480,000.00	

Debt and Re-payments Summary

Has there been any new/undisclosed debt acquired since last FIR was submitted? ☐ Yes ☒ No

Please describe any re-financing plans for any existing "Interest only" debt, if applicable.

Non Re-payments of Loans or Debenture

In the last 10 years, has the borrower ever failed to make a loan payment or debenture repayment on time to any lender, including the Provincial Government?

If yes, please provide details.

OILC Loan Repayment Information

Please indicate the source(s) of revenue you plan to use to repay the OILC Loan

Taxation	100.00
User Fees	0.00
Service Charges	0.00
Development Charges	0.00
Connection Fees	0.00
Repayment Subsidies	0.00
Other	
Total	100.00%

Documentation and Acknowledgements

Please ensure all required documents are submitted with the signed application. OILC requires originals as noted below to be mailed or couriered. Also, please retain a copy of all documents submitted to OILC for your records.

To obtain templates for documents see listed below.

- Loan Application Signature Page signed and dated by the appropriate individual (original to be submitted)
- Certificate and sealed copy of OILC template By-Law authorizing project borrowing and applying for a loan (original with seal)
- Certificate of Treasurer Regarding Litigation using the OILC template (original, signed & sealed)
- Updated Certified Annual Repayment Limit Calculation (original)

☒ I acknowledge and agree that all of the above referenced documents must be submitted in the form required by OILC and understand that the application will not be processed until such documents have been fully completed and received by Infrastructure Ontario.

Please note: OILC retains the right to request and review any additional information or documents at its discretion.

Confidential Information
OILC is an institution to which the Freedom of Information and Protection of Privacy Act (Ontario) applies. Information and supporting documents submitted by the Borrower to process the loan application will be kept secure and confidential, subject to any applicable laws or rules of a court or tribunal having jurisdiction.

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THE REGIONAL MUNICIPALITY OF NIAGARA

BY-LAW NO. <>

A BY-LAW TO DEFINE BUDGET PLANNING
REQUIREMENTS FOR THE REGIONAL MUNICIPALITY
OF NIAGARA

WHEREAS Section 224(d) of the Municipal Act, 2001, S.O. 2001, c. 25, as amended, states that it is the role of council to ensure that administrative policies, practices and procedures and controllership policies, practices and procedures are in place to implement the decisions of council;

WHEREAS Section 289(1) of the Municipal Act, 2001, S.O. 2001, c. 25, as amended, requires that for each year, The Regional Municipality of Niagara, in the year or the immediately preceding year, prepare and adopt a Budget including estimates of all sums required during the year; and,

WHEREAS the Council of The Regional Municipality of Niagara has deemed it desirable to set out its policies with respect to the development of the Budgets in this By-law

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

1. PURPOSES, GOALS, AND OBJECTIVES

- 1.1. Establish the timing of annual budget approval as predictable and sufficient for obtaining Council approval.
- 1.2. Ensure sustainability of Niagara Region's level of service.
- 1.3. Ensure transparency in the communication of budget planning.
- 1.4. Ensure alignment with Regional Council's strategic priorities.
- 1.5. Establish expectations of staff for the development of the annual budget.
- 1.6. In order to achieve the preceding purposes, goals and objectives of this By-law it is important that all persons involved in Niagara Region Budget process abide by the requirements of this By-law

2. DEFINITIONS

2.1. For the purposes of this By-Law:

- a) "AARI" means average annual renewal investment;
- b) "ABCs" means all agencies, boards, commissions and other legal entities that report to and/or are funded directly or indirectly by Niagara Region and as a result impact Niagara Region's Budget process;
- c) "Act" means Municipal Act, 2001, S.O. 2001, c. 25;
- d) "Base budget" means the budget to maintain current service levels;
- e) "BRCOTW" means the Niagara Region's Budget Review Committee of the Whole;
- f) "Capital Budget" means a multi-year plan based on the estimated expenditures and offsetting sources of financing for a Capital Project;
- g) "Capital Project" means a project during which expenditures are incurred that result in the creation of a tangible capital asset;
- h) "Council" means the Council of The Regional Municipality of Niagara;
- i) "Departmental budget" means the budget of an operating unit overseen by a Commissioner or equivalent;
- j) "FTE" means the equivalent of a full-time employee providing service throughout a Fiscal Year. Depending on the category of employee and nature of that employee's service, the fixed number of hours of work tied to an FTE may vary. As per existing union and employee contracts with Niagara Region, the following annual hours are currently considered to comprise an FTE for different categories of employees:
 - i. 35-hour work week X 52 weeks = 1820 hours = 1 FTE
 - ii. 40-hour work week X 52 weeks = 2080 hours = 1 FTE
 - iii. 37.5-hour work week X 52 weeks = 1951 hours = 1 FTE;
- k) "Levy" means the net cost of Niagara Region services that requires funding from the residents of the municipality through property taxation;

- l) “MPAC” means the Municipal Property Assessment Corporation;
- m) “Niagara Region” means The Regional Municipality of Niagara;
- n) “Operating Budget” means a financial plan of current operations that encompasses both estimated revenues and expenditures for a specific period, normally a Fiscal Year;
- o) “Reserve” means an allocation of accumulated net revenue that does not require the physical segregation of money or assets;
- p) “Tax Increment Grant” or “TIG” means a refund of taxes on assessment growth directly related to a development;

2.2. Any defined term herein may be referenced in the plural as the context requires;

3. SCOPE

3.1. This By-law applies to all of Niagara Region's departments and to Niagara Region's directions to the ABCs that report to, or form part of, the Budget approval process at Niagara Region.

4. RULES

4.1. That a meeting of BRCOTW for a new budget year involve the planning for the new budget year and that it be scheduled within the second quarter of the year preceding the new budget year.

4.2. That a schedule of BRCOTW meetings, which deliberate budget approvals, be presented to BRCOTW during the planning meeting identified in 4.1 whereas;

- a) The annual operating and capital budgets are scheduled to be approved in the year prior to the new budget year.
- b) That the exception to item 4.2.a) be where the new budget year immediately follows a year in which a municipal election is held, as allowed in the Act.

4.3. That the schedule in which the budgetary reports are presented to BRCOTW in the following order:

- a) Capital program

- b) Water, Wastewater, and Waste Management programs
 - c) ABCs
 - d) Consolidated levy programs
- 4.4. That the increase in budget to provide base services, excluding revenues and the costs of growth and capital, be prepared with reference to an appropriate inflationary factor as determined by Council at the planning meeting for the new budget year.
- 4.5. That the incremental operating budget requirements to support the capital asset plan be provided with a separate increase.
- 4.6. That any new programs and services to be considered be provided with a separate increase.
- 4.7. That net assessment growth revenue be prioritized in the following order:
- a) Incremental operating costs of growth
 - b) Costs to fund new and growth capital assets
 - c) Gaps in funding items in sections 4.5 and 4.6 of this By-law
 - d) Programs aimed at driving economic growth or other Council priorities
- Other factors such as growth and strategic plans may be incorporated into the overall prioritization of assessment growth.
- 4.8. That a Business Case be prepared for Council information where any one of the following conditions are met:
- a) The request includes the addition of (a) permanent FTE(s)
 - b) The request adds (a) new service(s) not offered by the Niagara Region in the year prior to the new budget year
 - i. This excludes changes in delivery of (a) service(s) within a division
- 4.9. That a Budget Driver Summary be prepared for Council information where any one of the following conditions are met:

- a) The net request is in excess of \$500,000 increase or decrease to a departmental budget
 - i. This excludes increases or decreases for general labour-related costs (other than those in 4.8.a) as these general costs will be reported on corporately
- b) The gross divisional change is in excess of \$1,000,000. A gross change less than \$1,000,000, with a net impact less than \$500,000 will be at the discretion of the Commissioner and/or Treasurer

5. PRINCIPLES

- 5.1. That a price index that may be used for an inflationary factor for section 4.4 is the core consumer price index (CPIX) as made available through StatsCan.
- 5.2. That the incremental operating budget impacts in section 4.5 of this By-law be in accordance with the funding required to close the capital funding gap as identified in the Asset Management Plan.
- 5.3. That assessment growth be treated as gross and net, whereas:
 - a) Gross assessment growth is new assessment calculated as the change in weighted real property assessment as determined by MPAC.
 - b) And net assessment growth be calculated as gross assessment growth less any Tax Increment Grants related to new assessment.
- 5.4. That the base budget for staffing complement be based on the approved complement of the year prior to the new budget year including any adjustments approved in-year.
- 5.5. That approvals of operating programs or capital projects that will result in a future increase to the budget in subsequent years be budgeted with the full annual impact in the year of the program approval.
 - a) That estimated incremental debt payments for a project be included in the operating budget in the year the capital project is approved as a placeholder for the payments that will be made. Where a surplus may occur due to timing, that placeholder will be used to fund pay-as-you-go capital.

- b) That estimated incremental operating costs inclusive of annual labour-related costs for programs or projects be budgeted in the year of the program or project approval as a placeholder for the operating costs that will occur. Where a surplus may occur due to timing, that placeholder will be used to fund pay-as-you-go capital or otherwise as approved in the budget.
 - c) That a reduction in costs or increase in revenues be included in the budget year in which they are expected to be recognized.
- 5.6. That the exception to 5.5 be where a financial plan has identified a strategy to implement an initiative where the budget must be established over a period of time to support the principle of affordability.
- 5.7. That budget planning and preparation will include any relevant information as available to staff, including:
- a) The most recently completed year's actual audited financial position.
 - b) The most recently completed quarterly financial forecast.
 - c) Items forecasted in the multi-year's budget of the prior year.
 - d) Strategic documents developed for planning.
 - e) Newly identified pressures, risks, and opportunities for the budget year.
- 5.8. Where an operational surplus is identified in the financial results of the year prior to the new budget year, the surplus will inform the new budget year for potential cost savings or revenue increases.
- a) The use of a surplus will be directed by Niagara Region policies and the Act in the year prior to the new budget year.
 - b) Budget development will not include the year surplus as a funding source for the new budget year.
- 5.9. That operating programs that are time limited or one-time in nature may be funded by time limited or one-time sources, such as reserves.
- a) Time limited or one-time revenues will not be used to fund on-going programs.

6. RESPONSIBILITIES

6.1. The responsibility of Regional Council

- a) To approve an annual budget planning report and timetable. The approval of a budget planning report for a new budget year shall not limit Regional Council's ability to approve a budget or budgets equal to or less than the recommendations therein upon consideration of the annual budgets.
- b) To provide direction to staff on the services to include in the new budget year.

6.2. The responsibilities of members of the Corporate Leadership Team

- a) To recommend and support the budget submissions to Council.

6.3. The responsibilities of Financial Management and Planning Team

- a) To transparently consolidate and present budget considerations to Council.
- b) To direct staff on strategy to meet Council's expectations of the annual budgets.

6.4. The responsibilities of budget owners and project managers

- a) To use these rules in the preparation of the annual operating and capital budgets.

6.5. The responsibilities of ABCs

- a) To adhere to the schedule of budget approval meetings as approved annually by Council.

7. SEVERABILITY

- 7.1. If any Section or Sections of this By-law or parts thereof are found by an adjudicator of competent jurisdiction to be invalid or beyond the power of Council to enact, such Section or Sections or parts thereof shall be deemed to be severable and all other Sections or parts of the By-law shall be deemed to be separate and independent there from and shall continue in full force and effect unless and until similarly found invalid or beyond the power of Council to enact.

8. SHORT TITLE

8.1. The short title of this By-law is "Budget Planning By-law".

9. EFFECTIVE DATE

9.1. That this by-law shall come into force and effect on the day upon which it is passed.

THE REGIONAL MUNICIPALITY OF NIAGARA

James Bradley, Regional Chair

Ann-Marie Norio, Regional Clerk

Passed: <date>

THE REGIONAL MUNICIPALITY OF NIAGARA

BY-LAW NO. < >

A BY-LAW TO ADOPT, RATIFY AND CONFIRM THE ACTIONS OF
REGIONAL COUNCIL AT ITS MEETING
HELD OCTOBER 17, 2019

WHEREAS subsection 5 (3) of the Municipal Act, S.O. 2001, Ch. 25, as amended, provides that, except if otherwise authorized, the powers of Regional Council shall be exercised by by-law; and,

WHEREAS it is deemed desirable and expedient that the actions of Regional Council as herein set forth be adopted, ratified and confirmed by by-law.

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

1. That the actions of the Regional Council at its meeting held October 17, 2019, including all resolutions or motions approved, are hereby adopted, ratified and confirmed as if they were expressly embodied in this by-law.
2. That the above-mentioned actions shall not include:
 - a) Any actions required by law to be taken by resolution; or
 - b) Any actions for which prior Ontario Municipal Board approval is required, until such approval is obtained.
3. That the Chair and proper officials of The Regional Municipality of Niagara are hereby authorized and directed to do all things necessary to give effect to the above-mentioned actions and to obtain approvals where required.
4. That unless otherwise provided, the Chair and Clerk are hereby authorized and directed to execute and the Clerk to affix the seal of The Regional Municipality of Niagara to all documents necessary to give effect to the above-mentioned actions.
5. That this by-law shall come into force and effect on the day upon which it is passed.

THE REGIONAL MUNICIPALITY OF NIAGARA

James Bradley, Regional Chair

Ann-Marie Norio, Regional Clerk

Passed: < >