
MEMORANDUM

CSC-C 10-2022

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

Date: June 15, 2022

To: Corporate Services Committee

From: Ann-Marie Norio, Regional Clerk

At its meeting held on May 19, 2022, the Regional Development Charges Policy Task Force, recommended the following motions for approval by the Corporate Services Committee:

Minute Item 5.1

RDCPTF-C 7-2022

Regional Development Charge By-law Update

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

Minute Item 5.2

RDCPTF-C 8-2022

Brownfield Prepayment Agreement Criteria

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

A copy of the of the minutes of the Regional Development Charges Policy Task Force meeting held on May 19, 2022, is attached to this memorandum.

Respectfully submitted and signed by

Ann-Marie Norio
Regional Clerk

**THE REGIONAL MUNICIPALITY OF NIAGARA
REGIONAL DEVELOPMENT CHARGES POLICY TASK FORCE
MINUTES**

RDCPTF 3-2022

Thursday, May 19, 2022

Council Chamber / Video Conference

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

Committee Members Present in the Council Chamber : Foster (Committee Vice-Chair), Insinna (Committee Chair), Ip, Rigby, Steele

Committee Members Present via Video Conference: Bradley (Regional Chair), Butters, Bylsma, Disero, Greenwood, Huson, Junkin, Zalepa

Other Councillors Present in the Council Chamber: Easton, Gibson

Absent/Regrets: Chiochio, Jordan, Redekop

Staff Present in the Council Chamber: H. Chamberlain, Director, Financial Management and Planning / Deputy Treasurer, T. Harrison, Commissioner, Corporate Services/Treasurer, B. Hutchings, Senior Tax and Revenue Analyst, P. Lambert, Director, Infrastructure Planning & Development Engineering, P. Miltenburg, Transportation Capital Plan Specialist, M. Murphy, Associate Director, Budget Planning and Strategy, A.-M. Norio, Regional Clerk, A. Rotundo, Revenue Analyst, C. Ryall, Director, Transportation Services, M. Sergi, Commissioner, Planning & Development Services, G. Spezza, Director, Economic Development, J. Spratt, Administrative Assistant to the Regional Clerk, R. Tripp, Chief Administrative Officer, B. Zvaniga, Interim Commissioner, Public Works

Staff Present via Video Conference: E. Acs, Manager, Community Planning, D. Barnhart, Chief of Staff, Governance, Dr. M. M. Hirji, Acting Medical Officer of Health, A. Jugley, Commissioner, Community Services, K. Lotimer, Legislative Coordinator, K. Scholtens, Manager, Business Development, Expedited Services, I. Stetic, Water & Wastewater Development Planning Project Manager, S. Wood, Legal Counsel

Others Present via Video Conference: D. Abbs, Manager, Watson & Associates, C. Hamel, President, GM Blue Plan

1. CALL TO ORDER

Committee Chair Insinna called the meeting to order at 4:00 p.m.

2. DISCLOSURES OF PECUNIARY INTEREST

There were no disclosures of pecuniary interest.

4. DELEGATIONS

4.1 Regional Development Charge By-law Update (RDCPTF-C 7-2022 (Agenda Item 5.1))

4.1.1 Sarah Marshall, Phil Tregunno, George Lepp, and Kai Wiens, Ontario Tender Fruit Growers

Sarah Marshall, Ontario Tender Fruit Growers, appeared before the Task Force, to request that agricultural use exemptions continue in the new by-law and that an exemption for farm accommodations (farm help houses) be included in the new by-law.

4.1.2 Debbie Zimmerman, Grape Growers of Ontario

Debbie Zimmerman, Chief Executive Officer, Grape Growers of Ontario, appeared before the Task Force, to request that Council continue with agricultural use exemptions in the Region's Development Charges By-law, highlighting the importance of these exemptions to the agricultural industry in Niagara.

4.1.3 Chris Mullett Koop, Niagara Federation of Agriculture, and Ben Lefort, Ontario Federation of Agriculture

Chirs Mullett Koop, Niagara Federation of Agriculture, and Ben LeFort, Ontario Federation of Agriculture, appeared before the Task Force, to request that Council extend the August 31, 2022, expiry date of the current Development Charges By-law, to allow for further consultation with the Niagara agriculture industry and to request the re-instatement of the exemption for farm help houses in the new by-law.

- 4.1.4 Andrew Morse, Executive Director, Flowers Canada (Ontario) Inc., Flowers Canada Growers and Dr. Jeanine West, Grower Technical Analyst, Landscape Ontario Horticultural Trades Assoc.

Andrew Morse, Executive Director, Flowers Canada, and Dr. Jeanine West, Grower Technical Analyst, Landscape Ontario, appeared before the Task Force to request that Council maintain the current agriculture use exemptions for all agricultural buildings and the re-introduction of the farm help house exemption in the new by-law.

4.2 Brownfield Prepayment Agreement Criteria (RDCPTF-C 8-2022 (Agenda Item 5.2))

- 4.2.1 Luciano Piccioni, President, RCI Consulting and Chris Hawkswell, President, 2806598 Ontario Limited

Luciano Piccioni, President, RCI Consulting, and Chris Hawkswell, Principal, 2806598 Ontario Limited, and Niacon, appeared before the Task Force, to request that the deadline for the submission of applications for the Regional Development Charge Brownfield Reduction Program be extended from June 30, 2022, to December 31, 2022.

3. **PRESENTATIONS**

3.1 Transportation Services - 2022 DC Study Update

Carolyn Ryall, Director, Transportation Services, provided information respecting Transportation Services - 2022 DC Study Update. Topics of the presentation included:

- Transportation Master Plan (TMP) 2017
- 2022 TMP Confirmation Exercise
- Cost Considerations in 2022 DC Study
- Growth Related Projects in 2022 DC Study
- Long Term Strategic Transportation Projects

3.2 Water and Wastewater Development Charges Capital Program Summary

Chris Hamel, President, GM Blue Plan, provided information respecting Water and Wastewater Development Charges Capital Program Summary. Topics of the presentation included:

- Planning and Servicing Context
- Policy, Guidelines and Design Criteria
- Cost Estimating Approach
- Water Servicing Strategy and Capital Program
- Wastewater Servicing Strategy and Capital Program
- DC Program Summary

3.3 2022 Development Charges Background Study & By-law

Daryl Abbs, Manager, Watson & Associates, presented information respecting 2022 Development Charges Background Study & Bylaw. Topics of the presentation included:

- Overview of Project Status
- Policy Report and Discussion with Local Area Municipalities and the Development Community
- Summary of Growth Forecast
- Development Charges Calculations
- Survey of DCs
- Status of Transit Service

5. ITEMS FOR CONSIDERATION

5.1 RDCPTF-C 7-2022

Regional Development Charge By-law Update

Moved by Councillor Steele

Seconded by Councillor Ip

That Report RDCPTF-C 7-2022, dated May 19, 2022, respecting Regional Development Charge By-law Update, **BE RECEIVED** and the following recommendations **BE APPROVED**:

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

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

That staff **INCLUDE** wording in the new Development Charge By-law that provides exemptions for non-residential lands and buildings used for agricultural use where agricultural use is defined to mean bona fide farming purposes as defined below:

“Agricultural use” means use or intended use for bona fide farming purposes including (but not limited to):

- i. Cultivation of crops, whether on open land or in greenhouses, including but not limited to fruit, vegetables, herbs, grains, field crops, marijuana, sod, trees, shrubs, flowers and ornamental plants;
- ii. Raising of animals, including (but not limited to) cattle, horses, pigs, poultry, livestock, fish and
- iii. Agricultural animal husbandry, dairying, equestrian activities, horticulture, fallowing, pasturing and market gardening;

But excluding:

- i. Retail sales activities; including but not limited to restaurants, banquet facilities, hospitality facilities and gift shops; and
- ii. services related to grooming, boarding or breeding of household pets; and marijuana processing or productions facilities

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

That Report RDCPTF-C 7-2022, dated May 19, 2022, respecting Regional Development Charge By-law Update, **BE RECEIVED** and the following recommendations **BE APPROVED**:

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

Recorded Vote:

Yes (10): Bradley, Butters, Disero, Foster, Greenwood, Huson, Insinna, Ip, Junkin, Rigby, Steele.

No (0).

Carried

Councillor Information Request(s):

Notify religious organizations of upcoming public consultation sessions respecting the proposed changes to the Region's Development Charges By-law. Councillor Huson.

5.2 RDCPTF-C 8-2022
Brownfield Prepayment Agreement Criteria

Moved by Councillor Foster
Seconded by Councillor Steele

That Report RDCPTF-C 8-2022, dated May 19, 2022, respecting Brownfield Prepayment Agreement Criteria, **BE RECEIVED** and the following recommendation **BE APPROVED**:

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

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

That the criteria in Table 1 of Report RDCPTF-C 8-2022 **BE AMENDED** as follows:

3. Proof that Owner has ~~completed~~ **commenced** the mandatory remediation measures identified in the ESA ***and proof, including a cost estimate, that the Owner has retained qualified contractors to perform the mandatory remediation measures to remediate identified contaminants at the Property***
4. ~~Proof that the Owner has submitted a Record of Site Condition to the Province~~
7. ~~Application no later than June 30, 2022 and~~ ***Subject to the above being submitted by June 30th, 2022, an Agreement executed by August 31, 2022, and prepayment of net DC payable based on proof of remediation cost estimate***
8. ***a) By December 31, 2022, reconciliation and proof of actual remediation costs incurred to December 31, 2022***
b) By December 31, 2022, proof that the owner has submitted Record of Site Condition to the Province
9. ***(For clarification based on last paragraph of Analysis section) Agreements will expire if a building permit is not executed by***

December 31, 2022, and all DCs will be payable based on the DCs in effect on the date the first building permit is issued.

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

That Report RDCPTF-C 8-2022, dated May 19, 2022, respecting Brownfield Prepayment Agreement Criteria, **BE RECEIVED** and the following recommendation **BE APPROVED**:

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

Carried

6. CONSENT ITEMS FOR INFORMATION

Moved by Councillor Huson

Seconded by Councillor Greenwood

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

RDCPTF-C 6-2022

Engagement Session Update 4

RDCPTF-C 13-2022

A letter from T. DiGiovanni, Executive Director, Landscape Ontario Horticultural Trades Association, dated May 16, 2022, respecting Proposed Development Charges for Agriculture

RDCPTF-C 14-2022

A letter from P. Tregunno, Chair, Ontario Tender Fruit Growers, D. Hipple, Chair, Fresh Grape Growers' Marketing Board, and B. Hipple, President, Niagara Peninsula Fruit & Vegetable Growers' Association, dated May 17, 2022, respecting Proposed Development Charge By-law

RDCPTF-C 15-2022

A letter from D. Zimmerman, CEO, Grape Growers of Ontario, dated May 17, 2022, respecting Proposed Development Charge By-law

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RDCPTF-C 17-2022

A letter from S. Honey, dated May 18, 2022, respecting Proposed Development Charge By-law

RDCPTF-C 18-2022

A letter from E. Scharringa, President, Christian Farmers Federation of Ontario, and J. Kikkert, President, Niagara Christian Farmers Association, dated May 18, 2022, respecting Proposed Development Charge By-law

Carried

7. OTHER BUSINESS

There were no items of other business.

8. NEXT MEETING

The next meeting will be at the call of the Chair.

9. ADJOURNMENT

There being no further business, the meeting adjourned at 6:35 p.m.

Councillor Insinna
Committee Chair

Kelly Lotimer
Legislative Coordinator

Ann-Marie Norio
Regional Clerk