

**THE REGIONAL MUNICIPALITY OF NIAGARA
CORPORATE SERVICES COMMITTEE
MINUTES**

CSC 6-2022

Wednesday, June 15, 2022

Council Chamber / Video Conference

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

Committee Members Present in the Council Chamber: Easton, Foster (Committee Chair), Redekop, Rigby

Committee Members Present via Video Conference: Bradley (Regional Chair), Britton, Butters, Edgar, Fertich, Gale, Ip, Whalen (Committee Vice-Chair)

Other Councillors Present via Video Conference: Disero

Absent/Regrets: Campion, Diodati, Heit

Staff Members Present in the Council Chamber: A. Apfelbaum, Manager, Business Licensing, H. Chamberlain, Director, Financial Management & Planning/Deputy Treasurer, F. Fucile, Manager, Real Estate, T. Harrison, Commissioner/Treasurer, Corporate Services, A.-M. Norio, Regional Clerk, D. Rurak, Director, Corporate Asset Management, K. Scholtens, Manager, Business Development, Expedited Services, M. Sergi, Commissioner, Planning & Development Services, J. Spratt, Administrative Assistant to the Regional Clerk, R. Tripp, Chief Administrative Officer

Staff Members Present via Video Conference: R. Bradshaw, Associate Director, Water & Wastewater Asset Management, S. Crocco, Legal Counsel, M. Cruickshank, Legal Counsel, R. Gabel, Manager, Capital Projects, Water & Wastewater Engineering, K. Lotimer, Legislative Coordinator, B. Menage, Director, Procurement & Strategic Acquisitions, D. Pasto, Risk Management Program Manager, J. Sinclair, Homelessness Action Plan Advisor, B. Wilson, Legal Counsel, S. Wood, Legal Counsel, B. Zvaniga, Interim Commissioner, Public Works

1. **CALL TO ORDER**

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

2. **DISCLOSURES OF PECUNIARY INTEREST**

There were no disclosures of pecuniary interest.

3. **PRESENTATIONS**

There were no presentations.

4. **DELEGATIONS**

4.1 **Regional Development Charges Deferral Request – 683 York Road, Niagara-on-the-Lake (Report CSD 21-2022 - Agenda Item 5.4)**

4.1.1 Michael Colaneri Jr. and David Morse, Pinewood Homes (Niagara) Ltd.

Michael Colaneri Jr. and David Morse, Pinewood Homes, appeared before Committee to request a deferral of the Regional Development Charges for the property located at 683 York Road, in the Town of Niagara-on-the-Lake, until occupation of the building.

4.2 **Recommendations for Consideration from the Regional Development Charges Task Force meeting held on May 19, 2022 (Memorandum CSC-C 10-2022 - Agenda Item 5.7)**

Moved by Councillor Easton
Seconded by Councillor Whalen

That Christopher Lamb, Newcastle Communities, Tim Collins, LANDx Developments Ltd., and Debbie Zimmerman, Grape Growers of Ontario, **BE PERMITTED** to appear before Committee as individual delegates respecting Recommendations for Consideration from the Regional Development Charges Task Force meeting held on May 19, 2022 (Memorandum CSC-C 10-2022 (Agenda Item 5.7)).

Carried

4.2.1 Christopher Lamb, Newcastle Communities

Mr. Lamb did not provide his delegation.

4.2.2 Tim Collins, President, LANDx Developments Ltd.

Tim Collins, President, LANDx Developments Ltd., appeared before Committee on behalf of his clients, Downing Street (Artisan Ridge) Inc., and 1939522 Ontario Inc., to express concerns with the removal of the Brownfield Development Charges Reduction Program from the Draft Development Charges By-law. Mr. Collins requested that either the Draft 2022 Development Charge By-law be revised to accommodate a grandfathering provision to maintain the Brownfield Development Charges Reduction Program for select projects or that pre-payment agreement terms and conditions be revised and tailored, on a case-by-case basis, for eligible brownfield developments.

4.2.3 Debbie Zimmerman, Grape Growers of Ontario, Sarah Marshall, Ontario Tender Fruit, and Dr. Jeanine West, Landscape Ontario and Flowers Canada

Sarah Marshall, Manager, Ontario Tender Fruit Growers, Debbie Zimmerman, Chief Executive Officer, Grape Growers of Ontario, and Dr. Jeanine West, Landscape Ontario and Flowers Canada, appeared before Committee to request the re-instatement of the exemption from development charges for on-farm accommodations for agricultural purposes (farm help houses) in the Development Charges By-law.

5. ITEMS FOR CONSIDERATION

5.1 CSD 7-2022

2021 Corporate Asset Management Plan

Dean Rurak, Director, Corporate Asset Management, provided information respecting 2021 Corporate Asset Management Plan. Topics of the presentation included:

- Legislative Compliance
- Required changes to current funding level strategies
- Alternatives for Service Delivery
- Highlights of improvements since 2016
- Outline of required improvements

Moved by Councillor Rigby
Seconded by Councillor Edgar

That Report CSD 7-2022, dated June 15, 2022, respecting 2022 Asset Management Plan, **BE RECEIVED** and the following recommendation **BE APPROVED**:

1. That the 2021 Corporate Asset Management Plan attached to Report CSD 7-2022 as Appendix 1 **BE APPROVED**.

Carried

5.2 CSD 17-2022

Financial Enterprise Resource Planning System Shared Services Agreement

Moved by Councillor Redekop
Seconded by Councillor Britton

That Report CSD 17-2022, dated June 15, 2022, respecting Financial Enterprise Resource Planning System Shared Services Agreement, **BE RECEIVED** and the following recommendations **BE APPROVED**:

1. That staff **BE AUTHORIZED** to enter into negotiations with the City of St. Catharines regarding a financial enterprise resource planning (ERP) system implementation work plan, project agreement, and shared services agreement;
2. That Regional Council **DELEGATE AUTHORITY** to the Commissioner of Corporate Services and Director of Legal Services to enter into the agreements; and
3. That upon execution of the agreement, staff **BE AUTHORIZED** to hire up to four (4) new permanent FTE, to be fully funded by the City of St. Catharines under the terms of the agreements, to provide the implementation and ongoing system support.

Carried

5.4 CSD 21-2022

Regional Development Charges Deferral Request – 683 York Road, Niagara-on-the-Lake

Moved by Councillor Gale

Seconded by Councillor Butters

That Report CSD 21-2022, dated June 15, 2022, respecting Regional Development Charges Deferral Request – 683 York Road, Niagara-on-the-Lake, **BE RECEIVED** and the following recommendations **BE APPROVED**:

1. That the request for payment deferral of Regional Development Charges associated with 683 York Road, Niagara-on-the-Lake, **BE DENIED**; and
2. That this report **BE CIRCULATED** to the Town of Niagara-on-the-Lake.

Recorded Vote:

Yes (7): Bradley, Butters, Easton, Edgar, Foster, Ip, Redekop.

No (5): Britton, Fertich, Gale, Rigby, Whalen.

Carried

5.5 CSD 24-2022

Approval of the Statement of Revenues and Expenditures for Canada Summer Games at Substantial Completion

Moved by Councillor Easton

Seconded by Councillor Butters

That Report CSD 24-2022, dated June 15, 2022, respecting Approval of the Statement of Revenues and Expenditures for Canada Summer Games at Substantial Completion, **BE RECEIVED** and the following recommendations **BE APPROVED**:

1. That the draft audited statement of revenues and expenditures for the Canada Summer Games Park Project for the period ended February 11, 2022 (Appendix 1 to Report CSD 24-2022), **BE APPROVED**;
2. That staff **BE DIRECTED** to co-ordinate with the auditor to finalize the statement as presented; and

3. That this report **BE FORWARDED** to the Region's Audit Committee and to the Minister of Heritage, Sport, Tourism and Culture Industries for information as required.

Carried

Councillor Information Request(s):

Provide information regarding the current state of expenditures and fundraising for the Regional Council meeting being held on June 23, 2022. Councillor Redekop.

5.6 CSD 29-2022

Lodging Houses - Business Licensing By-law

Moved by Councillor Ip

Seconded by Councillor Fertich

That Report CSD 29-2022, dated June 15, 2022, respecting Lodging Houses – Business Licensing By-law, **BE RECEIVED** and the following recommendations **BE APPROVED**:

1. That staff **BE DIRECTED** to issue a response to The Corporation of the City of Port Colborne ("Port Colborne") advising that The Regional Municipality of Niagara does not currently have legislative authority to implement a business licensing regime in respect of lodging houses;
2. That the Chief Administrative Officer **BE DIRECTED** to work with Chief Administrative Officers at the local area municipalities to develop one universal business licensing by-law at the local level; and
3. That the Regional Chair, in cooperation with the mayors of all of the local area municipalities, **BE DIRECTED** to send a resolution to the Minister of Municipal Affairs to develop a provincial solution to this issue.

Carried

5.7 CSC-C 10-2022

Recommendations for Consideration from the Regional Development Charges Task Force meeting held on May 19, 2022

Moved by Councillor Whalen

Seconded by Councillor Rigby

That Correspondence Item CSC-C 10-2022, being a memorandum from A.-M. Norio, Regional Clerk, dated June 15, 2022, respecting Recommendations for Consideration from the Regional Development Charges Task Force meeting held on May 19, 2022, **BE RECEIVED** and the following recommendations **BE APPROVED**:

Minute Item 5.1

RDCPTF-C 7-2022

Regional Development Charge By-law Update

1. That the draft Regional Municipality of Niagara Development Charges Background Study **BE APPROVED**; and
2. That the draft Regional Municipality of Niagara Development Charges By-law in Appendix 2 of Report RDCPTF-C 7-2022, as amended, **BE PREPARED** for Regional Council consideration on July 21, 2022.

Minute Item 5.2

RDCPTF-C 8-2022

Brownfield Prepayment Agreement Criteria

1. That the criteria for the basis of prepayment agreements for the Regional Development Charge Brownfield Reduction Program, listed in Table 1 of Report RDCPTF-C 8-2022, **BE APPROVED** as amended.

Carried

5.8 CLK 3-2022

Restricted Acts After Nomination Day of the Municipal Election

Moved by Councillor Edgar

Seconded by Councillor Butters

That Report CLK 3-2022, dated June 15, 2022, respecting Restricted Acts After Nomination Day of the Municipal Election, **BE RECEIVED** and the following recommendations **BE APPROVED**:

1. That in the event, and for such period, that Regional Council is prohibited from taking certain actions pursuant to section 275 of the Municipal Act, 2001 (Act), Regional Council **DELEGATES** to the Chief Administrative Officer, only to the extent permitted by the Act and not already delegated, the following:
 - a) authority for expenditures or the incurring of any liabilities, outside current approved budgets, exceeding \$50,000;
 - b) authority, including authority to execute the agreement of purchase and sale, pertaining to the disposition of any real or personal property of the municipality which has a value exceeding \$50,000 at the time of disposal, outside current approved budgets;
 - c) authority to hire or dismiss any employee of the municipality, including a Commissioner; and
2. That the Chief Administrative Officer **BE DIRECTED** to report to Council regarding any exercise of the delegated authority provided by Recommendation 1 in the first quarter of 2023.

Carried

6. **CONSENT ITEMS FOR INFORMATION**

Moved by Councillor Redekop

Seconded by Councillor Rigby

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

CWCD 2022-122

Information and Background with Respect to the Correspondence from the City of Welland dated April 20, 2022

CSC-C 13-2022

A letter from T. Collins, President, LANDx Developments Ltd., on behalf of Downing Street Inc. (owners and developers of the Artisan Ridge Community, Thorold), respecting proposed Changes to the Regional Development Charge Brownfield Reduction Program (CSC-C 10-2022, Agenda Item 5.7)

CSC-C 14-2022

A letter from T. Collins, President, LANDx Developments Ltd., on behalf of 1939522 Ontario Inc. (owners and developers of the former Cytec Lands, Niagara Falls), respecting proposed Changes to the Regional Development Charge Brownfield Reduction Program (CSC-C 10-2022, Agenda Item 5.7)

CSC-C 12-2022

Information and Background with Respect to Regional Development Charge Brownfield Requests

Carried

7. OTHER BUSINESS

7.1 Request for Development Charges Exemption for On-Farm Accommodations Used for Agricultural Purposes

Moved by Councillor Easton
Seconded by Councillor Fertich

Whereas municipalities across Ontario may, by by-law, impose development charges against land to pay for increased capital costs required because of increased needs for services arising from development of the area to which the by-law applies;

Whereas the Regional Municipality of Niagara is currently undertaking the creation of a new Regional Development Charges By-law;

Whereas the current Development Charges By-law, By-law No. 2017-98, includes a clause in Section 11.(C) that states: Notwithstanding any other provision of this By-law, no development charge is imposed under this By-law respecting: non-residential lands and buildings used for agriculture;

Whereas the Development Charges Task Force passed a motion on May 19th, 2022 to direct staff to return the wording in the new proposed Development Charge By-law that exempts buildings used for agriculture purposes from paying development charges;

Whereas this motion did not include exemption from DC charges for residential units for on-farm accommodations for workers;

Whereas the exclusion of this exemption as it relates to agriculture will dis-incentivize implementing improvements to on farm housing to address new public health guidance on worker accommodations;

Whereas the implementation of residential development charges on on-farm accommodations to support farm workers will dis-incentivize private sector investment and hamper economic growth and job creation throughout the agricultural sector here in Niagara; and

Whereas consultation about the removal of this exemption in the 2017 by-law was not conducted to the satisfaction of the agricultural sector.

NOW, THEREFORE BE IT RESOLVED:

1. That staff **BE DIRECTED** to re-instate the exemption for on-farm accommodations used for agriculture purposes, from paying development charges.

Moved by Councillor Edgar
Seconded by Councillor Whalen

That the motion respecting the re-instatement of the exemption from development charges for on-farm accommodations used for agricultural purposes **BE REFFERED** to the Regional Development Charges Policy Task Force Committee.

Carried

7.2 Notice of Motion Respecting Grandfathering Provision to maintain the Brownfield Development Charges Reduction Program

Councillor Whalen advised that he will be bringing a motion to the Corporate Services Committee meeting being held on July 13, 2022, respecting the addition of a grandfathering provision to maintain the Brownfield Development Charges Reduction Policy, for select projects, for an additional five years.

8. **CLOSED SESSION**

Due to technical difficulties, the closed session items were not dealt. These items will be included on the agenda for the Regional Council meeting being held on June 23, 2022.

10. **NEXT MEETING**

The next meeting will be held on Wednesday, July 13, 2022, at 9:30 a.m.

11. ADJOURNMENT

There being no further business, the meeting adjourned at 12:22 p.m.

Councillor Foster
Committee Chair

Kelly Lotimer
Legislative Coordinator

Ann-Marie Norio
Regional Clerk