



COUNCIL INFORMATION PACKAGE

Friday, May 31, 2024

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MEMORANDUM

TO: Mayor and Members of City Council

FROM: Rob Axiak, Chief Administrative Officer

DATE: May 23, 2024

SUBJECT: The Corporate Leadership Team (CLT) UPDATE

City Council,

The Corporate Leadership Team (“CLT”) acts as the senior executive for the City of Welland. Overseen by the CAO, CLT has both individual responsibilities for their respective departments, and broader responsibilities corporately. Our collective role is both operational and strategic.

Over the past few months, CLT participated in a team building retreat where we focused on our personality dimensions, team dynamics and how best to manage conflict. As part of this retreat, momentum has begun moving CLT forward. The purpose of CLT is summarized below:

- *The City of Welland’s Corporate Leadership Team (CLT) guides and oversees city functions and services.*
- *CLT collaborates to prioritize projects, plan strategies, and build consensus through healthy communication and a positive culture. They encourage staff to work together and emphasize good governance.*
- *CLT oversees administrative and operational policies, delivers various municipal services, prepares professional recommendations for Council, and operates using a One-Team-One-Welland, approach.*

The relationship between the Corporate Leadership Team (CLT) and City Council is one of collaboration and mutual support. CLT, comprised of top executives from various departments, serves as a strategic advisory body to Council. We provide expertise, insights, and recommendations on matters ranging from policy formulation to operational management. This collaboration ensures alignment between administrative functions and policy objectives, fostering effective governance and efficient delivery of services to the community. Through alignment with the [Welland Strategic Plan](#), CLT works closely with Council to achieve shared goals, maintain transparency, and uphold accountability in serving the needs of all.

To ensure lines of communication remain open, it is important for each of the department heads noted in the chart below to be the primary point of contact for all councilor enquiries. If unsure about whom to connect with,

contacting the office of the CAO for direction would be recommended. It is also important to note that communication with any of the department heads must be made during normal business hours to respect the Right to Disconnect Policy. Emergency and after hour communication methods have already been provided to Council.

Below illustrates the composition of CLT, including the respective positions, heads of departments, and area of oversight.

Office of the CAO Chief Administrative Officer Rob Axiak Executive Assistant Lauren Montgomery			
General Manager of Corporate & Enterprise Services / CFO Stephanie Nagel (IT, HR, Finance)	Director of Strategic Initiatives & Economic Development Lina DeChellis (Corporate Strategic Initiatives, Economic Development)	Chief Communications & Public Engagement Officer Marc MacDonald (Corporate Communications, Public Engagement)	Director of Legislative Services & City Clerk Tara Stephens (Legislative Services - legal connection, Clerks)
Director of Infrastructure Services & City Engineer Sherri-Marie Millar (Engineering and Public Works)	Director of Planning & Development Services Grant Munday (Building, Planning, By- Law)	Director of Community Services Jessica Ruddell (Parks, Cemeteries, Forestry, Facilities, RSC)	Fire Chief & Emergency Management Coordinator Adam Eckhart (Fire, Emergency Management)

Phase 1 of the corporate re-design was to recruit a General Manager of Corporate & Enterprise Services / CFO. In addition, the stabilization and realignment of Legal Services was also completed as part of this initial phase. Phase 2 of the corporate re-design, three positions were expanded to support the evolution of the corporation. These positions include:

- **Director of Strategic Initiatives & Economic Development.** In addition to oversight of the Economic Development portfolio, Lina will now have responsibilities that include managing the Corporate Strategic Plan and playing a direct role in corporate strategy and all corporate led initiatives.

-
- **Chief Communications & Public Engagement Officer.** In addition to oversight of Corporate Communications, Marc's role has now been expanded to include management of Public Engagement including the introduction of new engagement methodology.
 - **Director of Legislative Services & City Clerk.** In addition to the legislatively prescribed City Clerk responsibilities, Tara's role will now include oversight of Legislative Services and act through coordination as a direct liaison to Legal Services within the existing operational framework.

The changes implemented in Phase 2 will necessitate further adjustments to related positions, aimed at continuously evolving the organization and preparing us for the future. Moving forward, additional adjustments to city administration will be made as needed, under the supervision of the CAO and CLT.

Sincerely,



Rob Axiak

“Via Email: Paul.Calandra@pc.ola.org”

May 24th, 2024

The Honorable Paul Calandra
Minister of Municipal Affairs and housing

Re: Operational Budget Funding

This will serve to advise you that Council of the Corporation of the Town of Cochrane, at its regular meeting held Tuesday, May 14th, 2024, passed the following resolution pertaining to the above noted:

“Resolution No. 281-2024

Moved by: Councillor Sylvie Charron-Lemieux

Seconded by: Councillor Mark Recoskie

WHEREAS all Ontario municipalities are prohibited from running budget deficits for operating purposes; and

WHEREAS all Ontario municipalities have similar pressures with respect to aging infrastructure and operating costs for policing; and

WHEREAS the City of Toronto has recently received Provincial funding to cover a \$1.2 billion-dollar operating shortfall and approximately \$12 million in Federal and Provincial Funding for their Police operating budget; and

WHEREAS the City of Toronto has the lowest tax rates in the Province;

THEREFORE, BE IT RESOLVED THAT the Corporation of the Town of Cochrane call on the Province of Ontario to treat all municipalities fairly and provide equivalent representative operational budget funding amounts to all Ontario municipalities.

FURTHERMORE, THAT this resolution be circulated to all municipalities in Ontario; the Premier of Ontario, the Hon. Doug Ford; the Minister of Municipal Affairs and Housing, the Hon. Paul Calandra; and the Timiskaming-Cochrane MPP, John Vanthof.

CARRIED.”

Your attention to this matter is greatly appreciated!

Yours truly,

THE CORPORATION OF THE TOWN OF COCHRANE



Alice Mercier
Clerk

AM/ed

c.c: All Ontario Municipalities;
Premier of Ontario, Hon. Doug Ford;
Timiskaming-Cochrane MPP, John Vanthof



“Via Email: Premier@ontario.ca”

May 24th, 2024

The Honorable Doug Ford
Premier of Ontario

Re: Increase Ontario Community Infrastructure Fund

This will serve to advise you that Council of the Corporation of the Town of Cochrane, at its regular meeting held Tuesday, May 14th, 2024, passed the following resolution pertaining to the above noted:

“Resolution No. 283-2024

Moved by: Councillor Sylvie Charron-Lemieux

Seconded by: Councillor France Bouvier

WHEREAS like the City of Toronto, The Corporation of the Town of Cochrane and all municipalities in the Province of Ontario are experiencing significant financial and budgetary pressures including those related to infrastructure development, maintenance, and repairs, and are seeking reasonable solutions to address the same while balancing their financial books; and

WHEREAS the uploading of municipal highway infrastructure to the Province of Ontario or, alternatively, appropriately increasing the Ontario Community Infrastructure Fund to Ontario municipalities will assist municipalities in addressing such financial challenges;

THEREFORE, BE IT RESOLVED THAT the Province of Ontario:

- (i) upload from local municipalities the responsibility of and costs associated with the continued construction, operation, and maintenance of major municipally owned highways throughout the Province of Ontario to the Ontario Ministry of Transportation; or
- (ii) alternatively, if uploading is not the preferred option of the Province and/or local municipality, to appropriately increase the Ontario Community Infrastructure Fund to municipalities so as to fairly and equitably allocate resources to Ontario municipalities.

FURTHERMORE, THAT a copy of this resolution be circulated to all municipalities in Ontario; the Association of Municipalities of Ontario; Timiskaming-Cochrane MPP, John Vanthof; the Ontario Minister of Transportation, the Hon. Prabmeet Singh Sarkaria; and the Premier of Ontario, the Hon. Doug Ford.

CARRIED.”



THE TOWN OF COCHRANE

171 Fourth Avenue
Cochrane, Ontario, Canada, P0L 1C0
T: 705-272-4361 | F: 705-272-6068
E: townhall@cochraneontario.com



ONTARIO, CA

COCHRANE
WONDERFULLY UNEXPECTED

Your attention to this matter is greatly appreciated!

Yours truly,
THE CORPORATION OF THE TOWN OF COCHRANE

Alice Mercier
Clerk

AM/ed

c.c: All Ontario Municipalities;
Association of Municipalities of Ontario;
Ontario Minister of Transportation, Hon. Prabmeet Singh Sarkira;
Timiskaming-Cochrane MPP, John Vanthof



“Via Email: roma@roma.on.ca; info@goodroads.ca”

May 24th, 2024

Rural Ontario Municipality Association
Att: Board of Directors

Ontario Good Roads Association
Att: Board of Directors

Re: Return to Combined ROMA and OGRA Conference

This will serve to advise you that Council of the Corporation of the Town of Cochrane, at its regular meeting held Tuesday, May 14th, 2024, passed the following resolution pertaining to the above noted:

“Resolution No. 282-2024

Moved by: Councillor Sylvie Charron-Lemieux

Seconded by: Councillor Rodney Hoogenhoud

WHEREAS as a past attendee of combined conferences, it makes great sense for the OGRA & ROMA conferences to be returned to a combined conference effort, not only financially for the municipality but also for availability for participation of members of Council and staff; and

WHEREAS these conferences afford a vital opportunity for delegations with members of our provincial parliament, returning to a combined conference provides a better respect to their availability and participation; and

WHEREAS during the 2019 OGRA conference AGM a resolution was passed regarding the re-establishment of an annual combined conference for both OGRA & ROMA; and

WHEREAS it is understandable that little movement has happened since the resolution at the 2019 OGRA conference AGM was passed, due to delays of the COVID-19 pandemic; and

WHEREAS not all persons who wish to attend can do so in person, that a hybrid participation option be considered for the sessions;

THEREFORE, BE IT RESOLVED THAT the Council of the Corporation of the Town of Cochrane call upon both the ROMA & OGRA boards to re-establish a combined OGRA & ROMA annual conference.

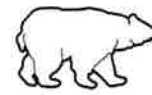
FURTHERMORE THAT this resolution be circulated to all municipalities in Ontario; the Premier of Ontario, the Hon. Doug Ford; the Minister of Municipal Affairs and Housing, the Hon. Paul Calandra; and the Timiskaming-Cochrane MPP, John Vanthof.

CARRIED.”



THE TOWN OF COCHRANE

171 Fourth Avenue
Cochrane, Ontario, Canada, P0L 1C0
T: 705-272-4361 | F: 705-272-6068
E: townhall@cochraneontario.com



ONTARIO, CA

COCHRANE
WONDERFULLY UNEXPECTED

Your attention to this matter is greatly appreciated!

Yours truly,

THE CORPORATION OF THE TOWN OF COCHRANE

Alice Mercier
Clerk

AM/ed

c.c: All Ontario Municipalities;
Premier of Ontario, Hon. Doug Ford;
Minister of Municipal Affairs and Housing, Hon. Paul Calandra;
Timiskaming-Cochrane MPP, John Vanthof



THE CORPORATION OF THE MUNICIPALITY OF MATTAWAN


DATE May 27, 2024 Resolution No. 2024 - 069

MOVED BY Councillor EDWARDS

SECONDED BY Councillor LAHAYE

BE IT RESOLVED that Council for the Municipality of Mattawan support the resolution from the City of St. Catharine’s and the Municipality of East Ferris regarding petitioning the provincial government to implement provincial regulations to restrict the possession, breeding, and use of non-native (“exotic”) wild animals and license zoos in order to guarantee the fair and consistent application of policy throughout Ontario for the safety of Ontario’s citizens and the non-native (“exotic”) wild animal population;

AND FUTHER THAT that this resolution will be forwarded to all municipalities in Ontario for support, the Premier of Ontario, Ontario Solicitor General, Ontario Minister for Natural Resources and Forestry, MPP Anthony Rota, MPP Vic Fedeli, AMO, AMCTO, and MLE.

CARRIED Mayor Peter Murphy 

DIVISION VOTE

NAME OF MEMBER OF COUNCIL	YEAS	NAYS
<u>Councillor Bell</u>	_____	_____
<u>Councillor Edwards</u>	_____	_____
<u>Councillor Lahaye</u>	_____	_____
<u>Councillor Lemaire</u>	_____	_____



REGULAR COUNCIL MEETING
HELD
May 14th, 2024

2024-106
Moved by Councillor Kelly
Seconded by Councillor Champagne

THAT Council for the Municipality of East Ferris support the resolution from the City of St. Catharines regarding petitioning the provincial government to implement provincial regulations to restrict the possession, breeding, and use of non-native (“exotic”) wild animals and license zoos in order to guarantee the fair and consistent application of policy throughout Ontario for the safety of Ontario’s citizens and the non-native (“exotic”) wild animal population;

AND FURTHER THAT that this resolution will be forwarded to all municipalities in Ontario for support, the Premier of Ontario, Ontario Solicitor General, Ontario Minister for Natural Resources and Forestry, MPP Anthony Rota, MPP Vic Fedeli, AMO, AMCTO, and MLEAO.

Carried Mayor Rochefort

CERTIFIED to be a true copy of
Resolution No. 2024-106 passed by the
Council of the Municipality of East Ferris
on the 14th day of May, 2024.

Kari Hanselman, Dipl. M.A.
Clerk

April 23, 2024

The Honourable Doug Ford
Premier of Ontario
Legislative Building
1 Queen's Park
Toronto, ON M7A 1A1

Sent via email: premier@ontario.ca

**Re: Provincial Regulations Needed to Restrict Keeping of Non-native ("exotic") Wild Animals
Our File 35.11.2**

Dear Premier Ford,

At its meeting held on April 8, 2024, St. Catharines City Council approved the following motion:

WHEREAS Ontario has more private non-native ("exotic") wild animal keepers, roadside zoos, mobile zoos, wildlife exhibits and other captive wildlife operations than any other province; and

WHEREAS the Province of Ontario has of yet not developed regulations to prohibit or restrict animal possession, breeding, or use of non-native ("exotic") wild animals in captivity; and

WHEREAS non-native ("exotic") wild animals can pose very serious human health and safety risks, and attacks causing human injury and death have occurred in the province; and

WHEREAS the keeping of non-native ("exotic") wild animals can cause poor animal welfare and suffering, and poses risks to local environments and wildlife; and

WHEREAS owners of non-native ("exotic") wild animals can move from one community to another even after their operations have been shut down due to animal welfare or public health and safety concerns; and

WHEREAS municipalities have struggled, often for months or years, to deal with non-native ("exotic") wild animal issues and have experienced substantive regulatory, administrative, enforcement and financial challenges; and

WHEREAS the Association of Municipalities of Ontario (AMO), the Association of Municipal Managers, Clerks and Treasurers of Ontario (AMCTO) and the Municipal Law Enforcement Officers' Association (MLEOA) have indicated their support for World Animal Protection's campaign for provincial regulations of non-native ("exotic") wild animals and roadside zoos in letters to the Ontario Solicitor General and Ontario Minister for Natural Resources and Forestry;

THEREFORE BE IT RESOLVED that the City of St. Catharines hereby petitions the provincial government to implement provincial regulations to restrict the possession, breeding, and use of non-native ("exotic") wild animals and license zoos in order to guarantee the fair and consistent application of policy throughout Ontario for the safety of Ontario's citizens and the non-native ("exotic") wild animal population; and

BE IT FURTHER RESOLVED that this resolution will be forwarded to all municipalities in Ontario for support, the Premier of Ontario, Ontario Solicitor General, Ontario Minister for Natural Resources and Forestry, MPP Jennie Stevens, MPP Sam Oosterhoff, MPP Jeff Burch, AMO, AMCTO, and MLEAO.

If you have any questions, please contact the Office of the City Clerk at extension 1524.



Kristen Sullivan, City Clerk
Legal and Clerks Services, Office of the City Clerk
:av

cc: The Honourable Michael S. Kerzner, Solicitor General
The Honourable Graydon Smith, Minister of Natural Resources and Forestry
Local MPPs
Association of Municipalities of Ontario (AMO)
Association of Municipal Managers, Clerks and Treasurers of Ontario (AMCTO)
Municipal Law Enforcement Officers' Association of Ontario (MLEAO)
All Municipalities of Ontario

THE CORPORATION OF THE MUNICIPALITY OF MATTAWAN

DATE May 27, 2024 Resolution No. 2024 - 068

MOVED BY Councillor EDWARDS


SECONDED BY Councillor LAHAYE

BE IT RESOLVED that Council for the Municipality of Mattawan support the resolution Hastings County and the Municipality of East Ferris, calling on the Ontario and Federal Governments to implement sustainable infrastructure funding for small rural municipalities;

AND FURTHER THAT small rural municipalities are not overlooked and disregarded on future applications for funding;

AND FURTHER THAT both the Federal and Ontario Governments begin by acknowledging that there is an insurmountable debt facing small rural municipalities;

AND FURTHER THAT AND FINALLY THAT this resolution be forwarded to The Honourable Justin Trudeau, Prime Minister of Canada, The Honourable Sean Fraser, Minister of Housing, Infrastructure and Communities of Canada; Michel Tremblay Acting President and CEO, Canada Mortgage and Housing Corporation; The Honourable Doug Ford, Premier of Ontario; The Honourable Kinga Surma, Ontario Minister of Infrastructure; The Honourable Paul Calandra, Ontario Minister of Municipal Affairs and Housing; MP Anthony Rota, MPP Vic Fedeli, AMO, ROMA, FCM, Eastern Ontario Wardens' Caucus, Good Roads and all Municipalities in Ontario.

CARRIED Mayor Peter Murphy 

DIVISION VOTE

NAME OF MEMBER OF COUNCIL	YEAS	NAYS
<u>Councillor Bell</u>	_____	_____
<u>Councillor Edwards</u>	_____	_____
<u>Councillor Lahaye</u>	_____	_____
<u>Councillor Lemaire</u>	_____	_____

REGULAR COUNCIL MEETING
HELD
May 14th, 2024

2024-104

Moved by Deputy Mayor Rooyakkers
Seconded by Councillor Champagne

THAT Council for the Municipality of East Ferris support the resolution from Hastings County calling on the Ontario and Federal Government to implement sustainable infrastructure funding for small rural municipalities;

AND FURTHER THAT small rural municipalities are not overlooked and disregarded on future applications for funding;

AND FURTHER THAT both the Federal and Ontario Governments begin by acknowledging that there is an insurmountable debt facing small rural municipalities;

AND FURTHER THAT AND FINALLY THAT this resolution be forwarded to The Honourable Justin Trudeau, Prime Minister of Canada, The Honourable Sean Fraser, Minister of Housing, Infrastructure and Communities of Canada; Michel Tremblay Acting President and CEO, Canada Mortgage and Housing Corporation; The Honourable Doug Ford, Premier of Ontario; The Honourable Kinga Surma, Ontario Minister of Infrastructure; The Honourable Paul Calandra, Ontario Minister of Municipal Affairs and Housing; MP Anthony Rota, MPP Vic Fedeli, AMO, ROMA, FCM, Eastern Ontario Wardens' Caucus, Good Roads and all Municipalities in Ontario.

Carried Mayor Rochefort

CERTIFIED to be a true copy of
Resolution No. 2024-104 passed by the
Council of the Municipality of East Ferris
on the 14th day of May, 2024.



Kari Hanselman, Dipl. M.A.
Clerk



Legal and Legislative Services

May 28, 2024

The Honourable Neil Lumsden
Minister of Tourism, Culture and Sport
6th Floor, 438 University Avenue
Toronto, ON M7A 1N3
Neil.lumsden@pc.ola.org

Honourable and Dear Sir:

Re: Support of the Township of Wainfleet Resolution - Public Libraries and Older Adults

Please be advised the Municipal Council of the Town of Fort Erie at its meeting of May 27, 2024 received and supported correspondence from the Township of Wainfleet dated May 1, 2024 requesting the Province to review funding for Public Libraries.

Attached please find a copy of the Township of Wainfleet correspondence dated May 1, 2024.

Thank you for your attention to this matter.

Sincerely,

Peter Todd,
Manager, Legislative Services / Town Clerk

ptodd@forterie.ca

PT-dlk

Attach

c.c.

S. Oosterhoff, MPP sam.oosterhoffco@pc.ola.org

W. Gates, MPP WGates-CO@ndp.on.ca

M. Brigantino, CEO, Fort Erie Public Library mbrigantino@fepl.ca

A. Chrastina, Deputy Clerk, Township of Wainfleet achrastina@wainfleet.ca

Local Area Municipalities

Mailing Address:

The Corporation of the Town of Fort Erie
1 Municipal Centre Drive, Fort Erie ON L2A 2S6

Office Hours 8:30 a.m. to 4:30 p.m.

Phone: (905) 871-1600 FAX: (905) 871-4022

Web-site: www.forterie.ca

May 1, 2024

The Honourable Neil Lumsden
Minister of Tourism, Culture and Sport
Minister.Lumsden@ontario.ca

Sam Oosterhoff, MPP Niagara West
Parliamentary Assistant to the Minister of
Tourism, Culture and Sport
sam.oosterhoffco@pc.ola.org

Local Area Municipalities

Local Area Libraries

SENT ELECTRONICALLY

Re: Public Libraries and Older Adults

Please be advised that at its meeting of April 30, 2024, the Council of the Corporation of the Township of Wainfleet passed the following motion:

"WHEREAS Niagara Region and, specifically Wainfleet, has a significant aging cohort, particularly vulnerable to isolation in the digital world; and

WHEREAS the role of local libraries is definitely that of a community hub, offering numerous educational and socializing opportunities for all ages; and

WHEREAS the provincial funding model has remained unchanged for over 25 years and restricts "library growth and potential"; and

WHEREAS while we are respectful of Seniors Community Grants, today's economic realities suggest libraries are in need of a funding increase;

NOW THEREFORE BE IT RESOLVED that Correspondence item C165 respecting Public Libraries and Older Adults be received and supported; and

THAT the Township of Wainfleet hereby calls upon the Province of Ontario to review its funding formula for Public Libraries."

Should you have any questions, please contact me at achrastina@wainfleet.ca or 905-899-3463 ext. 224.

Regards,



Amber Chrastina
Deputy Clerk

Attachment: Correspondence item C165

RECEIVED

MAY 27 2024

BY COUNCIL

Subject: RE: Council Correspondence

From: Lorrie Atkinson <LAtkinson@wainfleetlibrary.ca>
Sent: April 11, 2024 2:13 PM
To: Amber Chrastina <AChrastina@wainfleet.ca>
Subject: Council Correspondence

Hi Amber,

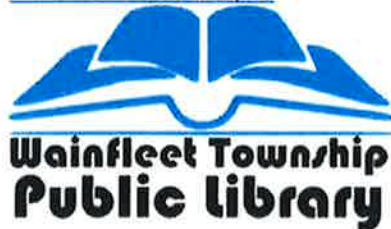
We discussed this at our April 10, 2024 Library Board Meeting , would you please include for correspondence at the next Council meeting.

https://www.wellandtribune.ca/opinion/contributors/public-libraries-foster-feelings-of-social-connectedness-for-older-adults/article_4bded397-c389-5f70-b55f-3e97f2cfe854.html

Thanks,
Lorrie

Regards,
Lorrie Atkinson,
CEO/Chief Librarian
Wainfleet Township Public Library
31909 Park St., P.O.Box 118,
Wainfleet, On L0S 1V0
(t)905-899-1277 x280
(f)905-899-2495

www.wainfleetlibrary.ca



https://www.thespec.com/opinion/contributors/public-libraries-foster-feelings-of-social-connectedness-for-older-adults/article_4a3f12fa-9eff-549e-b68e-9e60f2c12510.html

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CONTRIBUTORS

OPINION

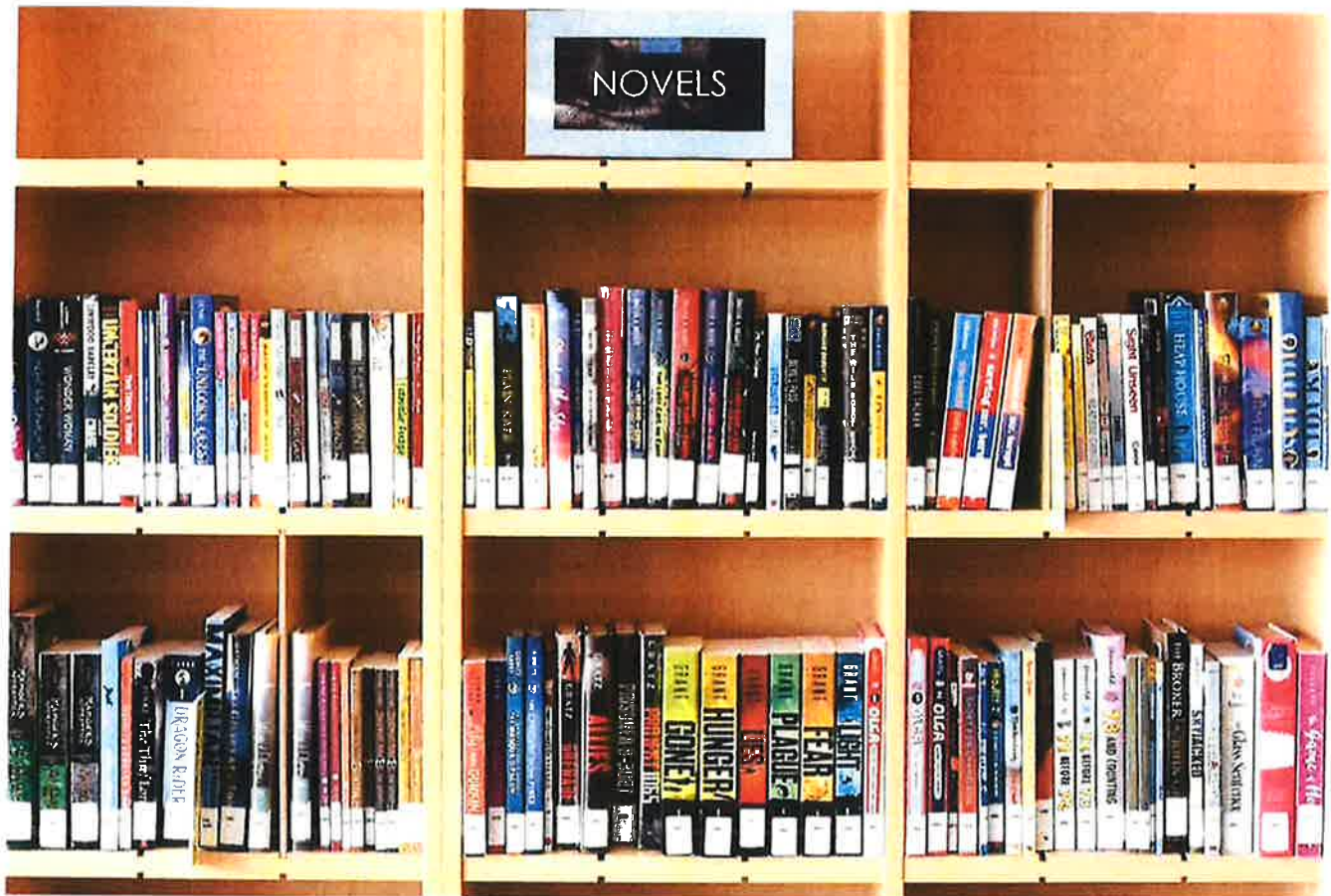
Public libraries foster feelings of social connectedness for older adults

Older adults hold an intimate relationship with their public library branch — a relationship that typically spans the course of their lives.


By Nicole Dalmer

Apr 9, 2024

Article was updated Apr 9, 2024



Public libraries foster feelings of social connectedness, not only due to the range of materials, programs and services, but because they also serve as places for discovering and accessing resources, enabling lifelong learning and fostering community relationships, Nicole Dalmer writes.

John Rennison The Hamilton Spectator file photo

Carla Hayden, the 14th Librarian of Congress, proclaimed “there is a hunger in this digital age ... to participate in programs, to just be in a place, a community space.”

Public libraries play a crucial role in building our understandings of community and connecting us to community. My own work looks at the role of public libraries as very crucial, but sometimes overlooked, spaces of social connection in later life.

In stepping back and thinking more broadly about the public library and its capacity for supporting social connections in later life, I’ve been thinking about local public library branches as important third places — drawing on Ray Oldenburg’s popular book “The Great Good Place.” Third places, such as parks, gyms, coffee shops, museums and libraries are places distinct from the home (a first place) or work environments (a second place), where social connections and community building can be fostered. In other words, third places are spots where we exchange ideas, have a good time and build relationships.

As part of my research, I interviewed 51 older adults living in Ontario who frequented their local public library, asking them questions to better understand the many roles the public library has played, and continues to play, in their everyday lives.

My research was in response to the International Federation on Ageing's statement that "the No. 1 emerging issue facing older adults in Canada is keeping older people socially connected and active." Between 19 and 24 per cent of older people in Canada experience some level of isolation. Social isolation occupies an increasingly important place in conversations surrounding aging in Canada, in part due to the COVID-19 pandemic that exacerbated feelings of social isolation and in part due to social isolation's negative impact on older adults' physical and mental health, including reduced quality of life, premature mortality, depression, as well as increased risk for falls, cardiovascular disease and dementia.

Socially isolated older adults often have poorer health outcomes and more complex support needs and therefore require access to a complement of community-based supports — such as public libraries — to thrive.

As I learned from the 51 older adults who shared their experiences of engaging with their public library, it became clear that participants hold an intimate relationship with their public library branch — a relationship that typically spans the course of their lives. The library was often referred to as an "old friend" or a "trusted friend."

Public library branches foster feelings of social connectedness, not only due to the range of materials, programs, services and spaces that can be used without expectation of payment or any pre-existing level of knowledge. Public libraries also serve as trusted third places for discovering and accessing resources, enabling lifelong learning and fostering community relationships.

As voiced by so many individuals who took part in my study, public library offerings connect older library patrons with other people and other ideas, events and other services. Libraries were also spaces with free access to washrooms, places to keep cool in the summer and warm in the winter, and important places where older adults knew they could stop along their daily walking route.

Participants felt connected to library staff. This was especially so for those older adults living in rural areas, where staff knew them by name and could offer reading recommendations based on what the patrons had checked out in the past. Interestingly, older adults shared they felt connected to their community while in their library, even if they didn't actually interact with other people. Merely being in the presence of others (whether staff or other patrons) was sufficient to feel socially included and connected.

Public libraries also nurture social connection through intergenerational connections. Intergenerational library programs (movie nights, music classes, book clubs, knitting clubs and the like) are places where different generations can meet, interact and build relationships — bridging generational perspectives and experiences.

So when we're thinking about how to support social inclusion among older adults, it's important to consider those third places, such as public library branches, that can be crucial sites that foster, inspire and encourage feelings and experiences of social connection and social inclusion.

Nicole Dalmer is an assistant professor with the Department of Health, Aging and Society at McMaster University, an associate director of the Gilbrea Centre for Studies in Aging and a volunteer with the Hamilton Council on Aging. For more information or to donate to the Hamilton Council on Aging, visit coahamilton.ca.

REPORT AN ERROR

JOURNALISTIC STANDARDS

ABOUT THE TRIBUNE

Administration

Office of the Regional Clerk

1815 Sir Isaac Brock Way, PO Box 1042, Thorold, ON L2V 4T7

Telephone: 905-980-6000 Toll-free: 1-800-263-7215 Fax: 905-687-4977

www.niagararegion.ca

May 28, 2024

CL 8-2024, May 23, 2024

PEDC 5-2024, May 8, 2024

PDS 18-2024, May 8, 2024

**NIAGARA PENINSULA CONVERSATION AUTHORITY
LOCAL AREA MUNICIPALITIES**

SENT ELECTRONICALLY

Staff Comments on Proposed Provincial Planning Statement (2024)

PDS 18-2024

Regional Council, at its meeting held on May 23, 2024, passed the following recommendation of its Planning and Economic Development Committee:

That Report PDS 18-2024, dated May 8, 2024, respecting Staff Comments on Proposed Provincial Planning Statement (2024), **BE RECEIVED** and **BE CIRCULATED** to Local Area Municipalities and the Niagara Peninsula Conversation Authority (NPCA).

A copy of PDS 18-2024 is enclosed for your reference.

Yours truly,



Ann-Marie Norio
Regional Clerk

js

CLK-C 2024-059

cc: S. Norman, Senior Planner
M. Sergi, Commissioner, Growth, Strategy and Economic Development
N. Oakes, Executive Assistant to the Commissioner, Growth, Strategy and Economic Development

Subject: Staff Comments on Proposed Provincial Planning Statement (2024)

Report To: Planning and Economic Development Committee

Report date: Wednesday, May 8, 2024

Recommendations

1. That this Report **BE RECEIVED** for Information; and
2. That Report PDS 18-2024 **BE CIRCULATED** to Local Area Municipalities and the Niagara Peninsula Conversation Authority (NPCA).

Key Facts

- As first communicated to Council through PDS 17-2024 (April 25, 2024) the Province has released a revised draft of the proposed Provincial Planning Statement (PPS, 2024).
- The purpose of this report is to provide an overview of the proposed changes and to outline staff comments that will be submitted to the Province.
- If approved, the proposed PPS (2024) will replace the current Provincial Policy Statement (PPS, 2020) and A Place to Grow: Growth Plan for the Greater Golden Horseshoe (Growth Plan, 2019) to form a new province-wide planning policy instrument.
- In the Spring of 2023, the Province released a previous draft of the proposed PPS (2023) for comment. Staff comments on that 2023 version were communicated to Council through PDS-C 20-2023 (June 7, 2023) with additional comments on the proposed natural heritage policies being communicated through PDS-C 21-2023 (September 13, 2023).
- Following the commenting period on the 2023 draft, the Province has made some changes to reflect concerns raised by the Region and others – such as no longer allowing lot creation in prime agricultural areas. Other regional concerns, such as changes to the definition of “employment areas”, the process for settlement area boundary expansions, and the loss of the Growth Plan Natural Heritage System remain.

- The Province has requested that feedback on the proposed changes be submitted by May 12, 2024. Staff comments outlined in **Appendix 1** and **Appendix 2** will be submitted to the Province in response to the Environmental Registry of Ontario (ERO) postings.

Financial Considerations

There are no direct financial implications associated with this report.

Analysis

Background

On April 10, 2024, the Province introduced the *Cutting Red Tape to Build More Homes Act, 2024* (Bill 185), which proposes to amend fifteen pieces of legislation and related regulations for the purpose of “streamlining planning approvals, enhancing municipalities’ ability to invest in housing-enabling infrastructure, and increasing housing supply”. A detailed overview of Bill 185 including staff comments were provided directly to council through PDS 17-2024 (April 25, 2024).

In addition to Bill 185, the revised draft Provincial Planning Statement (PPS) was also released on April 10, 2024 with updates to reflect the feedback received on the previous version. If approved, the proposed PPS will replace the current Provincial Policy Statement (PPS, 2020) and A Place to Grow: Growth Plan for the Greater Golden Horseshoe (Growth Plan, 2019) to form a new province-wide planning policy instrument. In many matters, these changes represent a fundamental shift in the approach to planning for Ontario. All decisions that relate to a planning matter will be required to be consistent with this statement.

The Environmental Registry of Ontario (ERO) posting includes some information regarding the Province’s proposed approach to implementation. The Province has indicated it intends to release the final policies for a short period of time before they take effect. Any decision on a planning matter made on or after the effective date would be subject to the new PPS. The only exception would be if a transition regulation was developed. The Province has indicated that “further consultation would be conducted to identify any pertinent matters”.

Previous Draft of Proposed Provincial Policy Statement (2023)

In the Spring of 2023, the Province released a previous draft of the proposed PPS (2023) for comment. Staff comments on the 2023 proposed PPS were communicated to

Council through PDS-C 20-2023 (June 7, 2023). The original release did not include natural heritage policies – which followed several months later. Additional comments on the proposed natural heritage policies being communicated through PDS-C 41-2023 (September 13, 2023).

Overview of Current Draft of Proposed Provincial Policy Statement (2024)

Proposed changes in the PPS (2024) relative to the existing Provincial Policy Statement (PPS, 2020) include, but are not limited to:

- **Growth Management:**
 - The concept of a delineated built-up area has not been carried forward as a defined term
 - Planning authorities are to use Ministry of Finance projections for employment and growth forecasts, with a policy to permit existing provincial forecasts (i.e. Growth Plan) to be used
 - Removal of mandatory intensification and density targets
 - Introduction and identification of “large and fast-growing municipalities” (Niagara Falls and St. Catharines in Niagara)
 - New policy to promote the phasing of development as appropriate
- **Settlement Area Boundary Expansions**
 - Removal of the requirement to demonstrate need for a settlement area boundary expansion
 - No longer the requirement of municipal comprehensive reviews to be undertaken
- **Employment:**
 - Change to the definition of employment area
 - Permission for mixed uses, including residential, in employment lands outside of employment areas
 - The conversion of employment lands is permitted provided certain tests are met
- **Housing**
 - Expansion of the definition of housing options
- **Agriculture**
 - Removal of the requirement to use the provincially-mapped agricultural system
 - Permitting up to two additional residential units subordinate to the principal dwelling associated with an agricultural operation
- **Natural Heritage**
 - In comparison to the existing Provincial Policy Statement (2020), no changes to the natural heritage policies

- Growth Plan Natural Heritage System policies and mapping are proposed to be eliminated
- **Watershed Planning**
 - Loss of the full suite of watershed and subwatershed planning policies that were contained in the existing PPS and Growth Plan
 - Requirement for large and fast growing municipalities to undertake watershed planning with an encouragement for other municipalities to do so.

Staff Comments on the proposed PPS (2024)

Although less extensive than the concerns identified related to the 2023 draft, staff concerns with the proposed PPS (2024) include:

- **Challenges for an integrated and coordinated approach to growth management in Niagara**
 - Concern that the proposed changes to the PPS in conjunction with the loss of the Growth Plan policies related to growth management will lead to inconsistent approaches to forecasting population and employment growth in Niagara, and consequently challenges for the process of planning and budgeting of regional infrastructure and public services and facilities.
- **Changes to the definition of “employment areas” and other changes impacting employment lands**
 - Concern that the proposed changes that define employment areas as limited to traditional manufacturing uses will hinder the Region’s ability to meet employment forecasts to 2051. For example, the revised definition of “employment areas” has the potential to remove 2,175 hectares of employment area lands (approximately 46% of total employment area lands in Niagara) based on preliminary analysis.
- **The ad-hoc nature of settlement area expansion and a lack of minimum intensification targets**
 - Concern that the policies that would allow for settlement area expansions without the requirement to demonstrate need and without a municipal comprehensive review will result in the loss of integrated and coordinated growth planning.
 - Not having a minimum intensification target or a “built-up area” at the provincial level, combined with the ability to expand settlement area boundaries at any time, may discourage intensification and encourage sprawl which will have financial impacts if municipalities will be required to extend and maintain servicing to greenfield areas, with existing infrastructure not being optimized.

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- The above concerns as exacerbated by a proposed change to the Planning Act through Bill 185 which would allow for appeals to the OLT related to settlement area boundary expansions.
 - **Loss of the Growth Plan Natural Heritage System**
 - When the updated Growth Plan for the Greater Golden Horseshoe was released in 2017 and subsequently revised in 2019, it included policies, definitions, and mapping for a “Natural Heritage System for the Growth Plan”. Municipalities were required to incorporate and implement the policies and mapping into their official plans. The Natural Heritage System for the Growth Plan was included as part of the integrated NES that was approved by the Province as part of the Niagara Official Plan in November 2022.
 - As the proposed PPS (2024) will integrate the PPS (2020) and Growth Plan (2019), there will no longer be a stand alone Growth Plan document. The Natural Heritage System for the Growth Plan is not proposed to be included as part of the proposed PPS (2024), and would therefore no longer be Provincial policy. Staff are concerned with the loss of environmental protections in the Region, and the implications associated with the Growth Plan Natural Heritage System having been fully integrated into the Regional Natural Environment System, but no longer Provincial Policy.
 - Further, should the Province move forward with the elimination of the Growth Plan NHS, it is recommended that direction be provided on transition/implementation for municipalities which had implemented the system through recent municipal comprehensive reviews or Official Plan updates.
 - **Removal of the requirement to use the Provincially-mapped agricultural system**
 - When 2017 Growth Plan for the Greater Golden Horseshoe was released, it included policies, and mapping delineating an agricultural system for the Greater Golden Horseshoe. This mapping was used to develop the Region’s agricultural land base mapping and is an important tool for the identification and protection of agricultural land.
 - As the agricultural system mapping and policies are not being carried forward to the proposed PPS (2024), staff are unsure how agricultural lands, infrastructure and farm operations outside of the Greenbelt Plan area will be protected.

Alternatives Reviewed

No alternatives have been reviewed as this report summarizes and presents staff comments on the proposed Provincial Planning Statement (PPS, 2024) for information.

Relationship to Council Strategic Priorities

This report provides information on proposed changes to provincial policy related to land use planning. This relates to Council's Strategic Priority of Effective Region, Equitable Region, and Prosperous Region through ensuring high quality, efficient, and coordinated core services.

Other Pertinent Reports

- CWCD 2023-77 - Provincial Consultation on Bill 97 and a new Provincial Policy Instrument (April 21, 2023)
- PDS-C 20-2023 - Staff Comments on the Proposed Provincial Planning Statement (June 7, 2023)
- PDS 22-2023 – Proposed Provincial Planning Statement – Natural Heritage Policies (July 12, 2023)
- PDS-C 41-2023 – Staff Comments on Proposed Provincial Planning Statement – Natural Heritage (September 13, 2023)
- PDS 17-2024 – Bill 185 (Cutting Red Tape to Build Housing Faster Act, 2024) (April 25, 2024)

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Appendices

Appendix 1 Table 1: Staff Response to ERO 019-8462 Discussion Questions

Appendix 2 Table 2: Niagara Region Staff Detailed Analysis and Comment on the Proposed 2024 Provincial Planning Statement (PPS)

Table 1: Niagara Region Staff Responses to ERO 019-8462 Questions

ERO Questions	Niagara Region Staff Response
<p>1. What are your overall thoughts on the updated proposed Provincial Planning Statement?</p>	<p>Niagara Region staff note that there are many improvements and efficiencies in the proposed PPS (2024), however, staff are concerned with the loss of some Growth Plan policies (i.e. natural heritage, agriculture, growth management, etc.) which are not being replaced in the proposed PPS (2024). Further, staff are concerned about the impact of changes to employment area policies and the unintended consequences of the ‘ad-hoc’ nature of settlement area expansion and the responsible delivery of services and infrastructure.</p>
<p>2. What are your thoughts on the ability of updated proposed policies to generate appropriate housing supply, such as: intensification policies, including the redevelopment of underutilized, low density shopping malls and plazas; major transit station area policies; housing options, rural housing and</p>	<p>Although it is possible that some of the updated policies will have the intended effect of increasing housing supply it is difficult to project. Overall the last several years the rate of change in Provincial planning policy and legislation has been significant. This, along with the reversal of many changes has created an atmosphere of uncertainty, both with municipalities and the development community. It is recommended that the Province move towards an environment of stability to allow policies to be implemented, their effectiveness be determined and focus municipal efforts on approving housing developments.</p>

ERO Questions	Niagara Region Staff Response
<p>affordable housing policies; and student housing policies?</p>	
<p>3. What are your thoughts on the ability of the updated proposed policies to make land available for development, such as: forecasting, land supply, and planning horizon policies; settlement area boundary expansions policies; and employment area planning policies?</p>	<p>Niagara Region staff have concerns that requiring each individual local municipality to do their own forecasting of population and employment growth may result in inconsistent forecasts and/or methodologies which impact the Region’s ability to plan for investments in infrastructure and the coordination of regional public services between local municipalities. The ad-hoc nature of settlement area expansion coupled with proposed Planning Act changes via Bill 185 will lead to inefficient use of existing services area and expansion that may not be fiscally responsible.</p> <p>It is the recommendation of Niagara Region staff that the PPS include policies to required growth targets and coordination of development with the delivery of infrastructure across municipalities.</p>
<p>4. What are your thoughts on updated proposed policies to provide infrastructure to support development?</p>	<p>Niagara Region staff are supportive of the proposed policies which would allow the allocation and reallocation of unused capacity in the water and wastewater system and which would promote the development of phasing policies as appropriate. These policies will encourage the orderly development of urban areas and support the efficient use of existing and planning infrastructure and public services.</p>

ERO Questions	Niagara Region Staff Response
	PPS should also reference municipal infrastructure master plans and require that development aligned with the planned services.
<p>5. What are your thoughts on updated proposed policies regarding the conservation and management of resources, such as requirements to use an agricultural systems approach?</p>	<p>Niagara Region staff are generally not supportive of the proposed policies related to the conservation and management of resources. An agricultural system approach based on provincial-mapping has historically been in place in the Growth Plan GGH municipalities. Similarly with the elimination of the Growth Plan, the Growth Plan Natural Heritage System is being eliminated as provincial land use policy. Overall the proposed PPS (2024) represent a lesser protection of the natural environment and resources as compared to the existing policy framework of the PPS (2020) and Growth Plan (2019).</p>
<p>6. What are your thoughts on any implementation challenges with the updated proposed Provincial Planning Statement? What are your thoughts on the proposed revocations in O.Reg. 311/06 (Transitional Matters - Growth Plans) and O.Reg. 416/05 (Growth Plan Areas)?</p>	<p>It needs to be recognized that after the effective date, and until municipal official plans (and zoning by-laws) can be updated, there will be a range of inconsistent and conflicting policies for land-use planning in Ontario. This type of policy environment creates confusion and uncertainty for both land developers and municipal planning staff, it serves to delay development and construction rather than to expedite it. This is compounded by the removal of statutory planning authority from Regional municipalities, which further creates uncertainty in the Planning process at a time when stability and certainty is required.</p>

Table 2: Niagara Region Staff Detailed Analysis and Comment on the Proposed 2024 Provincial Planning Statement (PPS)

Topic Area	Proposed Change / Integration	Niagara Region Staff Analysis/Response
Aggregates	The proposed PPS (2024) has not made significant changes to the aggregate resources section. References to rehabilitation in speciality crop areas have been removed – however rehabilitation in these areas would be directed by the Greenbelt Plan and Niagara Escarpment Plan where applicable. [Proposed policy 4.5]	Niagara Region staff note that the Growth Plan (2019) included a number of detailed and prescriptive policies related to aggregate resources – most of which were in regards to the interaction between aggregates and the Growth Plan Natural Heritage System as well as rehabilitation. It is the recommendation of Niagara Region staff that consideration be given to carrying forward the Growth Plan policies which required rehabilitation to consider natural features and functions in the proposed PPS (2024)
Agricultural Area Housing	In addition to a principal dwelling associated with an agricultural operation in prime agricultural areas, the proposed PPS (2024) permits up to two additional residential units as subordinate to the principal dwelling. [Proposed policy 4.3.2.5]	The Niagara Region Official Plan has a provincially-approved 0.4 ha size requirement for all lot creation in rural areas. This lot size reflects the area necessary to support on-site private water supply and long-term operation of a private sewage disposal system.

Topic Area	Proposed Change / Integration	Niagara Region Staff Analysis/Response
		<p>Niagara Region staff are concerned the addition of 2 residential units on each parcel would require upgraded private servicing, which may not be possible on lots that were created for only a single residential unit.</p> <p>In addition, Niagara Region staff are concerned that proposed policy 4.3.2.5 refers broadly to “sewage and water services” being provided, whose definition includes “municipal sewage services and municipal water services”; especially coupled with the removal of policy wording that states 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 from proposed Section 3.6.</p> <p>It is recommended that a set of parameters or guidelines be developed to help planning authorities determine whether these uses “demonstrate that the use are compatible with, and would not hinder, surrounding agricultural operations” (Proposed Policy 4.3.2.5 b).</p>

Topic Area	Proposed Change / Integration	Niagara Region Staff Analysis/Response
Agriculture	The proposed PPS (2024) eliminates the requirement to use the provincially-mapped Agricultural System. Municipalities would now lead the designation of prime agricultural areas, including specialty crop areas. Using the provincial mapping remains an option. [Proposed policy 4.3.1]	<p>Niagara Region staff note that an agricultural system approach based on provincial-mapping has historically been employed in Niagara’s regional official plan to designate lands based on priority for protection. After the release of the proposed agricultural system mapping by the Province (2018), Niagara Region through the Municipal Comprehensive Review (MCR) process, undertook extensive consultation to identify mapping refinement opportunities in the proposed land-base.</p> <p>Niagara Region staff believe the mapping approved through the Niagara Official Plan (2022) is accurate and best represents a continuous land base and systems approach. Staff support the continued use of the approved agriculture land-base mapping in Niagara.</p>
Agriculture	The proposed PPS (2024) expands the definition of “on-farm diversified uses” to include all “land-extensive energy facilities”, such as ground-mounted solar or battery storage, whereas previously only ground-mounted solar facilities	OMAFRA’s <i>Guidelines on Permitted Uses in Ontario’s Prime Agricultural Areas</i> states that “on-farm diversified uses should be related to agriculture, supportive of agriculture or able to co-exist with agriculture without conflict”. Provided these uses are still subject to other criteria and

Topic Area	Proposed Change / Integration	Niagara Region Staff Analysis/Response
	<p>were identified. [Proposed definition of “on-farm diversified use”]</p>	<p>guidance for on-farm diversified uses (i.e. limited in area, secondary to the principal use, etc.), the expanded definition may align with Provincial and Regional policies that support the transition to net-zero communities.</p> <p>However, Niagara Region staff are concerned that given these uses are referred to as “land-extensive” it may mean they are meant to apply to more significant portions of a farm parcel.</p> <p>It is the recommendation of Niagara Region staff that the province consider whether “land-extensive” energy facilities are an appropriate land use in prime agricultural areas.</p>
<p>Built Boundary</p>	<p>The proposed PPS (2024) has not carried forward the concept of delineated built-up areas as a defined term previously contained in the Growth Plan.</p>	<p>The removal of the “built-up area” as a defined term and associated intensification rates may make it more difficult for municipalities to use tools and practices available to them to “support general intensification and redevelopment to support the achievement of complete communities” as outlined in Section 2.3.3.</p> <p>Similarly, the removal of a definition and policy set for “designated greenfield areas”, including associated density targets, will make it difficult for</p>

Topic Area	Proposed Change / Integration	Niagara Region Staff Analysis/Response
		<p>municipalities to push for increased densities and housing options in the remaining undeveloped, but serviced, areas of the municipality.</p> <p>Additionally, if settlement area boundaries can expand at any time without the requirement for a land needs assessment to demonstrate the need for additional urban land, this will discourage intensification and encourage urban sprawl. This will create implications for providing fiscally responsible infrastructure.</p> <p>Niagara Region staff recommend that “built-up area” [as referenced in Policy 2.3.1.4] be a defined term, and that municipalities be required to establish and implemented targets for intensification and redevelopment (as opposed to being encouraged to do so).</p>
Cultural Heritage and Archaeology	A number of definitions referenced in the Cultural Heritage and Archaeology section of the proposed PPS (2024) have been revised. [Proposed definition of “built heritage resource”, “conserved”, “cultural heritage landscape”, “heritage attributes”, “protected heritage property” and “site alteration”]	Many of the revisions are minor or provide additional clarification/protection for cultural heritage and archaeological resources. Niagara Region staff does not have concerns with the revisions to these definitions.

Topic Area	Proposed Change / Integration	Niagara Region Staff Analysis/Response
Cultural Heritage and Archaeology	The proposed PPS (2024) has also changed to policy term from “significant built heritage resource and significant cultural heritage landscape” to “protected heritage property” [Proposed policy 4.6.1]	Niagara Region staff are supportive of the proposed change in terminology and the new definition, which now includes archaeological resources.
Cultural Heritage and Archaeology	The proposed PPS (2024) includes revised policy language pertaining to engagement with indigenous communities, requiring that engagement occur early with an increased emphasis on consideration of their interests. [Proposed policy 4.6.5]	Niagara Region staff supports early engagement with indigenous communities. The emphasis on early engagement and specification in terms of the interests of indigenous communities included in the proposed PPS will be helpful from an implementation perspective.
Employment Areas	The proposed PPS (2024) changes the definition of “employment areas”. The focus of the definition is now on what would be considered traditional employment uses such as heavy industry, manufacturing, and large scale warehousing. [Proposed definition of “employment areas”]	<p>Niagara Region staff do not support the proposed change in definition as it will potentially hinder Niagara’s municipalities’ ability to achieve the employment forecasts set out to 2051, given that it will be difficult to protect the amount of land required to accommodate the number of jobs projected.</p> <p>The recently approved Niagara Official Plan includes different categories of employment areas. While the Region’s “Core Employment Area” designation may meet the revised definition,</p>

Topic Area	Proposed Change / Integration	Niagara Region Staff Analysis/Response
		<p>“Dynamic Employment Area” and “Knowledge and Innovation Employment Areas” would not meet the revised definition. As such, the revised definition has the potential to remove approximately 2,175 hectares of employment area lands (45% of total employment area lands based on preliminary analysis), putting at risk the existing and jobs planned for these lands.</p> <p>It is the recommendation of Niagara Region staff that the definition of “employment areas” not be changed as it will limit the ability of municipalities to protect employment areas in the long-term.</p>
<p>Employment Areas</p>	<p>The proposed PPS (2024) includes a policy that would allow for a range of mixed land uses, including residential, in employment lands outside of employment areas [Proposed policy 2.8.1.3]</p>	<p>Niagara Region staff do not support this proposed policy.</p> <p>The Growth Plan and the Niagara Official Plan (4.2.5.1) both contain provisions to ensure that any proposed development of non-employment uses on employment land, outside of employment areas, shall retain space for a similar number of jobs on site.</p> <p>Niagara Region staff recommend that this policy not be included, and that the proposed PPS</p>

Topic Area	Proposed Change / Integration	Niagara Region Staff Analysis/Response
		include greater protection for long-term employment uses.
Employment Land Conversions	<p>The proposed PPS (2024) allows planning authorities to remove lands from employment areas outside of a municipal comprehensive review provided certain tests are met. [Proposed policy 2.8.2.5]</p> <p>Currently, the PPS 2020 and Growth Plan only allow employment area conversions through a municipal comprehensive review. However, both documents also contain a notwithstanding provision that allows conversions prior to a municipal comprehensive review if certain criteria are met.</p> <p>However, the PPS (2024) proposes to revise certain conditions under which a conversion may be permitted. The PPS (2024) states that the municipality must have sufficient employment lands to accommodate projected employment growth to the horizon of the approved official plan, whereas the Growth Plan currently requires the municipality to accommodate projected employment growth to the horizon of the Growth Plan. The PPS (2024)</p>	<p>Niagara Region staff do not support this proposed policy change.</p> <p>Without the criteria to maintain sufficient employment lands to accommodate forecasted employment growth over time, it will be difficult to ensure that the employment forecasts set out can be achieved.</p> <p>Further, urban boundary expansions for employment areas occurred in the Region solely to accommodate forecasted employment growth. If these lands are converted and do not accommodate employment uses, further expansions will have to take place to provide sufficient space to accommodate forecasted employment.</p> <p>Considering employment area conversion requests comprehensively allows municipalities to examine all requests as part of one review to select the most appropriate areas for conversion. It also allows municipalities the ability to identify land needs in tandem with reviewing employment</p>

Topic Area	Proposed Change / Integration	Niagara Region Staff Analysis/Response
	<p>also proposes to remove the requirement in the Growth Plan that the employment conversion does not impact the minimum intensification and density targets in the Growth Plan.</p>	<p>area requests to understand how potential employment area conversions will impact the need for settlement area expansions.</p> <p>Niagara Region staff recommend that the proposed PPS includes a policy framework for employment land conversions to be considered comprehensively and the Province instead carry forward Growth Plan policy 2.2.5.9 c) which provides long-term protection for employment uses.</p>
<p>Excess Soils</p>	<p>The proposed PPS (2024) removes policy 3.2.3 which directs planning authorities to support, where feasible excess soil management.</p> <p>The Growth Plan stated that municipal planning policies and relevant development proposals will incorporate best practices for soil management.</p>	<p>While municipalities can include policies addressing excess soil management, Niagara Region staff are concerned that the requirement for development proposals to incorporate best practices for excess soil management has been removed from provincial direction.</p>
<p>Growth Management</p>	<p>The proposed PPS (2024) - policy 2.1.5 references “where planning is conducted by an upper-tier municipality the land and unit supply maintained by the lower-tier shall be based on and reflect the allocation of population and units by the upper-tier” [Proposed policy 2.1 & policy 2.1.3.]</p>	<p>Inconsistent forecasts and/or methodologies to achieve such forecasts will impact the Region’s ability to plan for investments in infrastructure and the coordination of regional public services between local municipalities.</p>

Topic Area	Proposed Change / Integration	Niagara Region Staff Analysis/Response
		<p>It is the recommendation of Niagara Region staff that all upper-tier municipalities still retain responsibility for growth management functions to ensure a coordinated approach across regional market areas.</p>
<p>Growth Management</p>	<p>The proposed PPS (2024) includes a policy to direct planning authorities to base employment and growth forecasts on the Ministry of Finance 25-year projections and allows for modifications as appropriate. [Proposed policy 2.1.1]</p> <p>Proposed section 2.1.2 allows municipalities to continue to forecast growth using population and employment forecasts previously issued by the province.</p>	<p>As an upper-tier municipality, the Niagara Region is responsible for planning, coordinating, and monitoring population and employment growth across the region.</p> <p>The Niagara Official Plan, 2022 set a 2051 population forecast of 694,000 people and 272,000 jobs. Through the Niagara Official Plan program, the Region was effective in pulling together various, and often inconsistent, data sources from lower-tier municipalities for the purpose of growth monitoring, forecasting and planning. These datasets continue to be collected by the Region and are critical to the planning and budgeting of capital infrastructure and community services.</p> <p>Region staff support replacing multiple/conflicting forecasts and projections with one projection. Niagara Region staff note Ministry of Finance</p>

Topic Area	Proposed Change / Integration	Niagara Region Staff Analysis/Response
		<p>projections are, like Growth Plan forecasts, provided at the Niagara Region level. With 12 lower-tier municipalities within Niagara staff note this policy change does not contemplate how projections should be allocated between municipalities. Ministry of Finance projections are, furthermore, updated annually and can differ significantly from year-to-year complicating efforts in allocating projections between municipalities. It is the recommendation of Niagara Region staff that additional guidance regarding the distribution and timing of Ministry of Finance projections to lower-tier municipalities.</p> <p>Finally, Ministry of Finance uses the term ‘projections’ while other provincial data is referred to as ‘forecasts’. The draft PPS uses the term interchangeably. While it is understood that there is a difference between terms, it is recommended the Province clarify policy intent.</p>
Growth Management	The proposed PPS (2024) requires municipalities, when updating official plans, to have enough land designated for at least 20 years, but not more than 30 years, (a change from 25 years in the 2020 PPS) with planning expressly allowed to extend	Niagara Region staff have no concern with the proposed change in wording, however, with the repeal of the Growth Plan there will no longer be a consistent approach to completing land needs assessments, and therefore inconsistent

Topic Area	Proposed Change / Integration	Niagara Region Staff Analysis/Response
	beyond this horizon for infrastructure, employment areas and strategic growth areas. [Proposed policy 2.1.3]	approaches to analysis and decision-making regarding land needs requirements.
Housing	The proposed PPS (2024) expands the definition of “housing options”, to specifically include more examples of “soft intensification” and broader housing arrangements and forms. [Proposed definition of “housing options”] .	<p>Niagara Region staff are not opposed to an expanded definition of “housing options”; however, the proposed definition may be beyond what is appropriate for a land use planning document.</p> <p>It is the recommendation of Niagara Region staff that the Province review the proposed definition to ensure it is appropriate and can be implemented through land use planning tool and policies.</p>
Intensification	The proposed PPS (2024) removes mandatory intensification and density targets for all municipalities. The Growth Plan required municipalities to meet specific intensification and density targets to accommodate forecasted growth. This requirement has not been carried forward, except for the density targets for MTSA’s in large and fast-growing municipalities. Instead, municipalities are encouraged to establish density targets “as appropriate, based on local conditions.” [Proposed policy 2.3.1.4] Large and fast-growing	Niagara Region staff are concerned with the proposed change. Not having a minimum intensification target or a “built-up area” at the Provincial level, combined with the ability to expand settlement area boundaries at any time, may discourage intensification and encourage sprawl. If sprawl is prioritized over intensification, it will become costly to extend and maintain servicing to greenfield areas, with existing

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	municipalities are also encouraged, but not required, to plan for a minimum density target of 50 residents and jobs per gross hectare. [Proposed policy 2.3.1.5]	infrastructure not being optimized, and further impact any progress on climate change mitigation. It is the recommendation of Niagara Region staff that the province maintain minimum intensification and density targets with clear direction that municipalities may exceed the targets based on local conditions.
Land Use Compatibility	The proposed PPS (2024) removes requirement for proponents of sensitive land uses to demonstrate need or evaluate alternative locations for sensitive land uses where avoidance of adverse effects is not possible. [Proposed policy 3.5.2]	Niagara staff recommend that the policy requirement for the proponent of sensitive land uses to demonstrate the need for the proposed use, and evaluate alternative locations, minimized and mitigation adverse effects be reinstated.
Large and Fast-Growing Municipalities	The proposed PPS (2024) introduces and identifies “large and fast-growing municipalities” (Niagara Falls and St. Catharines in Niagara) . [Proposed definition of “large and fast-growing municipalities” and Proposed Appendix – Schedule 1] “Large and fast-growing municipalities” are encouraged to plan for a minimum density target of 50 residents and jobs per hectare in designated growth areas. [Proposed policy 2.3.1.5]	Niagara Region staff support the identification and specific policies for “large and fast-growing municipalities”. Niagara Region staff would however recommend that in Policy 2.3.1.5. “large and fast-growing municipalities” be <u>required</u> to plan for a minimum density of 50 residents and jobs per hectare, as opposed to only being encouraged to do so.

Topic Area	Proposed Change / Integration	Niagara Region Staff Analysis/Response
Major Transit Station Areas	<p>The proposed PPS (2024) carries forward the concept of major transit station areas from the Growth Plan, with the definition and minimum density targets being generally the same.</p> <p>[Proposed definition of “major transit station area”]</p>	<p>Niagara Region staff support moving forward with the concept of major transit station areas (MTSA).</p> <p>It is noted that proposed policy 2.4.2.2 would result in a higher density target for the Niagara Falls and St. Catharines MTSA compared to what is been identified in the recently approved Niagara Official Plan, 2022 (i.e. an increase from 125 to 150 residents and jobs combined per hectare).</p>
Natural Heritage	<p>In comparison to the existing Provincial Policy Statement (2020), it appears that there are no changes to the natural heritage policies. Based on Niagara Region staff’s review several changes have been made to the associated natural heritage definitions. Firstly, the definition of “significant” as it applies to wetlands has been updated to reflect the revised process for identifying provincially significant wetlands which was introduced by the Province in late 2022. Secondly, “habitat of endangered species and threatened species” has been removed from the definition of “natural heritage features and areas”.</p>	<p>Niagara Region staff are not concerned with this change given that proposed policy 4.1.7 continues to prohibit development and site alteration in the habitat of endangered species and threatened species, except in accordance with provincial and federal requirements, and these habitats would continue to be protected through the Endangered Species Act.</p>

Topic Area	Proposed Change / Integration	Niagara Region Staff Analysis/Response
<p>Natural Heritage</p>	<p>When the updated Growth Plan for the Greater Golden Horseshoe was released in 2017 and subsequently revised in 2019, it included policies, definitions, and mapping for a “Natural Heritage System for the Growth Plan” (Growth Plan NHS). Municipalities were required to incorporate and implement the policies and mapping into their official plans. The Growth Plan NHS was included as part of the integrated natural environment system (NES) of the Niagara Official Plan, approved by the Province in November 2022.</p> <p>As the proposed PPS (2024) will integrate the PPS (2020) and Growth Plan (2019), it is understood that there will no longer be a stand alone Growth Plan document, and is therefore understood the Growth Plan NHS would no longer be Provincial land-use policy.</p>	<p>Niagara Region staff are concerned with timing of elimination of the Growth Plan NHS. The process to develop a new Regional Official Plan was a significant multi-year work program that required a major investment by the community and Region. The natural environment work program – including conformity with the Growth Plan, and implementation of the Growth Plan NHS – was a significant aspect of the work program for the new Official Plan.</p> <p>Further, when Niagara Region staff implemented the Growth Plan NHS it was done so as part of an integrated natural environment system (NES), which also included the natural heritage system, water resource system, and greenbelt natural heritage system. The policies, linkages, and connections included as part of the Growth Plan NHS were relied upon to satisfy the PPS for an overall municipal natural heritage system.</p> <p>It is the recommendation of Niagara Region staff that the mapping and policies of the Growth Plan NHS continue to be provincial land-use policy and be implemented through Municipal official plans.</p>

Topic Area	Proposed Change / Integration	Niagara Region Staff Analysis/Response
Phasing of Development	The proposed PPS (2024) introduces a new policy which would promote the development of phasing policies as appropriate. [Proposed policy 2.3.1.6]	Niagara Region staff are supportive of the proposed policy as it will encourage the orderly development of urban areas and support the efficient use of existing and planning infrastructure and public services.
Post Secondary Institutions	The proposed PPS (2024) introduces a new policy which would require planning authorities to collaborate with publicly-assisted post-secondary institutions regarding the planning for student housing [Proposed policy 6.2.5]	Niagara Region staff support the proposed policy which will help to ensure that there is a range of housing options near existing and planned post-secondary institutions in the Region.
Provincially significant employment zones	The proposed PPS (2024) has not carried forward Provincially Significant Employment Zones, which were introduced to the Growth Plan in 2019. Lands designated as PSEZ are protected from conversion to non-employment uses, except where demonstrated to be appropriate through a full municipal comprehensive review. The implementation document suggests alternative approaches to protect these lands, possibly through the use of minister’s zoning orders.	Niagara Region staff have no comments as there are no PSEZs in Niagara Region.
Schools	The proposed PPS (2024) acknowledges and encourages the use of non-traditional school	Niagara Region staff support the proposed policy.

Topic Area	Proposed Change / Integration	Niagara Region Staff Analysis/Response
	locations where appropriate for the community. [Proposed policy 3.1.5]	
Settlement Area Expansion	The proposed PPS (2024) would allow for the creation of new settlement areas. Previously this was not permitted. [Proposed policy 2.3.2.2]	<p>Niagara Region staff do not oppose this proposed change in principle.</p> <p>Similar to the above response related to settlement areas, it is recommended that the proposed PPS include a requirement to demonstrate need as well as other policy tests noted in proposed section 2.3.2.1 to ensure that Ontario communities are growing in a sustainable, efficient, and cost-effective way. The availability of capacity in servicing infrastructure at a point in time should not presume that an urban area expansion or creation is feasible or appropriate.</p>
Settlement Area Expansions	The proposed PPS (2024) removes the requirement to demonstrate “need” for a settlement area expansion. [Proposed policy 2.3.2.1]	<p>Niagara Region staff do not support the proposed change.</p> <p>The requirement to demonstrate need for an urban boundary expansion is a fundamental consideration in land use planning. The requirement to demonstrate need is an essential policy tool to encourage infill and intensification and to discourage sprawl. Infill and intensification</p>

Topic Area	Proposed Change / Integration	Niagara Region Staff Analysis/Response
		<p>will also assist with financial sustainability and planning for infrastructure.</p> <p>It is the recommendation of Niagara Region staff that “need” be included as a policy test for settlement area expansions in the proposed PPS (2023).</p>
Settlement Area Expansions	<p>The proposed PPS (2024) has not carried forward the concept of a municipal comprehensive reviews which was a cornerstone policy of the Growth Plan as a way to plan the expansion of settlement areas in an orderly fashion.</p> <p>The implication of this change is that municipalities may consider settlement area expansions at any time. There is no limitation on the ability of landowners to apply for an expansion. [Proposed policy 2.3.2.1]</p>	<p>Decades of poor planning in the mid-20th century demonstrated that there is a need for integrated and coordinated growth planning at the municipal-level.</p> <p>Niagara Region staff understand that there needs to be certain improvement to the planning system in Ontario to implement the provinces goal of 1.5 million new homes by 2031. However, Niagara Region staff do not agree that minimizing coordinated municipal growth management for short term gain, at long-term costs, is the appropriate solution.</p> <p>It is the recommendation of Niagara Region staff that a mechanism similar to MCRs be maintained to ensure that municipalities grow in an integrated and coordinated manner.</p>

Topic Area	Proposed Change / Integration	Niagara Region Staff Analysis/Response
Sewage and Water Services	The proposed PPS (2024) introduces a new policy which would allow the allocation and reallocation of unused capacity in the water and wastewater system to support current and projected housing needs. [Proposed policy 3.6.1 d)]	Niagara Region staff are supportive of the proposed policy as it will provide an additional tool to support municipalities ensuring that approved development is built and allow the reallocation of servicing capacity from approved developments which are not moving forward.
Strategic Growth Areas	The proposed PPS (2024) has carried forward / integrated the concept of strategic growth areas from the Growth Plan. They are to be identified in official plans, and should be the focus of growth. They include major transit station areas. [Proposed section 2.4 and proposed definition of “strategic growth area”]	Niagara Region staff are supportive of strategic growth areas continuing to be part of the planning framework in Ontario.
Watershed Planning	The proposed PPS (2024) has no carried forward the full suite of policies related to watershed and subwatershed planning to inform land use planning as compared to the existing PPS (2020) and Growth Plan (2019). Large and Fast Growing Municipalities are required to undertake watershed planning and other municipalities are encouraged to do so [Proposed policy 2.2.4]	The proposed changes will limit the applicability of watershed planning, and as such will result in negative impacts to the natural environment and the ability to work towards a streamlined system that achieves complete communities. By limiting the municipalities and scope at which watershed planning is undertaken the proposed PPS (2024) does not take into consideration that

Topic Area	Proposed Change / Integration	Niagara Region Staff Analysis/Response
	Municipalities undertaking watershed planning are encouraged to collaborate with applicable conservation authorities [Proposed policy 4.2.5]	watersheds are not limited by municipality boundaries.

Administration

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May 28, 2024

CL 8-2024, May 23, 2024

PEDC 5-2024, May 8, 2024

PDS 16-2024, May 8, 2024

**MINISTRY OF THE ENVIRONMENT, CONSERVATION AND PARKS
LOCAL AREA MUNICIPALITIES**

SENT ELECTRONICALLY

2023 Reserve Water and Wastewater Treatment Capacities

PDS 16-2024

Regional Council, at its meeting held on May 23, 2024, passed the following recommendation of its Planning and Economic Development Committee:

That Report PDS 16-2024, dated May 8, 2024, respecting 2023 Reserve Water and Wastewater Treatment Capacities, **BE RECEIVED** and **BE CIRCULATED** to the Ministry of the Environment, Conservation and Parks, and Local Area Municipalities.

A copy of PDS 16-2024 is enclosed for your reference.

Yours truly,



Ann-Marie Norio
Regional Clerk

js

CLK-C 2024-058

cc: I. Stetic, Manager, Water Wastewater Infrastructure
M. Sergi, Commissioner, Growth, Strategy and Economic Development
N. Oakes, Executive Assistant to the Commissioner, Growth, Strategy and Economic Development

Subject: 2023 Reserve Water and Wastewater Treatment Capacities

Report To: Planning and Economic Development Committee

Report date: Wednesday, May 8, 2024

Recommendations

1. That Report PDS 16-2024 **BE RECEIVED** for information; and
2. That Report PDS 16-2024 **BE CIRCULATED** to the Ministry of the Environment, Conservation and Parks, and Local Area Municipalities.

Key Facts

- The purpose of this report is to inform Council of the reserve treatment capacities at Niagara's Water and Wastewater Treatment facilities. This reporting is required by the Ministry of Environment, Conservation and Parks (MECP).
- The data contained in this report assists in commenting on new development proposals and related servicing, as well as planning for future treatment capacity.
- All of Niagara Water Treatment Plants (WTPs) and Wastewater Treatment Plants (WWTPs) are positioned to accept growth beyond the minimum 10-year horizon.

Financial Considerations

This report provides Council with historical and projected treatment capacity and flow data. There are no direct financial implications in receiving this report.

The reserve treatment capacities at the water and wastewater (W&WW) facilities are considered in commenting on new development proposals and related servicing therefore could result in a financial impact related to specific future applications.

Analysis

The Infrastructure Planning and Development Engineering section of Growth Strategy and Economic Development Department annually reports on an assessment of the average daily W&WW flows based on the previous five years, as recorded at our various facilities compared to MECP rated capacities for the facilities. A key objective of this report is to highlight potential capacity constraints and allow sufficient lead-time to plan for future capacity increases through the W&WW capital programs so that development may continue unencumbered. This desktop exercise, compares five-year

(annual) average flows to the respective MECP Environmental Compliance Approval(s), formerly known as Certificate of Approval(s) for each facility, then incorporates 10-year growth forecasts into the calculation. On-going phasing and staging strategy work with our local municipal partners will further refine this assessment for understanding development capacities.

This assessment does not reflect specific compliance, quality, sustainability, risk, or operational deficiencies at the treatment plants or trunk conveyance/transmission systems, which may affect the Region's ability to approve new development or permit servicing extensions. There are various developments across the Region that will require sewage pumping station upgrades to occur to provide the necessary development capacity to proceed, which are outlined in the Region's 2021 Water Wastewater Master Servicing Plan Update (MSPU). Continued investment in the sustainability of the existing WTP and WWTP is of paramount importance to ensure that the capacity continues to be available for existing users and future developments.

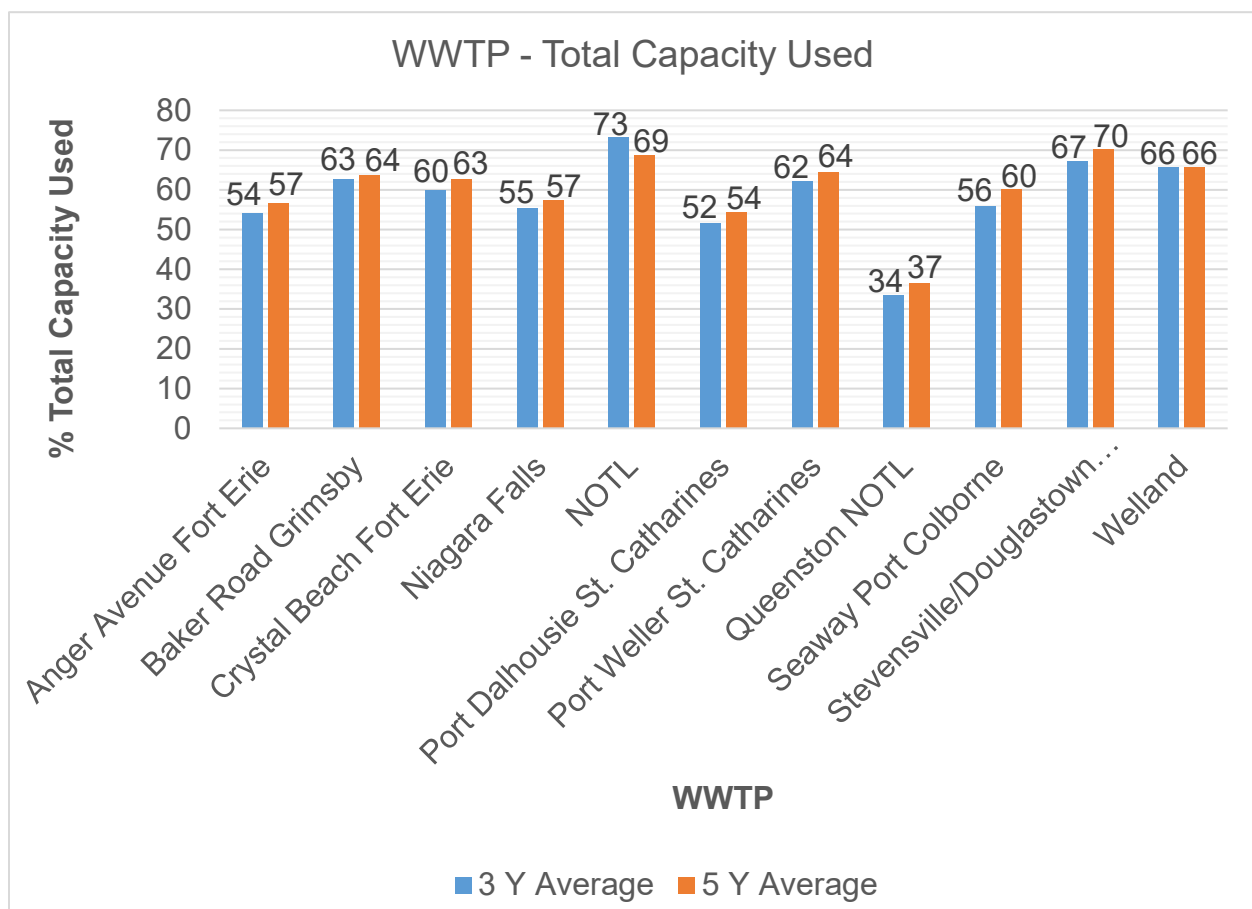
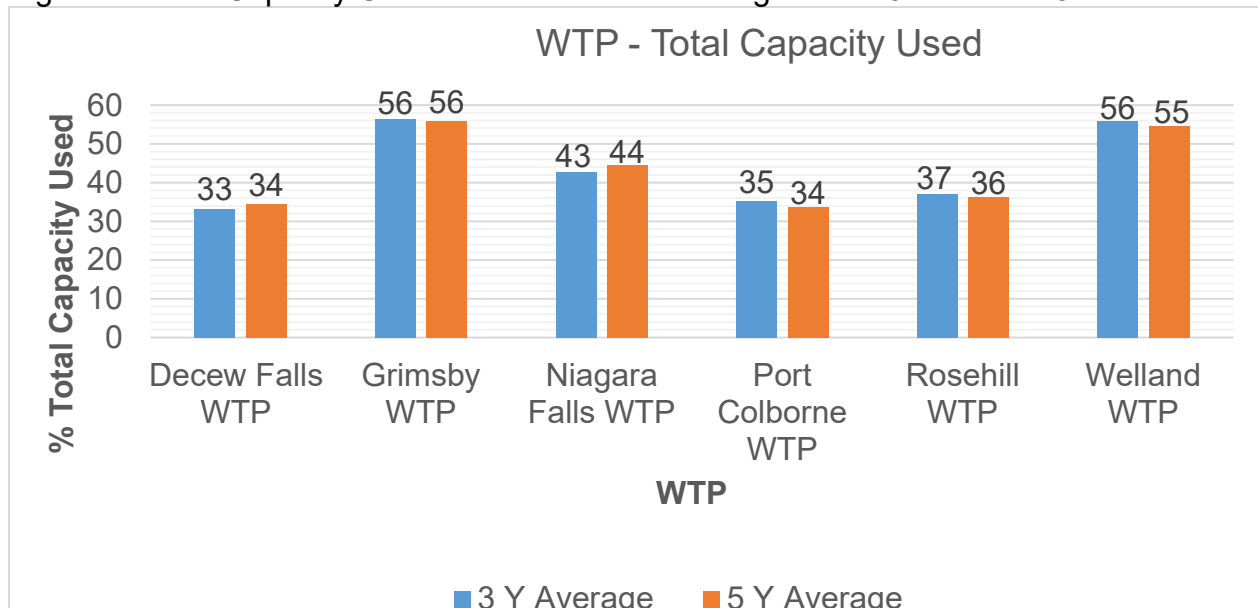
For municipal wastewater treatment, weather is the key factor that results in peak wet weather flow, which impacts the collection and trunk sewers in both local and regional systems through Rainfall Derived Inflow and Infiltration (RDI&I). Wet weather flows can have substantial impact on available WWTP capacities and a direct impact on the limitations of available servicing capacity for future growth.

Appendices 1 and 2 provide annual average daily flows and five-year average flows from 2019 to 2023 for the water and wastewater treatment plants, respectively. Appendices 3 and 4 provide a summary of Niagara's six water treatment facilities and eleven wastewater treatment facilities presenting their respective reserve capacities.

A comparison of the total capacity used over a 5-year period versus a 3-year period was completed to determine if recent growth and flow conditions have any significant impacts. For the WTP's the averaging daily flows over a 5-year period versus a 3-year period in the Reserve Capacity calculations for 2023 does not show a compelling difference or significant trend. For the WWTP's, there is a general trend of a slightly reduced annual average daily flow except for NOTL WWTP. This can partially be due to several infill and infiltration (I&I) reduction and capacity restoration projects within the recent years. Additionally, due to COVID over the last few years, there may have been some impacts on flows.

Figure 1 shows a comparison of the total capacities used for WTPs and WWTPs when daily flows are averaged over the last 3 and 5 years.

Figure 1: Total Capacity Used – Annual Flows Averaged over 3-Year and 5-Year Period



If all the major infrastructure sustainability investments are carried out, all of Niagara's WTPs and WWTPs will be able to accommodate growth beyond the minimum 10-year period (Appendix 3 and Appendix 4).

Niagara Official Plan and Water/Wastewater Master Servicing Plan

The new Niagara Official Plan was approved by the Regional Council and subsequently approved and adopted by the Province on November 4, 2022. As part of the Plan, the Region completed extensive background review, consultation, and supporting studies in 2022 and 2023, which resulted in policies and mapping to managing growth and the economy while protecting the natural environment, resources and agricultural land, and providing infrastructure to support developments of the whole region. The approval of the Niagara Official Plan helps the Region prepare for the anticipated population of 694,000 people and 272,000 jobs by 2051.

The anticipated growth out to 2051 from the Niagara Official Plan process was utilized in the 2021 Master Servicing Plan Update (MSPU) to determine the required water and wastewater growth capital projects for the future while maintaining the existing infrastructure.

The 2021 MSPU is a critical component in the Region's planning for growth and provides the framework and vision for the water and wastewater servicing needs for the lake-based service areas of the Region to 2051 and beyond. The 2021 MSPU evaluates the ability of the existing and planned water and wastewater infrastructure to continue servicing the Region's existing users, to prepare for servicing anticipated growth, and to evaluate and develop recommended strategies in an efficient and effective manner. This included consideration for Regional water and wastewater infrastructure to be aligned with the urban expansion and intensification areas identified in the Niagara Official Plan review. Additionally, the potential impacts of estimated growth beyond 2051 was considered due to the longer useful life of water and wastewater infrastructure assets.

Recent growth projections and development densities provided by LAMs have been proposing greater amounts of growth than originally anticipated in the 2021 MSPU. The Region is continuing to work with LAMs to better understand these development pressures and projections as alignment of infrastructure, growth and financing are critical to the success of Niagara. These updated growth projections will influence the next MSPU, which will be commencing in 2025.

Wet Weather Management

The Niagara wastewater systems are a mix of separated and combined sewer systems. Each system is experiencing varying levels of impact during wet weather conditions. Climate change continues to create changing weather conditions and the wastewater systems are experiencing, in most cases, high peak flows under rainfall events. To accommodate the anticipated growth from Niagara 2051 and to maintain an existing servicing level for the wastewater infrastructure, system capacity upgrades (upgrades to trunk sewers, pumping stations, etc.) and the upstream management (storage, peak shaving, diversion) together with peak flow management (I&I reduction projects) for every wastewater system were investigated. Based on this review, there are wet weather projects listed with identified areas for targeted I&I removal to offset the requirement to upgrade and expand more expensive infrastructure all the way to the WWTPs. It is crucial to achieve the I&I reductions to use free capacity for growth, to protect the environment, and mitigate potential basement flooding.

The wet weather management program currently identifies, in the 2021 MSPU, overall preliminary priority, staging of location and target amount of I&I reduction across all systems. This program provides for a proactive and targeted approach to addressing wet weather impacts.

The Region has been aiding Local Area Municipalities by funding the CSO Control Program as a part of the overall Wet Weather Management Strategy to support various I&I related projects and programs on the municipal side. This program has been reducing the impacts of I&I and has been a benefit to both, the Region, and the Local Area Municipalities. Therefore, it is important to continue working collaboratively to facilitate ongoing development throughout the region and provide the requisite servicing and capacity allocation in a responsible way to service the communities.

The available funding for the 2023 CSO Control Program has been fully utilized and subscribed with applications from the Municipal partners. A separate report on the 2024 CSO Control Program is anticipated to be presented to the Planning and Economic Development Committee as well.

Staff is working with the Development Industry including Public Works Officials, Building Officials, Developers, Consultants and Contractors to raise awareness on the wet weather management issues and potential upcoming changes to address this. The Region is also represented at the Expert Stakeholder Committee (ESC) for the Guideline to Undertaking Flow Monitoring of New Construction and will work with all

interested parties to move forward with a consistent approach for the review the flow monitoring of new subdivisions.

South Niagara Servicing Solution and South Niagara Wastewater Treatment Plant

Although this report identifies there is short term capacity available at the existing Niagara WWTP, it only considers the treatment capacity at the plant for the next 10 years. It does not consider the constraints in the existing sanitary collection system, wet weather flow issues, consideration for development demands and longer-term growth, or the required infrastructure improvements to get the flows to the plant.

As part of Niagara 2051, there was an update to the Water and Wastewater MSPU. The MSPU used updated population and employment growth forecasts based on a 2051 planning horizon. Based on the Niagara 2051 planning review, the implementation of the South Niagara Servicing Solution and timing of the new South Niagara Wastewater Treatment Plant (SNWWTP) continues to be supported and necessary to accommodate growth.

In Niagara Falls, there is not enough capacity in the existing sewer system nor at the existing treatment plant to meet the increasing system demands resulting from growth, as well as the increased wet weather flows due to aging infrastructure and climate change. The South Niagara Servicing Solution is essential to unlocking the development potential in the broader South Niagara area and the capital program to support the servicing solution will provide greater flexibility for developments in St. Catharines, Niagara Falls, Thorold, and Niagara-on-the-Lake. The total growth is estimated to be over 90,000 people and jobs to the year 2051 and the South Niagara Servicing Solution also considers potential long-term growth beyond 2051. The ability to redirect existing flows to the south, provide additional capacity in the new trunk sewer, provide flexibility for storage in the trunk sewer, and ultimately treat the wastewater flows at the new SNWWTP all contribute to a significant wet weather management program. In addition, the location of the new SNWWTP will provide flexibility for the potential for additional wet weather management through potential connections of other service areas such as Chippawa, Thorold, St. Catharines, Niagara Falls and Niagara-on-the-Lake. Through the analysis undertaken as part of the Class EA process, it is estimated that the new South Niagara Servicing Solution will result in a reduction of over 60% of wet weather volume overflow to the environment.

This servicing solution is integral to the overall growth servicing strategy that supports the anticipated residential and employment growth in the Niagara Falls, Niagara-on-the-

Lake, Thorold, and St. Catharines service areas. This total growth is estimated to be over 90,000 people and jobs in the area out to the year 2051. The South Niagara Servicing Solution also considers potential long-term growth beyond 2051.

Queenston Wastewater Treatment Plant

As part of the South Niagara Servicing solution, a variety of opportunities were explored to redirect flows from Queenston WWTP to Niagara Falls and decommission the plant. However, during the recently finished Queenston – St. David’s Wastewater Servicing Strategy EA, preferred and supported option is keeping the plant to enhance the wastewater system operational flexibility.

Alternatives Reviewed

No alternatives reviewed.

Relationship to Council Strategic Priorities

The report aligns with responding to our current community needs and planning for future growth, which is Council’s Priority of Equitable Region.

Simultaneously, the report helps ensuring current and future infrastructure is resilient emphasizing Council’s Priority for a Green and Resilient Region.

The report also provides MECP and local municipal partners operational summary and reserve capacity projections for Region’s Water and Wastewater Treatment facilities.

Other Pertinent Reports

- PW 39-2021, September 9, 2021, South Niagara Falls Wastewater Treatment Plant – Budget and Property
- PDS 13-2023, May 10, 2023, 2022 Reserve Water and Wastewater Treatment Capacities
- PDS 17-2022, June 15, 2022, Official Plan Recommendations Report for Adoption

Prepared by:

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Growth Strategy and Economic
Development

Recommended by:

Michelle Sergi, MCIP, RPP
Commissioner
Growth Strategy and Economic
Development

Submitted by:

Ron Tripp, P.Eng.
Chief Administrative Officer

This report was prepared in consultation with Phill Lambert, Acting Director, W-WW Services, Susan Dunsmore, Acting Director, Infrastructure Planning and Development Engineering, John Brunet, AD Water Operations and Maintenance and Jason Oatley, Manager WW Quality & Compliance.

Appendices

- | | |
|------------|---|
| Appendix 1 | Annual Average Daily Flow 2019 to 2023 WTP |
| Appendix 2 | Annual Average Daily Flow 2019 to 2023 WWTP |
| Appendix 3 | Water Reserve Capacity Calculations for 2023 |
| Appendix 4 | Wastewater Reserve Capacity Calculations for 2023 |

Appendix 1: WTP Annual Average Daily Flow 2019 - 2023

Water Treatment Plant	Rated Capacity (m ³ /d)	Average Daily Flow (m ³ /d)					5 Year Average 2019 / 23	3 Year Average 2021 / 23
		2019	2020	2021	2022	2023		
Decew Falls WTP	227,300	53,303	53,390	50,824	52,970	52,830	52,663	52,208
Grimsby WTP	44,000	14,029	15,726	14,872	14,809	14,610	14,809	14,764
Niagara Falls WTP	145,584	43,400	40,145	40,125	42,164	43,050	41,777	41,780
Port Colborne WTP	36,000	7,282	6,870	6,387	6,953	8,310	7,160	7,217
Rosehill WTP	50,026	11,188	11,024	11,710	13,025	12,710	11,931	12,482
Welland WTP	65,000	22,579	24,670	24,675	24,162	24,100	24,037	24,312

Appendix 2: WWTP Annual Average Daily Flow 2019 - 2023

Wastewater Treatment Plant	Rated Capacity (m³/d)	Average Daily Flow (m³/d)					5 Year Average 2019 / 23	3 Year Average 2021 / 23
		2019	2020	2021	2022	2023		
Anger Avenue WWTP	24,500	14,624	15,146	13,580	13,171	12,992	13,903	13,248
Baker Road WWTP	31,280	19,975	20,910	17,952	17,081	23,700	19,923	19,578
Crystal Beach WWTP	9,100	5,874	6,276	5,688	5,256	5,423	5,703	5,456
Niagara Falls WWTP	68,300	41,489	41,360	35,242	35,197	42,902	39,238	37,780
NOTL WWTP	8,000	4,687	5,237	5,142	5,602	6,823	5,498	5,856
Port Dalhousie WWTP	61,350	35,095	36,681	34,113	31,793	29,176	33,372	31,694
Port Weller WWTP	56,180	36,881	39,211	33,751	33,176	38,024	36,208	34,983
Queenston WWTP	500	198	213	135	142	225	183	168
Seaway WWTP	19,600	12,580	13,472	11,299	10,200	11,391	11,789	10,964
Stevensville/Douglstown	2,289	1,670	1,729	1,592	1,552	1,479	1,604	1,541
Welland WWTP	54,550	34,643	37,137	33,617	34,288	39,800	35,897	35,902

Appendix 3: WTP Reserve Capacities for 2023

Water Treatment Plant	Permit To Take Water ⁽¹⁾	Rated Treatment Capacity	Theoretical Ave Day Capacity	90% of Ave Day Capacity ⁽²⁾	5-Year Ave Day Flow	Peaking Factor	Total Capacity Used	Reserve Treatment Capacity	Design Flow Rate ⁽³⁾	Reserve Serviceable Population	10-Year Forecast Population	Surplus Population
	MLD							90% MLD	246 Lcd	Equivalents	Res & Emp	10-Year Projection
DeCew Falls	227.0	227.3	153.3	138.0	52.7	1.483	34%	85.3	246	346,748	30,223	316,525
Grimsby	44.0	44.0	26.5	23.9	14.8	1.659	56%	9.0	246	36,585	17,037	19,548
Niagara Falls	145.5	145.6	94.0	84.6	41.8	1.548	44%	42.8	246	173,984	28,700	145,284
Port Colborne	45.5	36.0	21.2	19.1	7.2	1.700	34%	11.9	246	48,374	2,032	46,342
Rosehill	78.0	50.0	32.8	29.5	11.9	1.525	36%	17.6	246	71,545	7,151	64,394
Welland	110.0	65.0	44.0	39.6	24.0	1.476	55%	15.6	246	63,415	18,388	45,027

Note 1: Original MOE approved quantity of raw water permitted (Permit To Take Water).

Note 2: Region's 2021 W&WW MSP requires planning process for expansion when plant capacity exceeds 80%, and expansion should be completed when capacity exceeds 90%.

Note 3: Region's 2021 W&WW MSP new design criteria calls for 240 Lcd residential consumption and 270 Led employment consumption. This is equivalent to 246 Lcd for both, using the 79% and 21% residential and employment share, respectively.

Appendix 4: WWTP Reserve Capacity for 2023

Wastewater Treatment Plant	MECP Rated Capacity	90% of Plant Capacity ⁽¹⁾	5-Year Average Daily Flow	Total Capacity Used	Reserve Treatment 90% Capacity	Design Flow Rate ⁽²⁾	Reserve Serviceable Population	10-Year Forecast Population Res & Emp	Surplus Population 10-Year Projection
	m ³ /d				m ³ /d	356 Lcd	Equivalents		
Anger Avenue (Fort Erie)	24,500	22,050	13,903	57%	8,147	356	22,886	4,730	18,156
Baker Road (Grimsby)	31,280	28,152	19,923	64%	8,229	356	23,114	20,442	2,672
Crystal Beach (Fort Erie)	9,100	8,190	5,703	63%	2,487	356	6,986	1,081	5,905
Niagara Falls ⁽³⁾	68,300	61,470	39,238	57%	22,232	356	62,450	22,309	40,141
NOTL	8,000	7,200	5,498	69%	1,702	356	4,780	1,036	3,744
Port Dalhousie (St. Catharines)	61,350	55,215	33,372	54%	21,843	356	61,358	13,784	47,574
Port Weller (St. Catharines)	56,180	50,562	36,208	64%	14,354	356	40,319	9,392	30,927
Queenston (NOTL) ⁽⁴⁾	500	450	183	37%	267	356	751	34	717
Seaway (Port Colborne)	19,600	17,640	11,789	60%	5,851	356	16,437	2,008	14,429
Stevensville/Douglastown	2,289	2,060	1,604	70%	456	356	1,280	994	286
Welland	54,550	49,095	35,897	66%	13,198	356	37,072	18,235	18,837

Note 1: Region's 2021 W&WW MSP requires planning process for expansion when plant capacity exceeds 80%, and expansion should be completed when capacity exceeds 90%.

Note 2: Region's 2021 W&WW MSP new design criteria calls for 255 Lcd residential and 310 Led employment generation rate including 90 Lcd of extraneous flow allowance. An equivalent of 356 Lcd is applied using 80% and 20% for residential and employment growth share, respectively.

Note 3: The Niagara Falls WWTP assessment includes the sewage flows from the St. David's area of Niagara-on-the-Lake.

Note 4: The Queenston WWTP in Niagara-on-the-Lake has a unique capacity commitment of 226 m³/d for the following properties: Niagara Parks Commission (75 m³/d), Niagara Falls Bridge Commission (63 m³/d), Shalamar Campground (38 m³/d) and Ontario Power Generation (50 m³/d). Due to these commitments and limited UAB, limited residential growth is expected within the next 10 years within the tributary area.

May 28, 2024

CL 7- 2024, May 23, 2024

Distribution List

SENT ELECTRONICALLY

Motion Reaffirming Niagara Region's Commitment to the Expansion of All-day, Two-way GO Train Service

Regional Council, at its special meeting held on May 23, 2024, passed the following motion:

WHEREAS the Niagara Region, and the 12 local communities, have been consistent in their support for all day, two-way GO Train service between Niagara Falls and Union Station;

WHEREAS a \$40 million capital budget for enabling GO service to Niagara stations was approved to fund the activities approved in Council's GO Station Development Strategy;

WHEREAS the Niagara Region and local municipalities have made significant financial investments into key infrastructure surrounding the train stations in Grimsby, St. Catharines, and Niagara Falls which enable the expansion of service to Niagara;

WHEREAS the Government of Ontario has stated its commitment to expansion of GO service to Niagara;

WHEREAS the Government of Ontario has made historic investments in the expansion of its GO Transit network;

WHEREAS the Niagara Region, in collaboration and cooperation with the 12 local communities, and with connectivity to GO Transit as one of its primary drivers, amalgamated public transit service across the region, culminating in the creation of the Niagara Transit Commission;

WHEREAS the cost to Niagara Region to complete this amalgamation of Niagara's transit systems was substantial;

WHEREAS the Niagara Region has introduced NRT OnDemand Transit service to establish and enable first/last mile connections to existing Grimsby and Lincoln GO stops, in addition to connecting all of Niagara's rural communities with the GO network;

WHEREAS the Niagara Region funded the completion of a Metrolinx-approved Initial Business Case demonstrating the significant value of establishing GO Train service to Lincoln;

WHEREAS efforts to secure enhanced daily GO Train service have resulted in a positive but inadequate outcome of three round trips a day between Niagara Falls and Union Station;

WHEREAS recent projections indicate that there are over 130,000 potential commuters identified within Niagara for the purposes of post-secondary education, employment, and recreation;

WHEREAS the Niagara region continues to grow, with over \$1.8 billion in residential building permits issued and with 30,000 approved units;

WHEREAS Niagara's investments and leadership have met or exceeded all of the prerequisite local conditions required to secure a reliable two-way, all-day GO Train service pattern identified for success by the Provincial Government and Metrolinx; and

WHEREAS the Niagara Region, in partnership with the 12 local municipalities, believes that a robust GO Train service pattern with increased frequency and reliability is needed in order to drive ridership, thereby boosting the provincial economy and removing cars from congested highways.

NOW THEREFORE BE IT RESOLVED:

1. That Niagara Regional Council **REAFFIRM** its explicit commitment that securing all-day, two-way GO Train service between Niagara Falls and Union Station, with stops in St. Catharines, Grimsby and Lincoln, is a top priority;
2. That the Regional Chair's Office **BE DIRECTED** to lead an advocacy campaign, in partnership with the 12 local municipalities, to help influence provincial decision makers to increase the frequency and reliability of GO Train service patterns to Niagara;
3. That the Chief Administrative Officer **BE DIRECTED** to make necessary resources and personnel required to support this campaign to help secure a more conducive GO Train service pattern available;

4. That the Regional Clerk **BE DIRECTED** to send a copy of this motion to Niagara's 12 local councils, Metrolinx and the City of Hamilton; and
5. That the Regional Chair **BE DIRECTED** to send a copy of this motion to Niagara's four Members of Provincial Parliament and any appropriate provincial transportation ministries.

Yours truly,



Ann-Marie Norio
Regional Clerk

:kl

CLK-C 2024-060

Distribution List:

Local Area Municipalities
D. Wright, Board Chair, Metrolinx
P. Verster, Chief Executive Officer, Metrolinx
City of Hamilton

May 28, 2024

Town of Lincoln
4800 South Service Road
Beamsville, ON
LOR 1B1

Attention: Ms. Julie Kirkelos, Director of Legislative Services/Town Clerk

Dear Ms. Kirkelos,

RE: Town of Lincoln Council Resolution – Urgent Need for Increased Funding to Libraries and Museums in Ontario

Please be advised that the Council of the Corporation of the Township of West Lincoln at its Council Meeting held on May 27, 2024, passed the following motion regarding an Urgent Need for Increased Funding to Libraries and Museums in Ontario:

Resolution

That the correspondence from the Corporation of the Town of Lincoln, dated February 28, 2024 be received and supported.

If you require any additional information, please do not hesitate to contact the undersigned.

Sincerely,



Justin J. Paylove
Director of Legislative Service/Clerk
jpayscale@westlincoln.ca

JJP/jmt

cc. Premier of Ontario
Minister of Tourism, Culture and Sport
Association of Municipalities of Ontario (AMO)
Ann-Marie Norio, Clerk, Niagara Region
Local Area Municipalities
All Ontario Municipalities

March 20, 2024

Julie Kirkelos, Clerk
Town of Lincoln
4800 South Service Road
Beamsville ON L0R 1B1

SENT ELECTRONICALLY

jkirkelos@lincoln.ca

Re: Increased Funding to Libraries and Museums in Ontario

Please be advised that at its meeting of March 19, 2024, the Council of the Corporation of the Township of Wainfleet passed the following motion:

“**THAT** Correspondence item C-2024-067 from the Town of Lincoln respecting Increased Funding to Libraries and Museums in Ontario be received and supported.”

Should you have any questions, please contact me at achrastina@wainfleet.ca or 905-899-3463 ext. 224.

Regards,



Amber Chrastina
Deputy Clerk

Cc: Premier of Ontario
Sam Oosterhoff, MPP Niagara West
Local Area Municipalities

4800 SOUTH SERVICE RD
BEAMSVILLE, ON L0R 1B1

905-563-8205

February 28, 2024

SENT VIA EMAIL: Premier@ontario.ca

The Honourable Doug Ford
Premier of Ontario
Legislative Building, Queen's Park
Toronto, ON M7A 1A1

Dear Honourable Doug Ford:

RE: Town of Lincoln Council Resolution – Urgent Need for Increased Funding to Libraries and Museums in Ontario

Please be advised that the Council of the Corporation of the Town of Lincoln at its Council Meeting held on February 26, 2024, passed the following motion regarding an Urgent Need for Increased Funding to Libraries and Museums in Ontario:

Resolution No: RC-2024-23

Moved by Mayor Easton; Seconded by Councillor Mike Mikolic

WHEREAS the provincial funding for public libraries is currently based on population levels from 25 years ago, which fails to reflect the substantial growth and changing needs of our communities. The Town of Lincoln Council wishes to draw your attention to the "Overdue" report of 2023 from the Canadian Urban Council, which emphasizes the pivotal role libraries play in various aspects of community life, including knowledge distribution, culture, health, reconciliation, belonging, and our democracy; and

WHEREAS libraries, situated at the heart of our communities, serve as multifaceted institutions catering to diverse needs. They provide essential services such as access to culture and information, refuge for those experiencing domestic violence, election information centers, job search facilities, health clinics, language learning centers for newcomers, and spaces for educational and community events. Despite their vital role, public libraries in Ontario have not seen an increase in provincial funding for over 25 years, leading to a decrease in the value of the province's investment by over 60%; and

WHEREAS the Town of Lincoln Council urges the Provincial Government to

consider increasing provincial funding for Ontario's public libraries to address critical shared priorities and community needs. While over 90% of library funding comes from local municipal governments, provincial operating funding is crucial for providing stability to library budgets, especially in times of inflation, technological changes, and increasing demands on libraries as community hubs; and

WHEREAS the Town of Lincoln Council would like to bring to the Provincial Government's attention the pressing need to increase the funding envelope for the Community Museum Operating Grant (CMOG). The Town of Lincoln currently receives \$25,000 annually, the maximum amount through this grant, but the funding envelope has remained stagnant for over 15 years. This limitation hampers the ability of community museums to offset increasing operational expenses, impacting their role in preserving and promoting local stories, attracting cultural tourists, supplementing school curriculum, and contributing to vibrant and vital communities; and

WHEREAS the Lincoln Museum and Cultural Centre is a community hub critical to the health and vibrancy of our community. An increase in CMOG funding will enable our museum to continue its valuable service to the community, creating a sense of place, attracting cultural tourists, and preserving local stories that define our unique identity; and

WHEREAS Cultural institutions, particularly museums, play a vital role in shaping and preserving our community's identity. They contribute to tourism, social participation, senior well-being, skill-building, and learning. As the largest government funder for most of Ontario's smaller museums, municipalities create value in their communities through the work of these institutions.

THEREFORE, BE IT RESOLVED THAT the Town of Lincoln Council urges the Provincial Government to support increasing funding to both public libraries and community museums. Recognizing these institutions as national assets and strategically investing in their potential will contribute significantly to renewing post-pandemic social cohesion, economic well-being, and community resilience; and

BE IT FURTHER RESOLVED THAT this resolution be circulated to the Province, the Minister of Tourism, Culture and Sport, Association of Municipalities of Ontario (AMO), the Niagara Region, the 12 Local Area Municipalities in Niagara and all municipalities of Ontario for endorsement.

CARRIED

If you require any additional information, please do not hesitate to contact the undersigned.

Regards,



Julie Kirkelos

Town Clerk

jkirkelos@lincoln.ca

JK/dp

Cc: Premier of Ontario
Minister of Tourism, Culture and Sport
Association of Municipalities of Ontario (AMO)
Ann-Marie Norio, Clerk, Niagara Region
Local Area Municipalities
All Ontario Municipalities

May 28, 2024

**City of Hamilton
Haldimand County
Regional Municipality of Niagara
Local Area Municipalities**

SENT ELECTRONICALLY

Report No. FA-27-24 RE: NPCA Comments on Proposed Regulation Detailing Minister's Permit and Review Powers – ERO Posting 019-8320

At the Board of Directors meeting held on May 17, 2024, the following resolution was passed:

Resolution No. FA-65-2024

THAT Report No. FA-27-24 RE: NPCA Comments on Proposed Regulation Detailing Minister's Permit and Review Powers – ERO Posting 019-8320 **BE RECEIVED** for information;

AND FURTHER THAT Report No. FA-27-24 **BE CIRCULATED** to upper-tier and lower-tier municipalities in Niagara Region, the City of Hamilton, and Haldimand County for their information.

A copy of Report No. FA-27-24 and the Appendix are enclosed for your reference.

Sincerely,



Melanie Davis
Manager, Office of the CAO & Board
Niagara Peninsula Conservation Authority

cc: Chandra Sharma, CAO / Secretary - Treasurer
Leilani Lee-Yates, Director, Planning & Development
David Deluce, Senior Manager, Environmental Policy & Planning

Report To: Board of Directors

Subject: NPCA Comments on Proposed Regulation Detailing Minister's Permit and Review Powers – ERO Posting 019-8320

Report No: FA-27-24

Date: May 17, 2024

Recommendation:

THAT Report No. FA-27-24 RE: NPCA Comments on Proposed Regulation Detailing Minister's Permit and Review Powers – ERO Posting 019-8320 **BE RECEIVED** for information;

AND FURTHER THAT Report No. FA-27-24 **BE CIRCULATED** to upper-tier and lower-tier municipalities in Niagara Region, the City of Hamilton, and Haldimand County for their information.

Purpose:

The purpose of this report is to update the Board on staffs' comments submitted to the Environmental Registry of Ontario (ERO) regarding Proposed Regulation Detailing Minister's Permit and Review Powers.

Background:

On April 1, 2024 several amended sections of the *Conservation Authorities Act* received proclamation and took effect. These included the new Section 28.1.1 Permits issued by Minister, and Subsection 28.1(8) Request for Minister's review.

Section 28.1.1 allows the Minister of Natural Resources and Forestry (the Minister) to issue an order directing a conservation authority not to issue a permit and, if an order is made, give the Minister the power to issue a permit in place of the conservation authority. Subsection 28.1(8) allows a permit applicant to submit a request to the Minister to review a conservation authority's decision to refuse a permit or any conditions imposed by the

conservation authority. An enabling regulation is required before the new ministerial powers can be used.

The Government of Ontario posted notice 019-8320 to the ERO on April 5, 2024, providing details about the circumstances under which the Minister may issue an order to prevent a conservation authority from making a permitting decision, make the permitting decision in place of a conservation authority, or may undertake a review of a conservation authority permitting decision.

The ERO posting was open for 31 days, closing on May 6, 2024. Staff submitted comments to the ERO outlining our concerns and provided recommendations for the province's consideration.

Discussion:

The ERO posting provided general descriptions of the additional requirements of Section 28.1.1 that would be included in the new regulation. This includes:

- “The Minister may make an order to prevent a conservation authority from making a permitting decision and take over the permitting process only if the development activity or type or class of permits pertains to or supports a specified provincial interest, including:
 - Housing (community, affordable and market-based)
 - Community services (health, long-term care, education, recreation socio-cultural, security and safety, environment)
 - Transportation infrastructure
 - Buildings that facilitate economic development or employment
 - Mixed use developments
- If a proponent wishes to petition the Minister to issue an order, the proponent must submit a request to the Minister that would include information on:
 - Overview of proposed development.
 - Why the Minister's involvement is requested (e.g., development of provincial interest, timing/urgency; permitting process to date if applicable; other barriers) and preferable to the standard process in the *Conservation Authorities Act*.
 - Indication of whether the local municipality has endorsed the project and the request for Minister's involvement (e.g., by municipal letter or resolution).
 - Status of other required project approvals including the extent of any engagement with the conservation authority in the permitting process that the applicant has had to date.”

In the absence of specific details or a draft regulation, it is unclear how the new regulation will be administered and what role conservation authorities may have in administering the

regulation. NPCA staff have taken care to coordinate our comments with Conservation Ontario and partner conservation authorities to ensure consistency to the extent possible.

NPCA staff comments and recommendations are included in Appendix 1. Notable concerns NPCA staff highlighted include:

- The suggested categories of provincial interest are broad and may result in numerous requests that may conflict with provincial interest in protecting people and property from natural hazards. A potential high volume of requests may affect MNRF's ability to process the requests in a timely manner.
- Caution is warranted in choosing third party providers to inform the Minister's decision on permits. These providers may have perceived or real conflicts of interest with working for both private interests and the Province. The NPCA recommends the MNRF establish a multi-disciplinary Minister's technical advisory committee to provide recommendations to the Minister when issuing permits or reviewing conservation authority permitting decisions.
- What/who's data and mapping will be used to evaluate permit requests? It is unclear how the Minister would review and make decisions on applications in the absence of conservation authority policies and tools (e.g. procedure documents, mapping, and modelling).
- How does the province intend to ensure compliance with a Minister's permit? The amended *Conservation Authorities Act* and regulatory proposal purports to have conservation authorities undertake compliance and enforcement activities with permits issued by the Minister. Without conservation authority involvement in the review and approval process, it is difficult to anticipate enforcement and compliance staff resources necessary for permits issued by the Minister.
- Who will be liable for any losses or damages resulting from a Minister's permit? Where the Minister's decisions are inconsistent with conservation authority Board-approved policies or conservation authority natural hazard mapping and modelling, the liability for such decisions remains with the issuing body (the Minister). Conservation authorities are not liable for decisions made under the *Conservation Authorities Act* by another body that may result in losses or damages.

Staff have provided five recommendations to the Province, which are fully detailed in Appendix 1:

1. Pause finalization of the Regulation to engage with Conservation Authority and Municipal representatives.

2. Further scope criteria for considering if proposed development activity supports provincial interest.
3. Decisions by the Minister should be based on sound and reliable science, data, mapping, and technical guidance prepared by Conservation Authorities through natural hazard and watershed programs.
4. Early and ongoing engagement with Conservation Authorities and Municipalities throughout the Minister's review/permit process.
5. MNRF should be fully responsible and accountable for losses or damages arising from Minister's decisions on permits.

The details regarding these new ministerial powers must be carefully developed to ensure Minister's decision making on permits remain technical, apolitical, and integrates a watershed perspective to natural hazard management to continue protecting the public, properties, and infrastructure. Staff will continue to follow this regulatory proposal and update the Board on the decision of the Province.

Financial Implications:

There are no financial implications to this report. Should the proposed Regulation come into force, NPCA staff will monitor ministerial permit reviews and approvals within our watershed jurisdiction to determine any financial implications due to resulting losses in permit fee revenue.

Links to Policy/Strategic Plan

Reviewing and commenting on ERO postings related to the NPCA's Section 28.1 Permitting function aligns with the NPCA's 10-year Strategic Plan goals to protect people and properties from natural hazards and climate impacts.

Related Reports and Appendices:

Appendix 1: NPCA Staff Comments on ERO Posting 019-8320.

Authored by:

Original Signed by:

David Deluce, MCIP, RPP
Senior Manager, Environmental Planning & Policy

Reviewed by:

Original Signed by:

Leilani Lee-Yates, MCIP, RPP
Director, Planning and Development

Submitted by:

Original Signed by:

Chandra Sharma, MCIP, RPP
Chief Administrative Officer/Secretary-Treasurer

May 6, 2024

Via Email Only

Ministry of Natural Resources and Forestry - Resources Development Section
300 Water Street
2nd Floor South
Peterborough, ON
K9J 3C7

To Whom it May Concern:

**Re: Niagara Peninsula Conservation Authority (NPCA) Comments
ERO Posting 019-8320
Regulation detailing new Minister's Permit and Review powers under the Conservation
Authorities Act**

The Ministry of Natural Resources and Forestry (MNR) is proposing a regulation that would set out the circumstances in which the Minister could:

1. Issue an order to prevent a conservation authority (CA) from issuing a permit and to take over the permitting process in place of a CA, and
2. Review a CA permit decision at the request of an applicant.

These are newly proclaimed powers in the Conservation Authorities Act (CA Act) that took effect on April 1, 2024. We thank the MNR for providing an opportunity to comment on this proposal and offer the following comments.

The posting notes the proposed additional requirements of Section 28.1.1 that would be set out in the new regulation. These include:

- The Minister may make an order to prevent a CA from making a permitting decision and take over the permitting process only if the development activity or type or class of permits pertains to or supports a specified provincial interest, including:
 - Housing (community, affordable and market-based)
 - Community services (health, long-term care, education, recreation socio-cultural, security and safety, environment)
 - Transportation infrastructure
 - Buildings that facilitate economic development or employment
 - Mixed use developments
- If a proponent wishes to petition the Minister to issue an order, the proponent must submit a request to the Minister that would include information on:

- Overview of proposed development.
- Why the Minister's involvement is requested (e.g., development of provincial interest, timing/urgency; permitting process to date if applicable; other barriers) and preferable to the standard process in the *CA Act*.
- Indication of whether the local municipality has endorsed the project and the request for Minister's involvement (e.g., by municipal letter or resolution).
- Status of other required project approvals including the extent of any engagement with the conservation authority in the permitting process that the applicant has had to date.

The NPCA offers the following recommendations to assist with developing a transparent, accountable, and technically sound Ministerial review/permit process that protects people and property from the impacts of natural hazards.

Recommendation #1 – Pause finalization of the Regulation to engage with Conservation Authority and Municipal representatives

The ERO posting does not outline the details of the Ministerial review/permit process, and rather notes that such details will be provided within the regulation. The NPCA recommends the MNR pause finalization of the regulation and meet with Conservation Ontario, CAs, and municipal representatives to discuss the circumstances for use of the new Minister's powers as well as implementation/procedural details (i.e., how the Minister will consider requests/petitions and make decisions). Appropriate scoping of these details will ensure the process remains transparent and procedurally fair, extinguishes requests/petitions made to circumvent locally established processes, and continues to apply a watershed lens to natural hazard management.

Recommendation #2 – Further scope criteria for considering if proposed development activity supports provincial interest:

The NPCA recognizes that the scope of requests for permits/review of a CA decision by the Minister would be limited to specified provincial interests. We note, however, that the areas of provincial interest as described is very broad and may result in numerous requests that may conflict with provincial interest in protecting people and property from natural hazards and affect MNR's ability to process the requests in a timely manner.

The NPCA recommends that terms such as housing, community service, buildings that facilitate economic development/employment, etc. be carefully defined in the regulation to scope the ability to make requests/petitions to the Minister. As an example, left without a definition, the term housing could be interpreted to involve any development activity such as additions to existing dwellings or maintenance to an existing house. The Minister's use of Section 28.1.1 for housing would be better limited to large scale residential development located within strategic growth areas as defined in provincial and municipal plans.

Certain provincial interests (e.g., community services) are defined as "Institutional use" in the Provincial Policy Statement (PPS) and are not permitted in/on hazardous lands and sites. Permitting these types of development activities in hazard lands must not be considered by the Minister, and due care applied to ensure vulnerable populations or sensitive uses are not located in areas that pose an increased risk to life and property. Further, it is our recommendation that decisions by the Province must be consistent with the *Conservation Authorities Act*, Ontario Regulation 41/24, and natural hazard policies in the PPS.

Recommendation #3 – Decisions by the Minister should be based on sound and reliable science, data, mapping and technical guidance prepared by Conservation Authorities through natural hazard and watershed programs

The proposal does not address how the Minister will assess requests for review and petitions for orders and, if applicable, what information and criteria will be applied to make an order or a decision on a *Conservation Authorities Act* permitting matter. The *Conservation Authorities Act* requires the applicable CA to forward relevant documents and information relating to an application to the Minister, as well as provides the Minister with the ability to confer with any other person or body they consider may have an interest in the application. The *Conservation Authorities Act* and proposed regulatory requirements do not provide details on how this information will be considered.

Recent amendments to the *Conservation Authorities Act* and regulations require all CAs to develop permit application policy and procedure documents and make maps of regulated areas publicly available. The CA permitting decisions are undertaken consistent with CA Board-approved policies, and informed by natural hazard mapping, modelling, and knowledge of local watershed conditions. These tools allow CAs to assess permit applications to determine if an activity may affect the control of flooding, erosion, etc., or jeopardize the health and safety of persons or result in property damage. It is unclear how the Minister would review and make decisions on applications in the absence of these policies and tools.

An unclear process will add costs and time delays. The existing system includes competent professional planners, professional engineers, planning ecologists, hydrogeologists, geotechnical experts, and other staff with a high degree of specialized expertise. For example, existing floodlines have been well justified and peer reviewed. It would be counter-productive to use third party hazard mapping and modeling where the CA has this information readily available.

Recommendation #4 – Early and ongoing engagement with Conservation Authorities and Municipalities

Under the proposal, where the Minister issues an order for a CA not to issue a permit for a specific individual to engage in a specified activity or to persons who may wish to engage in a certain type or class of activity, notice of any order is to be provided to a CA, among other requirements, within 30 days. Once the order has been issued, the Minister may then take over the permitting process from the affected CA. It is unclear if the Minister would be able to issue a permit before having issued an order to the CA. To avoid confusion and possible conflicts with other pending approvals for the same development activity, we recommend that a Minister's order for a CA not to issue a permit must occur before the Minister issues a permit on behalf of a CA. We also recommend that notice of receipt of a request/petition for the Minister to issue a Section 28.1.1 permit be provided to the affected CA, municipality and where applicable the Niagara Escarpment Commission (NEC).

It is proposed that proponents be required to identify the status of other required project approvals. Proponents should be specifically required to indicate whether all approvals under the *Planning Act* are in place in order to demonstrate land use compatibility, appropriate zoning, etc. Permitting decisions made prior to having the appropriate planning approvals in place could put municipalities in a difficult position if they

cannot support the works further to a Minister's permit. Where applicable, proponents should specify whether required approvals from the NEC have been obtained.

Where a request for review or petition for a permit is made, proponents must indicate if the local municipality has endorsed the project and request for Minister's involvement. Development activities in one area of the watershed have the potential to impact upstream and downstream communities. As such, it is important that the affecting CA and municipality are consulted to understand potential cumulative impacts on the watershed and municipal services as a result of the proposed development activity.

Caution is warranted in choosing third party providers to inform the Minister's decision on permits. These providers may have perceived or real conflicts of interest with working for both private interests and the Province. The NPCA recommends the MNRF establish a multi-disciplinary Minister's technical advisory committee to provide recommendations to the Minister when issuing permits or reviewing CA permitting decisions. The committee should bring together technical experts from CAs, municipalities, the private sector, and applicable provincial ministries to prepare recommendations for the Minister on permit applications. A balance of expertise is essential to ensure bias is not introduced, allowing the Minister to make decisions based on the same criteria concerning natural hazards and public safety that are considered by all CA's. Careful consideration of these applications is required to avoid unintended risk to public safety, properties, or natural hazards and avoid precedent setting decisions that may not align with CA Board-approved policies.

Recommendation #5 – MNRF should be fully responsible and accountable for losses or damages arising from Minister's decisions on permits

Where the Minister's decisions are inconsistent with CA Board-approved policies or CA natural hazard mapping and modelling, the liability for such decisions remains with the issuing body (the Minister). CAs are not liable for decisions made under the *CA Act* by another body that may result in losses or damages. Liabilities and risks are one of the major drivers impacting exponentially increasing insurance costs/premiums, and CAs cannot be the insurers of last resort.

The amended *CA Act* and regulatory proposal purports to have CAs undertake compliance and enforcement activities with permits issued by the Minister. Without CA involvement in the review and approval process, it is difficult to anticipate enforcement and compliance staff resources necessary for permits issued by the Minister. Increases in enforcement and compliance activities may require additional time and staffing resources at the CA, that may increase costs associated with this program and service area. Due care must be applied when the Minister is reviewing and issuing permits to ensure appropriate conditions are assigned to the permit to minimize potential enforcement concerns. The NPCA would welcome discussions with MNRF staff about the potential for increase provincial funding for CAs to help cover the additional costs for compliance and enforcement.

Thank you for the opportunity to provide comments on the "Regulation detailing new Minister's Permit and Review powers under the Conservation Authorities Act" (ERO#019-8320). The details regarding these new Minister's powers must be carefully developed to ensure Minister's decision making on permits remains technical, apolitical and integrates a watershed perspective to natural hazard management to continue

protecting the public, properties and infrastructure. The NPCA would be pleased to meet with Ministry staff to further discuss the regulatory requirements and implementation details.

Sincerely,



David Deluce, MCIP, RPP
Senior Manager, Environmental Planning & Policy

cc: Conservation Ontario
Niagara Peninsula Conservation Authority Board of Directors