

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

**CSC 8-2022  
Wednesday, August 10, 2022  
Council Chamber  
Niagara Region Headquarters, Campbell West  
1815 Sir Isaac Brock Way, Thorold, ON**

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| Committee Members Present in the Council Chamber: | Easton, Fertich, Ip, Redekop, Rigby, Whalen (Committee Vice-Chair)   |
| Committee Members Present via Video Conference:   | Bradley (Regional Chair), Britton, Butters, Diodati, Edgar, Foster (Committee Chair), Gale, Heit   |
| Other Councillors Present via Video Conference:   | Insinna, Sendzik, Zalepa   |
| Absent/Regrets:                                   | Campion  |
| Staff Present in the Council Chamber:             | H. Chamberlain, Director, Financial Management & Planning/Deputy Treasurer, T. Harrison, Commissioner/Treasurer, Corporate Services, B. Hutchings, Senior Tax & Revenue Analyst, M. Murphy, Associate Director, Budget Planning & Strategy, C. Mustard, Real Estate Officer, A.-M. Norio, Regional Clerk, M. Robinson, Director, GO Implementation Office, A. Rotundo, Revenue Analyst, G. Spezza, Director, Economic Development, J. Spratt, Administrative Assistant, Regional Clerk |
| Staff Present via Video Conference:               | D. Barnhart, Chief of Staff, Governance, N. Early, Director, Corporate Strategy & Innovation, D. Gibbs, Director, Legal & Court Services, K. Lotimer, Legislative Coordinator, G. Scharback, Deputy Regional Clerk, M. Sergi, Commissioner, Planning & Development Services, S. Wood, Legal Counsel, B. Zvaniga, Commissioner, Public Works  |
| Others Present via Video Conference:              | D. Abbs, Manager, and Gary Scandlan, Managing Partner, Watson & Associates   |

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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**

3.1 **Canada Summer Games Host Society Update - Indigenous Community Involvement in the Canada Summer Games**

Doug Hamilton, Niagara 2022 Canada Summer Games, Board Chair, and Wade Stayzer, Board member, appeared before Committee to highlight the Indigenous Community's involvement in the Canada Summer Games.

3.2 **Transit Development Charges Background Study and By-law Introduction**

Gary Scandlan, Managing Partner, Watson & Associates, presented information respecting Transit Development Charges Background Study and By-law Introduction. Topics of the presentation included:

- Transit D.C. - Background and Purpose
- Study Process and Timelines
- Legislative Requirements for Transit D.C. Calculation
- Capital Infrastructure costs Included for Transit Services
- Proposed Charges & By-law
- Survey of Transit D.C.s
  - Residential
  - Commercial
  - Industrial
- Next Steps for Study Process

#### 4. DELEGATIONS

At this point in the meeting, Committee Vice-Chair Whalen assumed the Chair.

4.1 Referral of CSC-C 18-2022 respecting Recommendations for Consideration from the Regional Development Charges Policy Task Force meeting held on June 30, 2022 and proposed amendments (Memorandum CSC-C 42-2022 (Agenda Item 5.3))

Moved by Councillor Redekop  
Seconded by Councillor Ip

That Jordan Sherlock, Kevin Jacobi, Tim Clutterbuck, Rudi Kroecker, Spencer Fox, Matt Bonanno and Andrew Harber, **BE PERMITTED** to appear before Committee as individual delegates respecting development charges.

**Carried**

4.1.1 Jordan Sherlock, North American Traffic

Jordan Sherlock, Chair, Niagara Industrial Association, and President, North American Traffic, appeared before Committee to express concerns regarding proposed development charges related to the industrial sector.

4.1.2 Kevin Jacobi, CanadaBW Logistics / Welland-Pelham Chamber of Commerce

Kevin Jacobi, Chair, Welland / Pelham Chamber of Commerce, and Owner, CanadaBW Logistics, appeared before Committee to express concerns with respect to the industrial sector and the exclusion of warehousing and supply chain services as part of the proposed Development Charges By-law.

4.1.3 Tim Clutterbuck, Valbruna ASW Inc.

Tim Clutterbuck, Valbruna ASW Inc., appeared before Committee, to express concerns with the proposed changes to industrial development charges and request that no development charges be implemented for the industrial sector in the proposed Development Charges By-law.

4.1.4 Rudi Kroecker, Whiting Equipment Canada Inc.

Mr. Kroecker did not provide his delegation.

4.1.5 Spencer Fox, E.S. Fox Limited

Mr. Fox did not provide his delegation.

4.1.6 Matt Bonanno, Iron Will Raw

Matt Bonanno, Iron Will Raw, appeared before Committee to express concerns with the proposed changes to the Development Charges By-law concerning the industrial sector, highlighting the impact these proposed charges would have on small industrial businesses.

4.1.7 Andrew Harber, Abatement Technologies

Andrew Harber, Abatement Technologies, appeared before Committee to express concerns with the proposed changes to industrial development charges, highlighting the shortage of industrial development in Niagara Region and the requirement of up-front payment of industrial development charges disproportionately affecting smaller businesses in this sector.

**5. ITEMS FOR CONSIDERATION**

At this point in the meeting, Committee Chair Foster assumed the Chair.

5.1 CSD 20-2022

Heritage Tax Rebate By-law Amendment

Moved by Councillor Redekop  
Seconded by Councillor Butters

That Report CSD 20-2022, dated August 10, 2022, respecting Heritage Tax Rebate By-law Amendment, **BE RECEIVED** and the following recommendations **BE APPROVED**:

1. That By-law No. 36-2008, being a By-law authorizing the Region to provide matching funding for Fort Erie's Tax Rebate Program, **BE AMENDED** to update reference to Fort Erie's updated By-law to implement a Heritage Tax Rebate Program;
2. That the Region **MATCH** the City of Port Colborne's percentage refund or reduction on each eligible property participating in the City's Heritage Properties Tax Rebate Program; and
3. That the necessary By-laws **BE PREPARED** and **PRESENTED** to Council for consideration.

**Carried**

5.2 CSC-C 41-2022

Referral of Motion – Transition Provisions for Brownfield Developments

Moved by Councillor Heit

Seconded by Councillor Diodati

That Correspondence Item CSC-C 41-2022, being a memorandum from A.-M. Norio, Regional Clerk, dated August 10, 2022, respecting Referral of Motion – Transition Provisions for Brownfield Developments, **BE RECEIVED** and the following recommendation **BE APPROVED**:

1. That staff **BE DIRECTED** to require developments that have invested in excess of \$1 million (subject to staff verification) before August 31, 2022, (expiry of the current by-law) and who obtain a building permit within five years (August 31, 2027), to be eligible for a transition provision of a DC reduction in the amount of remediation costs incurred to the end of the 2022 (the reduction received by developers would be net against the RDCs payable at the rate in effect when a building permit is pulled).

Recorded Vote:

Yes (10): Butters, Diodati, Easton, Fertich, Foster, Heit, Ip, Redekop, Rigby, Whalen.

No (0).

**Carried**

5.3 CSC-C 42-2022

Referral of CSC-C 18-2022 respecting Recommendations for Consideration from the Regional Development Charges Policy Task Force meeting held on June 30, 2022, and proposed amendments

Moved by Councillor Rigby

Seconded by Councillor Fertich

That Correspondence Item CSC-C 42-2022, being a memorandum from A.-M. Norio, Regional Clerk, dated August 10, 2022, respecting Referral of CSC-C 18-2022 respecting Recommendations for Consideration from the Regional Development Charges Policy Task Force meeting held on June 30, 2022, and proposed amendments, **BE RECEIVED** and the following recommendations **BE APPROVED**:

1. That the draft Regional Development Charge By-law **INCLUDE** an exemption for on-farm accommodations used for agricultural purposes, from paying development charges;

2. That the draft Regional Development Charge By-law **INCLUDE** an exemption for that portion of a place of worship which is used exclusively as a place of worship for religious services and any reception and meeting areas used in connection with, or integral to the worship space as defined below:

“place of worship” means any building or part thereof that is owned by a religious organization that is exempt from taxation as a place of worship pursuant to the Assessment Act, R.S.O. 1990, c. A.31, as amended;

3. That the draft DC By-law **INCLUDE** the following:

If application is made for a building permit from September 1, 2022, onwards in respect of a parcel of land upon which a building/structure existed between January 1, 2010, and the date of application but ceased to exist at the date of application, then the amount of development charge payable shall be the excess of the development charges for the building/structure constructed, less the development charges for building/structure demolished or destroyed. This calculation is based on the development charge rates as of the date the charges are calculated and payable for the new building/structure; and

4. That staff **BE DIRECTED** to include the following in the Niagara Region Incentives Policy:
- a) That the application of DC charges for industrial expansions **BE COLLECTED** upon granting of occupancy permit; and
  - b) That the current Brownfield RDC Reduction Program **BE EXTENDED** for large scale (10ha+) brownfield redevelopments for five years at which time progress on the project will be review and extended if appropriate as determined by staff and Council.

Moved by Councillor Heit  
Seconded by Councillor Redekop

That the motion **BE AMENDED** as follows:

- 5. That staff BE DIRECTED to implement a deferral program for the payment of Regional Development Charges (RDC) for up to three years from date of building permit issuance plus 5% interest per annum for developments that meet the definition of an ‘Industrial Development’ in the new 2022 RDC By-law.**

Recorded vote:

Yes (7): Butters, Easton, Foster, Heit, Ip, Redekop, Whalen.

No (2): Fertich, Rigby.

**Carried**

A **friendly amendment**, was accepted by the Committee Chair, and the mover and seconder of the motion, to remove Recommendation 4(a) resulting in the motion reading as follows:

4. That staff **BE DIRECTED** to include the following in the Niagara Region Incentives Policy:
  - a) ~~That the application of DC charges for industrial expansions **BE COLLECTED** upon granting of occupancy permit; and~~
  - b) That the current Brownfield RDC Reduction Program **BE EXTENDED** for large scale (10ha+) brownfield redevelopments for five years at which time progress on the project will be review and extended if appropriate as determined by staff and Council.

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

Clause 1 was voted on separately as follows:

1. That the draft Regional Development Charge By-law **INCLUDE** an exemption for on-farm accommodations used for agricultural purposes, from paying development charges.

**Carried**

Clause 2 was voted on separately as follows:

2. That the draft Regional Development Charge By-law **INCLUDE** an exemption for that portion of a place of worship which is used exclusively as a place of worship for religious services and any reception and meeting areas used in connection with, or integral to the worship space as defined below:

“place of worship” means any building or part thereof that is owned by a religious organization that is exempt from taxation as a place of worship pursuant to the Assessment Act, R.S.O. 1990, c. A.31, as amended.

**Carried**

Clause 3 was voted on separately as follows:

3. That the draft DC By-law **INCLUDE** the following:

If application is made for a building permit from September 1, 2022, onwards in respect of a parcel of land upon which a building/structure existed between January 1, 2010, and the date of application but ceased to exist at the date of application, then the amount of development charge payable shall be the excess of the development charges for the building/structure constructed, less the development charges for building/structure demolished or destroyed. This calculation is based on the development charge rates as of the date the charges are calculated and payable for the new building/structure.

**Defeated**

Clause 4 was voted on separately as follows:

4. That staff **BE DIRECTED** to include the following in the Niagara Region Incentives Policy:

That the current Brownfield RDC Reduction Program **BE EXTENDED** for large scale (10ha+) brownfield redevelopments for five years at which time progress on the project will be review and extended if appropriate as determined by staff and Council.

Recorded Vote:

Yes (2): Fertich, Rigby.

No (7): Butters, Easton, Foster, Heit, Ip, Redekop, Whalen.

**Defeated**

Clause 5 was voted on separately as follows:

5. That staff **BE DIRECTED** to implement a deferral program for the payment of Regional Development Charges (RDC) for up to three years from date of building permit issuance plus 5% interest per annum for developments that meet the definition of an 'Industrial Development' in the new 2022 RDC By-law.

**Carried**



5.4 CLK 5-2022  
2023 Legislative Schedule of Regular Meetings

Moved by Councillor Heit  
Seconded by Councillor Ip

That Report CLK 5-2022, dated August 10, 2022, respecting 2023 Legislative Schedule of Regular Meetings, **BE RECEIVED** and the following recommendation **BE APPROVED**:

1. That the 2023 Legislative Schedule of Regular Meetings (attached as Appendix 1 to Report CLK 5-2022) **BE APPROVED**.

**Carried**

6. **CONSENT ITEMS FOR INFORMATION**

Moved by Councillor Easton  
Seconded by Councillor Whalen

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

CSD 39-2022  
2022 Development Charges By-law Update – RDC Incentive Program

CSD 40-2022  
2022 Development Charges By-law Update – Demolition Credits

CSC-C 28-2022  
A letter from T. Collins, President, LANDx Developments Ltd., on behalf of Downing Street Inc. (owners and developers of the Artisan Ridge Community, Thorold), dated August 9, 2022, respecting Transition Provisions for Brownfield RDC Incentive Program

CSC-C 29-2022  
A letter from T. Collins, President, LANDx Developments Ltd., on behalf of 1939522 Ontario Inc. (owners and developers of the former Cytex Lands, Niagara Falls), dated August 9, 2022, respecting Transition Provisions for Brownfield RDC Incentive Program

**Carried**

**7. OTHER BUSINESS**

**7.1 Indigenous Community and Canada Summer Games**

Councillor Ip requested a report, for the Corporate Services Committee meeting being held on September 14, 2022, addressing the following:

- What events transpired to lead to Mississaugas of the Credit First Nation withdrawing their support and involvement in the Canada Summer Games?
- Was the Canada Summer Games Board told that having Mississaugas of the Credit First Nation sign a Memorandum of Understanding with a consultant (who is also a Board member), rather than directly with the Canada Summer Games Board, to coordinate the Indigenous portion of the Canada Summer Games was a concerning approach?
- Why did the Canada Summer Games Board continue with this approach after concerns were raised? If the Canada Summer Games Board was not told by their board representative, who was acting as the consultant, that there were concerns about this approach, why were they not told?
- What work was engaged in to ensure that Indigenous communities were being recognized as the unique communities they are, rather than as a monolith?
- What has the Canada Summer Games Board done to work toward repairing this relationship?
- Why has the Canada Summer Games Board made no clear, public statement about Mississaugas of the Credit First Nation withdrawing their support and involvement?
- Given the potential impact on the reputations of the funders, why has there been no direct communication from the Canada Summer Games Board to the funders about what happened?

**8. CLOSED SESSION**

Moved by Councillor Redekop  
Seconded by Councillor Easton

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

A Matter of a Proposed Acquisition and Disposition of Land by the Municipality under s. 239(2)(c) of the Municipal Act, 2001 - 98 St. Paul Street West Agreement

**Carried**

Committee resolved into closed session at 1:34 p.m.

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

Committee reconvened in open session at 1:37 p.m. with the following individuals in attendance:

Committee Members Present in the Council Chamber: Easton, Fertich, Ip, Redekop, Rigby, Whalen (Committee Vice-Chair)

Committee Members Present via Video Conference: Bradley (Regional Chair), Butters, Foster (Committee Chair), Heit

Absent/Regrets: Campion

Staff Present in the Council Chamber: H. Chamberlain, Director, Financial Management & Planning/Deputy Treasurer, T. Harrison, Commissioner/Treasurer, Corporate Services, C. Mustard, Real Estate Officer, A.-M. Norio, Regional Clerk

Staff Present via Video Conference: D. Barnhart, Chief of Staff, Governance, D. Gibbs, Director, Legal & Court Services, K. Lotimer, Legislative Coordinator, G. Scharback, Deputy Regional Clerk, S. Wood, Legal Counsel

9.1 Confidential CSD 37-2022

A Matter of a Proposed Acquisition and Disposition of Land by the Municipality under s.239(2)(c) of the Municipal Act, 2001 - 98 St. Paul Street West Agreement

Moved by Councillor Heit  
Seconded by Councillor Ip

That Confidential Report CSD 37-2022, dated August 10, 2022, respecting A Matter of a Proposed Acquisition and Disposition of Land by the Municipality under s.239(2)(c) of the Municipal Act, 2001 - 98 St. Paul Street West Agreement, **BE RECEIVED** and the recommendations contained therein **BE APPROVED**.

**Carried**

**10. NEXT MEETING**

The next meeting will be held on Wednesday, September 14, 2022 at 9:30 a.m. in the Council Chamber, Regional Headquarters.

11. **ADJOURNMENT**

There being no further business, the meeting adjourned at 1:44 p.m.

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Councillor Foster  
Committee Chair

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Kelly Lotimer  
Legislative Coordinator

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Ann-Marie Norio  
Regional Clerk