



The Corporation of the City of St. Catharines
CITY COUNCIL AGENDA
Regular, Monday, May 16, 2022
Council Chambers and Electronic Participation, 6:00 PM

This Meeting of Council will be held in person at Council Chambers and electronically for the Members of Council. Due to capacity limits due to the COVID-19 pandemic the public can only participate electronically.

This Meeting may be viewed online at www.stcatharines.ca/youtube

Public Comments: The public may submit comments regarding agenda matters to the Office of the City Clerk by contacting clerks@stcatharines.ca by Monday, May 16, 2022 before Noon. Comments submitted will be considered as public information and entered into public record.

Electronic Delegations: Those wishing to speak to an item on the agenda must complete the [City's Electronic Delegation Form](#) by Monday, May 16, 2022 before 9:00 a.m. and attend a test session with City staff on Monday, May 16, 2022 at 10:00 a.m.

His Worship Mayor Walter Sendzik takes the Chair and opens the meeting with a Land Acknowledgement

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- 1. Mayor's Report**
- 2. Adoption of the Agenda**
- 3. Adoption of the Minutes**
 - 3.1 Special Council, minutes of [April 7, 2022](#)
 - 3.2 Regular Council, minutes of [April 25, 2022](#)
- 4. Declarations of Interest**
- 5. Motion to Move Consent Reports**

Consent Reports are approved in one motion which approves all of the recommendations contained in each report. Prior to this motion, a councillor may request that one or more of the reports listed under Item 6 be moved to the list of Discussion Reports.

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 (Approval of Report will set a Public Meeting for May 30, 2022)
- 15 - 17 6.3 Engineering Facilities and Environmental Services
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 Demolition of a Non-Contributing Building in the Port Dalhousie Heritage
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- 39 - 108 6.6 Legal and Clerks Services, Office of the City Clerk
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7. Public Meetings

- 109 - 113 7.1 Municipal Works, Operations
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- 114 - 138 8.1 John Mascarin, Partner, and John Pappas, Associate, Aird & Berlis LLP
 Integrity Commissioner for the City of St. Catharines

9. Discussion Reports

- 139 - 155 9.1 Financial Management Services, Director
 Update Report – Elected Officials Remuneration
- 156 - 161 9.2 Office of the Chief Administrative Officer
 Community Risk Management Associated with Social Challenges
 (Presentation by staff will precede discussion of the report)
 [Addenda]

10. Motions

11. Call for Notices of Motion

12. Committee and Task Force Minutes

12.1 Minutes to Receive:

- Anti-Racism Advisory Committee, meeting of [April 27, 2022](#) (draft)
- Arts and Culture Advisory Committee, meeting of [April 6, 2022](#)
- Cultural Sustainability Committee, meeting of [April 20, 2022](#) (draft)
- Heritage Permit Advisory Committee, meeting of [March 31, 2022](#) (draft)
- Social Sustainability Committee, meeting of [May 2, 2022](#) (draft)

[Addenda]

13. Closed Session

Council will meet in Closed Session for the following purpose(s):

13.1 Office of the Chief Administrative Officer

Meridian Centre License Agreement

(Closed session report pursuant to By-law 2021-124, Section H3.1(f), Advice that is subject to solicitor-client privilege, including communications necessary for that purpose)

[Addenda]

13.2 Office of the Chief Administrative Officer

Niagara District Airport Operations RFP Update – May 2022

(Closed session report pursuant to By-law 2021-124, Section H3.1(i), A trade secret or scientific, technical, commercial, financial or labour relations information, supplied in confidence to the municipality or local board, which, if disclosed, could reasonably be expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of a person, group of persons, or organization; and (k) A position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board)

[Addenda]

14. Motion Arising from Closed Session

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15.1 Reading of By-laws

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16. Adjournment



Corporate Report City Council

Report from: Office of the Chief Administrative Officer

Report Date: May 6, 2022

Meeting Date: May 16, 2022

Report Number: CAO-062-2022

File: 10.4.19

Subject: COVID-19 Implications on the Strategic Plan

Strategic Pillar:

This report aligns with the following St. Catharines Strategic Plan pillars: Economic Prosperity; Social Well-being; Environmental Stewardship; Cultural Renaissance; and the new pillar, Organizational Excellence.



Recommendation

That report CAO-062-2022, regarding COVID-19 Implications on the Strategic Plan, be received for information.

Relationship to Strategic Plan

This report is an update on the Strategic Plan which speaks to the implications of COVID-19, highlights accomplishments, as well as identifies the initial development of the fifth pillar which will further enhance the City's ability to meet strategic objectives, evolve with the Corporation's adapting priorities, and build upon the foundation that has been established through initiatives and projects identified as part of the guiding document.

For background purposes, for Council and the public, the City published its first Strategic Plan in 2015 and established the four strategic pillars, now referenced as:

- Economic Prosperity;
- Social Well-being;
- Environmental Stewardship; and
- Cultural Renaissance.

Following engagement with Council and the City's Leadership Team (SLT), a consultant recommended future opportunities which would strengthen the City's existing Strategic Plan. Recommendations included the need for development of key performance indicators and the creation of a fifth pillar with a focus on Organizational Excellence.

Background

At the special meeting of Council on June 7, 2021, a presentation was provided by Liz Palmieri and Associates on the [Status of the 2019-2028 City of St. Catharines Strategic Plan](#). The presentation contained seven recommendations for the remaining term of council, all of which were approved by Council at its special meeting on June 7, 2021.

The intent of this report is to update Council on COVID-19 implications on the Strategic Plan, highlight accomplishments and to create a fifth pillar, the Organizational Excellence Pillar, as identified in the seven recommendations. This pillar is focused on creating operational and organizational enhancements with a review of the organizational structure, policies and processes, and allocation of resources to discover efficiencies, strengthen customer service, evolve our delivery of services and programs and support an inclusive workplace and employee well-being.

Report

The City strives to be a fiscally-sustainable agent of good governance that promotes professionalism, ethics and accountability. The COVID-19 pandemic exposed society to not only a virus but the precariousness of established systems and the importance of resiliency, adaptability and innovative solutions.

When the economy and healthcare organizations were under immense strain, all levels of government worked together to keep Canadians safe. Unfortunately, the virus affected vulnerable populations disproportionately, revealing hard truths that must be resolved. In turn, however, it has also provided opportunities to find new methods of conducting business and innovative solutions that would allow the City to continue to provide vital services and programs. It also proved local governments are the best place to deal with local issues.

Throughout the pandemic, the City has approached each new challenge with flexibility, adaptability and responsiveness. The past two years have changed the way residents interact with the City, as well as highlighted the expectations of residents and businesses with respect to customer service and service delivery.

Against an ever-changing public health crisis, the municipality developed innovative solutions that will continue to be used in the future and required in order for the City to evolve. Whether in crisis or recovery, the City must provide residents with reliable services and programs and continue to build on its talented workforce, as well as discover more efficiencies in operations and service delivery.

As the pandemic recedes and the focus becomes recovery, City staff will evaluate the unprecedented behavioural shifts and how to best serve its customers moving forward

with the ongoing efforts to achieve Organizational Excellence. Modernization, resiliency, and ensuring a workplace culture of diversity and inclusion will be key themes in a post-COVID St. Catharines.

Strategic Plan

As a result of the pandemic, the City did experience delays in some priority initiatives and projects identified as part of the Strategic Plan. Despite the additional challenges faced during the pandemic, the City demonstrated its resilience, ability to adapt and strengthen a foundation upon which the City can continue to build and evolve.

It also clearly highlighted the necessity for the City to focus on the fifth pillar - Organizational Excellence - in order to meet the strategic objectives identified in the Strategic Plan, achieve adapting Corporate priorities, as well as further improve service and program delivery.

Economic Prosperity Pillar focuses on our commitment to building and growing a diverse and resilient economy through fiscal responsibility, urban regeneration and collaborative partnerships.

Accomplishment highlights:

- STC Framework for Recovery
- STC Economic Development Pandemic Recovery Strategy
- Asset Management Plan – completed for core assets; non-core assets still in progress
- Capital Budget process improvements and debt strategy policy
- Community Improvement Plan - CIP2020
- Housing Action Plan (to be further reviewed and updated)

Social Well-Being Pillar aims to build and support strong, inclusive neighbourhoods that provide high quality of life for residents of all ages.

Accomplishment highlights:

- Transportation Master Plan
- Park Legacy Plan
- Aquatics Strategy
- Park and Playground renewal investments for enhanced accessibility and inclusivity
- Recreation Infrastructure Allocation Policy - under development
- Active Transportation Plan - under development

Environmental Stewardship Pillar sets a strategic goal of adapting innovative approaches and continuing responsible community planning and decision-making that balances growth, enhances quality of life, manages emergencies and minimizes the environmental impacts of climate change.

Accomplishment highlights:

- Climate Change Adaptation Plan
- Energy Conservation Demand Management Plan
- Floodplain Mapping for Richardson's Creek, Walker's Creek and Beamer Creek
- Waste Management Study
- Shoreline Protection Program
- Horticultural Management Plan
- Tree Planting Program
- Bee City Initiatives, Pollinator Gardens and Riparian Buffers
- Electric Fleet Program and addition of electric vehicle charging stations on City properties

Cultural Renaissance Pillar is focused on celebrating the City's rich history, diversity, arts and cultural assets through leadership, promotion and investments that support measurable, sustainable creative growth.

Accomplishment highlights:

- Grants for Totem Pole Restoration and Welland Canal Fallen Workers
- Museum Interpretive Plan approved
- Continued investment and support of culture and arts through the St. Catharines Cultural Investment Program (SCCIP) during the pandemic
- Continued support and recognition of the creative sector through the City's annual Arts Awards and Juried Art Exhibit
- Culture Days expansion with national recognition
- Support of Rodman Hall Arts Centre Inc. with investment into the housing and eventual relocation of the Rodman Hall outdoor art collection
- Updating the Culture Plan
- The relocation of outdoor art to public spaces within the Downtown

Organizational Excellence Pillar is focused on creating operational and organizational enhancements with a review of the organizational structure, policies and processes, and allocation of resources to discover efficiencies, strengthen customer service, evolve our delivery of services and programs and support an inclusive workplace.

Current initiatives completed or in progress:

- Hired a Diversity, Equity and Inclusion Manager
- Organizational Structure Review
- Customer Service Model Review – under development
- Analysis of workplace culture and resources – under development
- Work from Home Policy
- Systems modernization – under development
- Website redesign with portal updates / additions

The pandemic has highlighted the fact that in order for the City to continue to build upon its foundation – and meet the objectives and goals of Council and within the four other pillars within the Strategic Plan – the recommended fifth pillar must be a priority.

Our success is built upon our people – the staff have the knowledge and expertise required to deliver on these positive initiatives within the Strategic Plan.

As such, the City's organizational structures need to be dynamic in order to pivot when required to adapt to rapidly changing needs. City processes need to be reviewed in order to not only meet the objectives of the Strategic Plan but also to ensure the City continues to deliver programs and services in an efficient way. As well, the necessary resources, training and tools are critical to ensuring our future success.

In order to achieve optimal organizational excellence, a review is required of how the City conducts business and the workplace culture to evolve with the current and future needs.

In particular, a review of our customer service model is necessary to improve the efficiency of service delivery and to better reflect how our residents expect to conduct business in today's world as the City moves to provide more services and capabilities online.

Adding to our array of innovative solutions are some enhancements to customer service with the City's new website making municipal services more accessible and creating more online capabilities with additional features being launched using a phased in approach.

Upgrades included a renewed Community Recreation and Culture Services ActiveSTC portal and the recently launched MySTC customizable dashboard for residents that centralizes access to tax and water bills, news and weather alerts, program registration, and links to EngageSTC with more possibilities for innovative widgets in the future. Still in development for the City's website is the addition of an online payment processor, new reporting software to improve how information is displayed, and a new online Planning and Building Services module for applications and permits that is more responsive to, and supportive of, residents and business community. There are also plans to acquire a new work order management system that will enhance maintaining the City's infrastructure inventory and future decision support systems to advance the AMP. These innovations will allow the City to continue to prepare for the future.

Next Steps

The City's Strategic Plan is a significant guiding document intended to assist the Corporation with establishing priorities, building foundational plans and implementing actions that lead to change. Moving forward, SLT will continue to develop and prioritize initiatives within the fifth pillar to support the foundational plans and the work within the economic, social, cultural and environmental pillars.

Development of key performance indicators for enhanced measurement of the City's progress, as well as the creation of an online Strategic Plan dashboard, will also be priorities in 2023 for increased transparency, more timely public updates and enhanced accessibility.

Financial Implications

There are no financial implications as a result of this update on the Strategic Plan. Any financial considerations relating to specific initiatives and projects as part of the plan will be reported to Council.

Environmental Sustainability Implications

The Environmental Pillar and associated projects / initiatives are referenced above.

Conclusion

The pandemic has further amplified the fact that the status quo is no longer an option. While the City has adapted as a result of the COVID-19 pandemic, there are many opportunities that need to be captured through thoughtful review and analysis, as well as actions that will lead to the City's success.

The City has the opportunity to again demonstrate leadership by continuing to adapt to evolving technology, find innovative solutions and provide TeamSTC with the supports, resources and tools to not only meet but exceed expectations.

Going forward, future reports to council will include applicable information on the fifth pillar, the Organizational Excellence Pillar, as part of the "Relationship to the Strategic Plan" section of Council reports.

Submitted and Approved by

David Oakes

Chief Administrative Officer



Corporate Report City Council

Report from: Engineering, Facilities and Environmental Services, Geomatics

Report Date: April 18, 2022

Meeting Date: May 16, 2022

Report Number: EFES-073-2022

File: 77.44.99

Subject: Stopping up, Closing, and Release any City Interest in Part of the Unopened Road Allowance between Lots 22 and 23, in the Third Concession, Grantham, and Municipally known as 50 Henley Drive

Strategic Pillar:

Recommendation

That the Staff Recommendation in Report EFES-073-2022, regarding the Stopping up, Closing, and Release of interest, if any, of Part of the Unopened Road Allowance between Lots 22 and 23, in the Third Concession, Grantham, and Municipally known as 50 Henley Drive, be referred to City Council for consideration of the Staff Recommendation after the public meeting scheduled for May 30, 2022, for which notice will be duly given.

Staff Recommendation

That Council authorize the stopping up and closing of part of the un-opened Road Allowance between Lots 22 and 23, Concession 3, lying within Instrument Number 0778271 and contained within Part 1, Plan 30R-15672 (PIN 46188-0272 (R)) all in the former Geographic Township of Grantham, now in the City of St. Catharines, Regional Municipality of Niagara; and

That Council authorize the release of any City of St. Catharines interest in the subject lands to the owners of Instrument Number 0778271, being Part 1, Plan 30R-15672 and All of PIN 43188-0272 (R)); and

That the City Solicitor be directed to prepare the necessary by-law and documents.

Relationship to Strategic Plan

This report is administrative in nature and does not relate to the City's Strategic Plan.

Background

Staff are in receipt of a request from Mr. H.A. Patrick Little of Heelis Little Almas Murray LLP, who represent the owners of 50 Henley Drive, to assist with the removal of the cloud on his client's property due to previous oversight by the Municipal organizations and errors in previous surveys that failed to recognize the existence of a land locked section of the Road Allowance between Lots 22 and 23, in Concession 3, lying within Instrument Number 0778271 and now contained within Part 1, Plan 30R-15672 and outlined in red on Appendix 1.

Report

The misdescription became evident with the preparation of a Surveyors Real Property Report and the subsequent preparation of Plan 30R-15672 by the owners of 50 Henley Drive to consolidate their holdings that are described as part of a Part of Lot 24, Plan TP174 and Part of Lot 22, Concession 3 described by metes and bounds which restricts any development potential.

The section of road allowance highlighted on Appendix 2 has not been dealt with and the surveyors who laid out the subdivision PlanTP 174 (registered March 24, 1944) and Plan 30M-54 who believed the road allowance was located further west and in error the plans were only abstracted on Lot 22, Concession 3. The private ownership and the description of the land now registered as Instrument Number 0778271 has been recognized by the Registry Office since 1920 when it was a part of the former Township of Grantham and prior to their passing of the Subdivision Control By-law 1072 on April 26, 1950.

To clear up this title issue, the subject road allowance will have to be formally stopped up and closed by the City of St. Catharines and to secondly release any residual interest the City of St. Catharines may have in the subject lands.

The City of St. Catharines does not have any registered interest in the subject road allowance that is wholly within the lands owned by the applicant and because the lands are still in Registry as a non-convert. Staff are recommending that a Quit Claim deed be utilized to release any interest the City may have for nominal consideration, subject to Registry Office approval.

This is all contingent on the Registry Office accepting the following description:

Part of the un-improved Road Allowance between Lots 22 and 23, Concession 3, lying within Instrument Number 0778271 and contained within Part 1, Plan 30R-15672 (PIN 46188-0272 (R)) all in the former Geographic Township of Grantham, now in the City of St. Catharines, Regional Municipality of Niagara

If the above description is not acceptable for registration purposes, the applicant will be responsible for the preparation of a registerable description to satisfy the requirements of the Registry Office.

Financial Implications

The applicant is responsible for any fees associated with the preparation of the necessary Legal agreements and registration in the Registry Office for Niagara North in accordance with the current Schedule of Rates and Fees.

Environmental Sustainability Implications

There are no environmental implications associated with this report.

Notifications

The owners of 50 Henley Drive, as represented by Mr. H.A. Patrick Little of Heelis Little Almas Murray LLP, should be notified of Council's decision.

Prepared and Submitted by

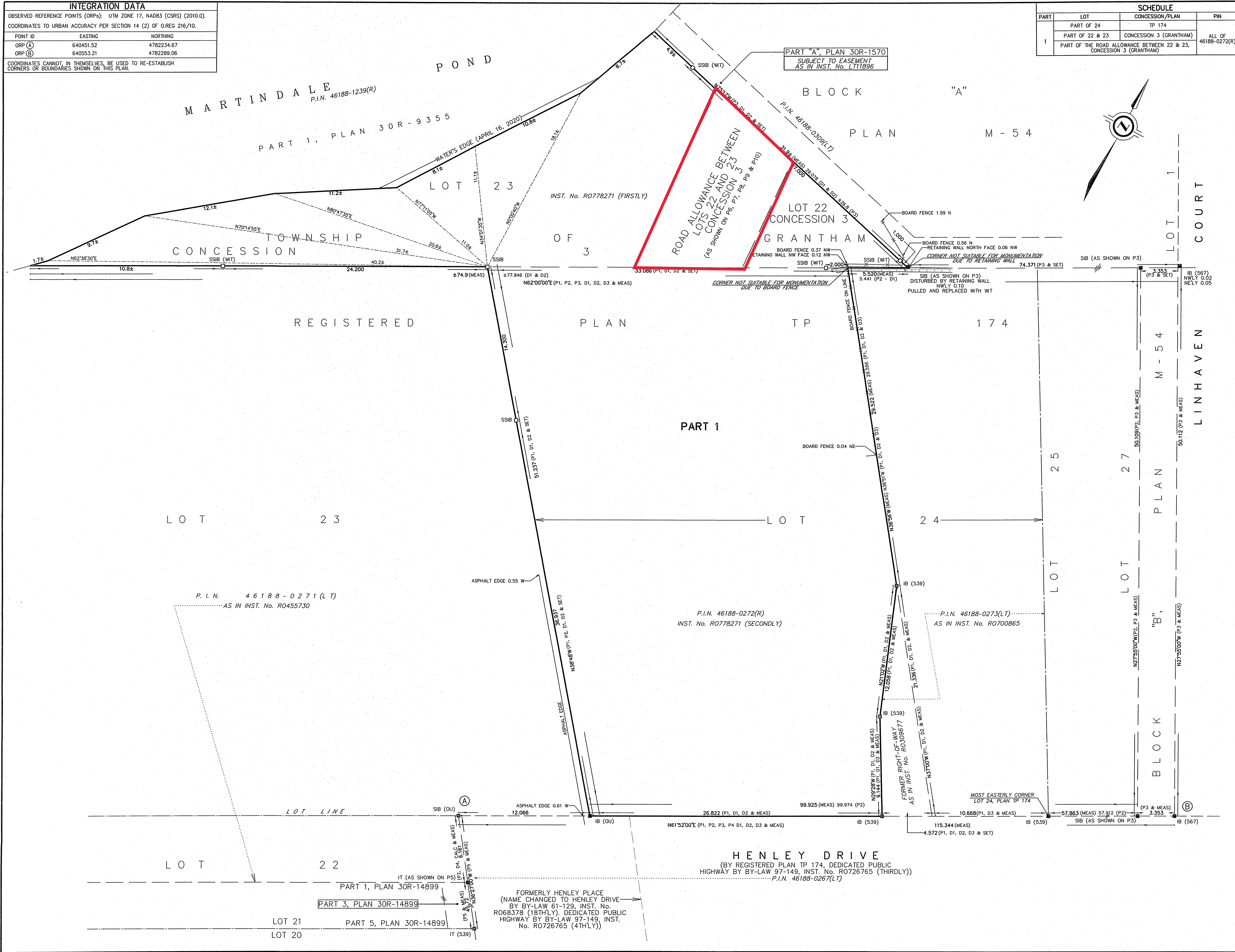
David Stringer, P.Eng., OLS
Manager of Geomatics

Approved by

Anthony Martuccio, P.Eng.
Director of Engineering, Facilities, and Environmental Services

Appendices

1. Plan 30R-15672
2. Sketch Road Allowance Between Lots 22 and 23, Concession 3, within Part 1, 30R-15672



SCHEDULE			
PART	LOT	CONCESSION/PLAN	PIN
1	PART OF 24	TP 174	ALL OF 46188-0272(R)
	PART OF 22 & 23	CONCESSION 3 (GRANTHAM)	
	PART OF THE ROAD ALLOWANCE BETWEEN 22 & 23, CONCESSION 3 (GRANTHAM)		

I REQUIRE THIS PLAN TO BE DEPOSITED UNDER THE REGISTRY ACT.
DATE: SEPTEMBER 24, 2020
ANDREW HANDSPIKER
ONTARIO LAND SURVEYOR

PLAN 30R-1570
RECEIVED AND DEPOSITED
DATE: Sept. 25, 2020
REPRESENTATIVE FOR THE LAND REGISTRAR FOR THE REGISTRY DIVISION OF NIAGARA (30)

PLAN OF SURVEY OF
PART OF LOT 24
REGISTERED PLAN TP 174
AND
PART OF LOTS 22 & 23,
CONCESSION 3
AND
PART OF THE ROAD ALLOWANCE
BETWEEN LOTS 22 & 23,
CONCESSION 3
GEOGRAPHIC TOWNSHIP OF GRANTHAM
NOW IN THE
CITY OF ST. CATHARINES
REGIONAL MUNICIPALITY OF NIAGARA

SCALE 1 : 150
J.D. BARNES LIMITED
© COPYRIGHT 2020
DISTANCES AND/OR COORDINATES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.
NOTES
BEARINGS ARE UTM GRID, DERIVED FROM GNSS OBSERVATIONS, UTM ZONE 17, NAD83 (CSRS) (2010.0).
DISTANCES ARE GROUND AND CAN BE CONVERTED TO GRID BY MULTIPLYING BY THE COMBINED SCALE FACTOR OF 0.999834.
FOR BEARING COMPARISONS, A ROTATION OF 1°08'00" COUNTER-CLOCKWISE WAS APPLIED TO BEARINGS ON P1, P2, P3, P4, D1, D2 & D3.
ALL SET SSIB AND PB MONUMENTS WERE USED DUE TO LACK OF OVERBURDEN AND/OR PROXIMITY OF UNDERGROUND UTILITIES IN ACCORDANCE WITH SECTION 11 (4) OF O.R.E.G. 525/91.

LEGEND	
■	DENOTES SURVEY MONUMENT FOUND
□	DENOTES SURVEY MONUMENT SET
SIB	DENOTES STANDARD IRON BAR
SSIB	DENOTES SHORT STANDARD IRON BAR
IB	DENOTES IRON BAR
IT	DENOTES IRON TUBE
PB	DENOTES PLASTIC BAR
WIT	DENOTES WITNESS
P1	DENOTES PLAN OF SURVEY BY D.G. URE, O.L.S. DATED MAY 9, 1977
P2	DENOTES REGISTERED PLAN TP 174
P3	DENOTES REGISTERED PLAN M-54
P4	DENOTES PLAN OF SURVEY BY W.A. MASCOE, O.L.S. DATED AUG. 24, 1995
P5	DENOTES PLAN 30R-14899
P6	DENOTES PLAN 30R-9355
P7	DENOTES PLAN 30R-10615
P8	DENOTES PLAN 167 (P-2116-10)
P9	DENOTES COMPILED PLAN BY TRANSPORTATION AND ENVIRONMENTAL SERVICES ON MAY 15, 1997 (FILE: 205-572)
P10	DENOTES PLAN BY HYDRO-ELECTRIC POWER COMMISSION OF ONTARIO DATED JUNE 1951 (FILE: 800-1108-2)
D1	DENOTES INST. No. R0389677
D2	DENOTES INST. No. R0778271
D3	DENOTES INST. No. R0700865
D4	DENOTES INST. No. R0455730
MEAS	DENOTES MEASURED
OU	DENOTES ORIGIN UNKNOWN
539	DENOTES D.G. URE, O.L.S.
567	DENOTES R.B. ERWIN, O.L.S.
744	DENOTES MATTHEWS, CAMERON, HEYWOOD-KERRY T. HOWE SURVEYING LIMITED
-X-	DENOTES FENCE

N=NORTH / S=SOUTH / E=EAST / W=WEST

SURVEYOR'S CERTIFICATE
I CERTIFY THAT:
1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYORS ACT AND THE REGISTRY ACT AND THE REGULATIONS MADE UNDER THEM.
2. THE SURVEY WAS COMPLETED ON JULY 28, 2020.

SEPTEMBER 24, 2020
DATE
ANDREW HANDSPIKER
ONTARIO LAND SURVEYOR

J.D. BARNES LIMITED
SURVEYING
MAPPING
GIS
LAND INFORMATION SPECIALISTS
4318 PORTAGE ROAD - UNIT 2, NIAGARA FALLS, ON L2E 6M4
T: (905) 358-3693 F: (905) 358-6224 www.jdbarnes.com

DRAWN BY: DR CHECKED BY: AJCH REFERENCE NO.: 20-16-081-00
FILE: G:\2020\20-16-081-00\Drawing\20-16-081-00(REF).dgn
PLOTTED: 9/24/2020

SKETCH OF ROAD ALLOWANCE BETWEEN LOTS 22 AND 23,
CONCESSION 3, WITHIN PART 1, 30R-15672





Corporate Report City Council

Report from: Engineering, Facilities and Environmental Services

Report Date: April 22, 2022

Meeting Date: May 16, 2022

Report Number: EFES-074-2022

File: 68.81.5

Subject: Grey Water Collection from Municipal Facilities

Strategic Pillar:

This report aligns with the following St. Catharines Strategic Plan pillars: economic and environmental.



Recommendation

That report EFES-074-2022, regarding Grey Water Collection from Municipal Facilities, be received for information.

Summary

This report focuses on the feasibility of capturing grey water from municipal facilities, such as splash pads, into cisterns to irrigate municipal sports fields, gardens, hanging baskets and planters. Staff undertook a review of the applicable codes and available information to determine the feasibility of pursuing this initiative. The investigation identified that significant financial, infrastructure and operational resources would be required to implement a solution that would comply with all applicable codes and regulations which would make this initiative cost prohibitive.

Relationship to Strategic Plan

Social Well-Being action items:

- 2.1: Establish area-specific plans for the redevelopment of key sites in the City to promote strong, compatible, connected neighbourhoods that enhance the quality of life.
- 3.1: Develop a Climate Change Action Plan that will establish corporate waste reduction targets and sustainable building guidelines.

Background

At its meeting on August 30, 2021, Council approved the following motion:

“That staff be directed to prepare a report on the possibility of capturing grey water from municipal facilities, such as splash pads and the St. Catharines Kiwanis Aquatics Centre, into cisterns in order to irrigate municipal sports fields and gardens as well as hanging baskets and planters. In the report include information on the timing, locations and costs associated with capturing grey water.”

Report

In order to determine the feasibility of capturing grey water from Municipally owned facilities, staff were required to investigate all applicable codes and regulations to determine the requirements of implementing such a solution.

During the investigation, staff consulted with the City’s Building Department and referred to two primary sources of information to gain a better understanding of grey water collection and re-use. The two primary sources used were the Canadian Standards Association (CSA) B128-6/B128.2-06 and the O. Reg. 403/97 Building Code. The areas of focus were on:

- 1) How greywater can be collected; and
- 2) Requirements for the reuse of greywater

Greywater Collection

Greywater can be collected in cisterns located above or below ground. This is outlined in O. Reg. 403/97 Building Code and is detailed in the CSA publication B128-6/B128.2-06 and aligns with the request made of Council to investigate its feasibility.

Requirements for Greywater Usage

The requirements for the usage of greywater as outlined in O. Reg. 403/97 for irrigation purposes have two critical requirements in that:

- 1) The greywater that is collected must first be treated in a manner indicative of the source from where the water was collected. That is, the treatment of greywater collected from a splashpad would be treated, or chemically processed, differently than grey water collected from snowmelt.
- 2) The grey water collected and treated can only be used in sub-surface irrigation systems.

Therefore, in order to capture grey water for reuse on City sport fields, the City would require that a chemical treatment and a formalized monitoring program be implemented, which would result in additional staffing, resources and budget to operate the systems. The City would also be required to add new drip irrigation systems to City fields, which would result in significant upfront capital costs and would also impact field maintenance and operational costs.

The City currently has cisterns at the Kiwanis Aquatics Centre and the Carlisle Street Parking Garage intended to be used for irrigation and the flushing of toilets and urinals. Due to the mechanical complexities of the systems and the restrictions governing their use they were not commissioned.

Financial Implications

There are significant financial implications to the City with the collection and re-use of grey water for irrigation purposes. The first financial implication would be the capital costs associated with the construction of:

- 1) Grey water collection systems
- 2) Grey water treatment systems
- 3) Sub-surface irrigation systems

The City does not currently have any of these systems in place and would require significant capital expenditure to do so.

The second financial implication would be the maintenance of these systems. This would require an increase in funding to the City's operating budget. This funding would need to account for equipment maintenance, inspection requirements, chemical supplies and staffing, which are all required to properly run these systems.

Considering the results of this report and the inability to meet the requested objectives no further financial investigation was conducted.

Environmental Sustainability Implications

The Environmental Sustainability Implications with the implementation of these grey water systems are two-fold. On one hand, there are savings in water costs for irrigation. On the other hand, chemically treated grey water is being introduced via a sub-irrigation system back into the environment.

Conclusion

The collection of grey water to be re-used to irrigate sports fields is prohibitive in a number of ways. The City would need to incur one-time capital costs and ongoing operational costs to implement this initiative. The restrictions on the usage of treated grey water as outlined in O. Reg. 403/97 prohibits the usage of the collected grey water to be sprayed above ground to irrigate municipal sports fields and used to water gardens, as well as hanging baskets and planters. The only permissible use for treated grey water is in a sub-irrigation system as identified in this report.

Prepared and Submitted by

Paul A. Carfagnini
Manager of Facilities and Energy

Approved by

Anthony Martuccio
Director of Engineering, Facilities and Environmental Services



Corporate Report City Council

Report from: Planning and Building Services, Building and Development

Report Date: April 18, 2022

Meeting Date: May 16, 2022

Report Number: PBS-071-2022

File: 60.2.67

Subject: Vacant Building Registry By-law

Strategic Pillar:

This report aligns with the following St. Catharines Strategic Plan pillars: economic, social and environmental.



Recommendation

That Report PBS-071-2022, regarding Vacant Building Registry By-law, be referred to City Council for consideration of the Staff Recommendation after the public meeting scheduled for May 30, 2022, for which notice will be duly given.

Staff Recommendation

That Council approve the proposed City of St. Catharines Vacant Building Registry By-law, attached as Appendix 1; and

That Council approve the amendment to By-law 2021-101, 2022 Rates and Fees By-law, to provide for cost recovery of the Vacant Building Registry By-law; and

That the Mayor and City Clerk be authorized to execute the By-law to give effect to Council's decision.

Summary

The proposed Vacant Building Registry By-law will put in place a comprehensive and consistent process for monitoring vacant buildings to protect them against continued deterioration. The By-law will also act as a means of discouraging building owners from allowing their buildings to remain vacant for extended periods of time.

Relationship to Strategic Plan

Economic Prosperity: Promotes investments, employment and partnerships to attract, retain, and grow the economy of the City.

Social Well Being: Maintain and support strong, inclusive neighbourhoods that provide high quality of life for residents of all ages.

Environmental Stewardship: innovative approach that supports responsible community planning and decision-making that balances growth, enhances quality of life, manages emergencies, and minimizes the environmental impacts of climate change.

Background

With respect to vacant building enforcement, the long-standing reactive (complaint-driven) approach to Property Standards enforcement in St. Catharines has been the only means for ensuring buildings are being maintained. Except in extreme cases of building deterioration (i.e. obvious unsafe conditions), vacant buildings have been inspected only upon complaint and primarily for “open to trespass” issues. As a result, over time, many vacant buildings have developed significant Property Standards and/or Building Code deficiencies that are not being addressed. Currently, there are in excess of 100 vacant buildings in St. Catharines. If not dealt with, buildings will continue to deteriorate towards unsafe conditions and, in some cases, to conditions completely beyond repair, (i.e. “demolition by neglect”).

Under the proposed Vacant Building Registry By-law, to own a vacant building will not be considered an offence. However, failure to register a vacant building would be considered an offence. The registration process will trigger ongoing monitoring by City By-law enforcement staff (BLE Officers) who will ensure these properties are maintained to a minimum standard.

The proposed Vacant Building Registry By-law includes a definition for vacant building that mirrors the Ontario Building Code and is a building:

- that is not protected from the entry of unauthorized persons;
- that is not protected from the entry of rain, snow, vermin or birds into the interior of the building;
- where the supply of any one or more of the electricity, gas or water utilities serving the building is discontinued or disconnected;
- that is a one-, two- or three-family dwelling and is not fit for an individual or individuals to live in, (according to certain building regulations); or
- where 25% or more of the door and window openings to the building are partially or completely boarded up.

For further clarity, a vacant building does not include:

- a building under construction or demolition, providing a Building Permit has been issued by the City and where work takes place for at least 40 hours during each 90-day period following permit issuance;

- a building on a farm, (other than a residence);
- a building that is used on a seasonal basis; or
- a building that is owned or controlled by the federal, provincial, regional or city government.

Report

The authority to enact a Vacant Building Registry By-law is borne from Ontario's *Municipal Act, 2001, S.O. 2001, c. 25*. While staff did not undertake a comprehensive best-practices investigation, it is noted that Councils in Brantford, Hamilton, Kitchener, London, Newmarket and Welland have enacted Vacant Building By-laws / Registries.

For more effective monitoring and protection of all vacant buildings in the city, staff is recommending a Vacant Building Registry for St. Catharines. The proposed by-law includes the following requirements for any building which has been vacant for 90 days:

- every owner of a vacant building shall be required to register their vacant building, (Application Form can be found in Appendix 2);
- pay a one-time **\$350** administrative fee;
- pay an annual **\$800** registration fee to cover the cost of additional staff and resources;
- provide up-dated contact information annually;
- monitor their vacant buildings once every two weeks or more frequently as required by the City; and,
- submit reports with respect to the condition of the vacant building as required by the City (in addition to reports the City already can require under the Property Standards By-law or the Building Code).

Any owner of a vacant building who does not register with the City, or who fails to meet any requirement of the Vacant Building Registry By-Law, could be subject to appropriate fees / fines under the By-Law or through the Courts.

Enactment of this proposed by-law will:

- discourage property owners from allowing their buildings to become vacant;
- set up quarterly inspections by BLE Officers to assess compliance with the Property Standards By-law, Grass and Weeds By-law, Waste By-law and the Graffiti By-law;
- prevent demolition by neglect;
- give the City the ability to generate revenues by imposing an annual registration fee to vacant building owners who register their buildings;
- give St. Catharines the ability to prosecute vacant building owners who refuse to register their vacant buildings;
- prevent / discourage vagrants and squatters from trespassing into vacant buildings (reducing drug activity and other illicit activities);
- reduce the number of unwanted fires, (addition information below); and
- result in a tidier looking city, with well-kept city streetscapes.

Fires at Vacant Buildings

Since June 16, 2021, there have been 17 fires at vacant buildings in St. Catharines:

Address	Date of Fire	Estimated Dollar Value of Damages, (as reported by St. Catharines Fire Dept.)
113 Queenston Street	February 13, 2022	\$200,000
8 Merritt Street	Feb 9, 2022	\$20,000
314 Merritt Street	Nov 30, 2021	\$27,000
35 Niagara Street	Dec 11, 2021	\$10,000
1 Tasker Street	October 31, 2021	\$252,000
5 Emmet	October 6, 2021	\$5,000
30 Ontario Street	July 12, 2021	\$1,500,000
133 Welland Avenue	June 16, 2021	\$150,000
282 and 285 Ontario Street	Various dates - 9 in total (Since September 2021)	Varying amounts

Fires are disproportionally prevalent in vacant buildings. Discouraging landowners from allowing their buildings to become vacant will reduce the number of vacant building fires in the city.

Properties where vacant buildings are registered will be inspected on a regular basis by BLE Officers who will not only inspect for By-law violations but will also determine if unpermitted occupants (squatters) are unlawfully occupying the buildings. BLE Officers' regular inspections will discourage unlawful trespass activity.

Financial Implications

Staffing

There are currently 100 confirmed vacant buildings in the city, with an estimated 100 additional vacant buildings yet to be verified. One BLE Officer can monitor between 100 and 200 buildings and provide quarterly inspections. The establishment of a one-time administration fee of **\$350** and an **\$800** annual registration fee would fully cover the cost of one BLE Officer (\$105,000, plus resources such as laptop, cellphone, clothing, mileage, training, etc.). As part of the Staff Recommendation for this report, staff is seeking Council's approval to amend By-law 2021-101, the 2022 Rates and Fees By-law, to add the one-time administration fee of **\$350** and an **\$800** annual registration fee to the City's list of rates and fees.

The current compliment of BLE Officers have the capacity to enforce the proposed by-law to a maximum number of 50 properties. Once the number of vacant buildings identified exceeds 50, staff will request Council to approve an additional full-time employee (BLE Officer) to continue expanded enforcement efforts, (anticipated full cost recovery). The current compliment of clerical staff will be able to provide administrative support for the enforcement of the proposed by-law.

AMPS Support

Staff note that penalties under this by-law will be integrated into the City's non-parking Administrative Monetary Penalties (AMPs) system, authorized pursuant to Section 434. of the *Municipal Act, 2001, S.O. 2001, c. 25*. Accordingly, for more routine matters, instead of proceeding via the Provincial Offences Act, contraventions of the by-law may be dealt with by issuing a penalty notice directly to the party in contravention. Appeals will be made locally to a Screening Officer and subsequent appeal to a Hearing Officer. This process is generally more expedient and less costly than the Provincial Court system. If this by-law approved, a schedule of fines for routine offences will be prepared and brought to Council for approval as part of a future report.

Staff also note that the proposed Vacant Building Registry By-law aligns with the recently enacted Short Term Rental By-law from both a staffing and AMPS perspective. This by-law is a critical part of the expanding collection of property improvement related By-laws enforced by the By-law Division.

Estimated Revenues

The anticipated revenue amounts in 2023:

Number of Vacant Buildings	Initial Administrative Fee	Annual Registration Fee	Total Revenues
50	\$350	\$800	\$57,500
100*	\$350	\$800	\$115,000
150	\$350	\$800	\$172,500
200**	\$350	\$800	\$230,000

* Number of known vacant buildings

** Estimated number of vacant buildings

Financial Impact

Administration and enforcement of the by-law will be 100% cost recovery with no additional levy impact.

Note: If the number of vacant buildings in the City decreases due to the effectiveness of the proposed Vacant Building Registry By-law, the program will become less cost efficient. Staffing levels may need to be adjusted (i.e. the elimination of one BLE Officer).

Environmental Sustainability Implications

Although a full environmental study was not completed as part of this report, it can be said that by being encouraged to keep their buildings occupied, property owners will provide much needed spaces for businesses and homes. It is an unmistakable reality that repurposing vacant buildings, rather than allowing them to deteriorate, will have a positive impact on the environment.

Conclusion

The Vacant Building Registry By-law provides a comprehensive and consistent process for monitoring vacant buildings (and properties) to protect them against:

- continued deterioration;
- unwanted vandalism / graffiti;
- unlawful entry / squatters;
- fire damage and fire related deaths; and
- unkempt yards (accumulation of garbage and debris and uncut grass and weeds).

The By-law will be an effective tool that will assist BLE Officers in meeting Council's objective of ensuring that vacant buildings do not deteriorate to unsafe / unstable conditions and will result in properties that are neater looking and maintained.

Prepared and Submitted by

John W. Lane, MAATO, CBCO, CPSO
Chief Building Official

Approved by

Tami Kitay, MPA, MCIP, RPP
Director of Planning and Building Services

Appendices

1. Proposed Vacant Building By-law
2. Vacant Building Registration Form

CITY OF ST. CATHARINES

BY-LAW NO. _____

Being a By-law to Regulate Vacant Buildings

WHEREAS sections 8 and 10 of the Municipal Act, 2001 authorize the City of St. Catharines to pass By-laws necessary or desirable for municipal purposes, and in particular paragraphs 5, 6, 8 and 10 of subsection 10(2) authorize By-laws respecting the economic, social and environmental well-being of the municipality; the health, safety and well-being of persons, the protection of persons and property; and structures;

WHEREAS this By-law is one of several City of St. Catharines By-laws that ensure buildings and properties are maintained to certain standards;

WHEREAS section 425 of the Municipal Act, 2001 authorizes the City of St. Catharines to pass By-laws providing that a person who contravenes a By-law of the City of St. Catharines passed under that Act is guilty of an offence; and

WHEREAS the Municipal Act, 2001 further authorizes the City of St. Catharines, amongst other things, to prohibit and regulate with respect to matters that, in the opinion of its Council are or could become public nuisances, to delegate its authority, to impose fees or charges on persons for services or activities provided or done by or on behalf of it, to provide for inspections and inspection orders, and to make orders to discontinue activity or to do work.

NOW THEREFORE the COUNCIL OF THE CORPORATION OF THE CITY OF ST. CATHARINES enacts as follows:

SHORT TITLE

1. This By-law may be referred to as the “Vacant Building Registry By-law” or the “St. Catharines Vacant Building Registry By-law”.

DEFINITIONS

2. In this By-law:

“**building**” means all or part of:

- (a) a structure occupying an area greater than 10 m² consisting of a wall, roof and floor or any of them or a structural system serving the function thereof including all plumbing, works, fixtures and service systems appurtenant thereto; or

(b) a structure occupying an area of 10 m² or less that contains plumbing, including the plumbing appurtenant thereto;

“business day” means any day from 8:30 a.m. to 4:30 p.m. on which the City of St. Catharines’s administration buildings are open for business;

“City” means the corporate municipality of the City of St. Catharines or the geographic area of the City of St. Catharines as the context requires;

“Director” means the City’s Director responsible for building maintenance standards and his or her designate or successor;

“farm” means an agricultural, aquacultural, horticultural or silvicultural operation.;

“officer” means an individual appointed by the City of St. Catharines or assigned by the Director to enforce this By-law;

“owner” includes, but is not limited to:

(a) the registered owner of the property on which a building is situated;

(b) the owner of a building;

(c) the person managing or receiving the rent of a building or the property on which a building is situated, or who would receive the rent if the property or building were let, whether on the person’s own account or as agent or trustee or receiver of any other person;

(d) a vendor of a building under an agreement for sale who has paid any municipal taxes on the building after the effective date of the agreement;

(f) the person for the time being receiving instalments of the purchase price if a building were sold under an agreement for sale;

(g) a lessee or occupant of the property on which a building is situated who, under the terms of a lease, is required to repair and maintain the building; or

(h) an owner as defined by the *Condominium Act*, 1998, S.O. 1998, c. 19;

“person” includes, but is not limited to, an individual, sole proprietorship, partnership, association or corporation;

“**property**” means the land on which a building is situated and includes the building; and

3.(1) In this By-law “**vacant building**”, subject to subsections 3(2) and 3(3), means a building that does not appear to be in use and, without limiting this definition and in the opinion of the Director, is deemed to be a building:

(a) that is not protected from the entry of unauthorized persons;

(b) that is not protected from the entry of rain, snow, vermin or birds into the interior of the building;

(c) where the supply of any one or more of the electricity, gas or water utilities serving the building is discontinued or disconnected;

(d) where one or more of the electricity, gas or water utilities serving the building is not being used;

(e) if the building contains 1, 2 or 3 dwellings, where one or more dwellings are not fit for an individual or individuals to live in in accordance with the Building Code Act, 1992, S.O. 1992, c. 23 and its regulations (the “Building Code Act”), the Fire Protection and Prevention Act, 1997, S.O. 1997, c. 4, and its regulations (the “Fire Protection and Prevention Act”), the City Property Standards By-law, or any other applicable statute, regulation or by-law;

(f) where 25% or more of the door and window openings to the building are partially or completely boarded up (for example, if there are 8 door and window openings to a building and 2 or more of the door and window openings are partially or completely boarded up, no matter what the size of each door or window opening); or

(g) where an Application for Rebate of Property Taxes for the entire building has been submitted to the City’s Tax Section.

(2) A vacant building does not include a building where the owner satisfies the Director that:

(a) a use permitted under the City’s Zoning By-law is occurring;

(b) a permit has been issued by the City for construction or demolition of the building and construction or demolition work has been actively undertaken for

at least 40 hours during each 90 day period following the issuance of the permit;

(c) the building is not a dwelling and is on property used as a farm; or

(d) the building is occupied by the owner, or a person authorized by the owner, on a seasonal basis.

- (3) A vacant building does not include a building that is owned or controlled by the federal, provincial, regional or City government.

REGISTRATION

4. Every owner of a vacant building shall register the vacant building with the Director within 30 days of the date the vacant building commences to be vacant.

5. Every registration expires:

(a) on the one-year anniversary date of the date on which it is issued if the registration is not renewed before its expiry;

(b) when the registration is revoked under this By-law;

(c) when the vacant building is sold or otherwise transferred to a new owner;

(d) when the Director is satisfied, as set out in a written notice from the Director to the owner of the vacant building, that the building is no longer vacant.

6. To register or to renew a registration, the owner of a vacant building shall:

(a) complete and submit to the Director an application containing such information as the Director may require, and

(b) submit the registration fee.

7. Every owner of a vacant building shall notify the Director of any change in circumstances in connection with information given to the Director under section 6 within 10 business days after the change occurs.

8. The Director shall refuse an application under section 7 when the application is, in the opinion of the Director, incomplete or contains false or misleading information.

REGULATIONS

9. Every owner of a vacant building shall:

(a) ensure that the vacant building is registered in accordance with this By-law;

(b) ensure that the property complies with all applicable statutes, regulations and By-laws, including but not limited to the Building Code Act, the Fire Protection and Prevention Act, and any City By-law which regulate property or building maintenance standards;

(c) post at least one sign on the vacant building, except a vacant building containing three or less dwelling units, that:

(i) bears the words “for information or inquiries” and the information of the owner, including a name and telephone number, in black letters on a white retro-reflective background as illustrated in the following figure:

<p style="text-align: center;">FOR INFORMATION OR INQUIRIES</p> <p>CONTACT: NAME: TELEPHONE NUMBER:</p>
--

(ii) is readable from each adjacent street;

(d) satisfy the Director that an individual retained by the owner attends at the property to monitor the building condition a minimum of once every 2 weeks or more frequently as required in writing by the Director; and

(e) provide a report from a qualified individual as to the condition of the building as required in writing by the Director.

ADMINISTRATION AND ENFORCEMENT

10. The Director is authorized to administer and enforce this By-law including but not limited to prescribing the format and content of any forms or other documents required under this By-law.

11. Registration and other fees under this By-law shall be as approved by Council from time to time and then included in the City Rates and Fees by-law.

12. Any cost incurred by the City in exercising its authority to inspect a property or building, vacant or otherwise, including but not limited to the cost of any

examination, test, sample or photograph necessary for the purposes of the inspection, shall be paid by the owner of the property where the inspection takes place.

13. If an officer is satisfied that a contravention of this By-law has occurred, he or she may make an order requiring the person who committed the contravention, or who caused or permitted the contravention or the owner of the property on which the contravention occurred to discontinue the contravening activity.

14. An order under Section 13 shall set out:

(a) reasonable particulars of the contravention adequate to identify the contravention and the location of the property on which the contravention occurred; and

(b) the date or dates by which there must be compliance with the order.

15. If an officer is satisfied that a contravention of this By-law has occurred, he or she may make an order requiring the person who committed the contravention or who caused or permitted the contravention or the owner of the property on which the contravention occurred to do work to correct the contravention.

16. An order under section 15 shall set out:

(a) reasonable particulars of the contravention adequate to identify the contravention and the location of the property on which the contravention occurred;

(b) the work to be completed; and

(c) the date or dates by which the work must be completed.

17. An order to discontinue contravening activity made under Section 13 or an order to do work made under Section 15 may be served personally or by registered mail to the last known address of:

(a) the owner of the property where the contravention occurred; and

(b) such other persons affected by it as the officer making the order determines.

Service by registered mail shall be deemed to have taken place 5 business days after the date of mailing.

18. In addition to service given in accordance with section 17, an order to discontinue contravening activity made under section 113 or an order to do work made under section 15 may be served by an officer placing a placard containing the order in a conspicuous place on the property where the contravention occurred.
19. Where service cannot be given in accordance with section 17, sufficient service is deemed to have taken place when given in accordance with section 18.
20. Where a person does not comply with a direction, an order or a requirement under this By-law to do a matter or thing, the Director, with such assistance by others as may be required, may carry out such direction, order or requirement at the person's expense.
21. The City may recover the costs of doing a matter or thing under section 20 by action or by adding the costs to the tax roll and collecting them in the same manner as property taxes and such costs shall include an interest rate of 15 per cent per year commencing on the day the City incurs the costs and ending on the day the costs, including the interest, are paid in full.
22. The Director is authorized to give immediate effect to any direction, order or requirement where the costs of carrying out the direction, order or requirement do not exceed \$10,000, and where the costs do exceed \$10,000, as the City's Council may authorize.
23. Every Person who contravenes any provision of this by-law is, upon conviction, guilty of an offence and is liable to a fine, and such other penalties, as provided for in the *Provincial Offences Act*, R.S.O. 1990, c. P.33 and the *Municipal Act*, 2001, S.O. 2001, c. 25.
24. An Officer who finds that a person has contravened any provision of this By-law may issue a penalty notice pursuant to the City's Non-Parking AMPS By-law.
25. Continuing offence. A contravention of the requirements set out in this By-law is deemed to be a continuing offence on each day or part of a day that the contravention continues.
26. A director or officer of a corporation who knowingly concurs in the contravention of this by-law by the corporation is guilty of an offence and, upon conviction, is subject to the fines as set out in this by-law.

27. Where a person has been convicted of an offence, the court in which the conviction has been entered and any court of competent jurisdiction thereafter may, in addition to any other remedy and to any penalty imposed by this By-law, make an order prohibiting the continuation or repetition of the offence by the person convicted.

GENERAL PROVISIONS

28. All measurements in this By-law are given in the metric short form.
29. If a court of competent jurisdiction declares any provision or provisions of this By-law invalid, it is the intention of Council that the remainder of the By-law shall continue to be in force.
30. In this By-law, unless the contrary intention is indicated, words used in singular shall include the plural and words used in the male gender shall include the female gender and vice versa.
31. The word “and” is an inclusive conjunction, the use of which indicates that all items or phrases in that subsection, article, or list in which it appears are permitted or required as the case may be. The word “or” is an alternate conjunction, the use of which indicates that alternate or optional items or phrases in the subsection, article or list in which it appears are permitted or required, as the case may be; however, notwithstanding the foregoing, where the context permits, the word “or” may also be an inclusive conjunction having the same meaning as the word “and”.
32. This by-law shall not be construed to reduce or mitigate any restrictions or regulations lawfully imposed by the City or by any governmental authority having jurisdiction to make such restrictions or regulations. If there is a conflict between a provision of this by-law and a provision of any other City by-law, the provision that establishes the higher standard shall apply.
33. Any reference to any legislation including, statutes, regulations, and by-laws, in this By-law includes the legislation referred to and its amendments as well as any subsequent legislation which may replace the legislation referred to, and its amendments thereto.

ENACTMENT

34. This By-law comes into force on the date of its passing.

Read a first time this	day of	2022.
Read a second time this	day of	2022.
Read a third time and passed this	day of	2022.

CLERK

MAYOR

FOR OFFICE USE ONLY	
FOLDER NUMBER	
RECEIPT NUMBER	DATE
PAYMENT TYPE	RECEIVED BY

VACANT BUILDING REGISTRY APPLICATION

THIS FORM MUST BE COMPLETED BY THE OWNER

PLEASE REVIEW THE VACANT BUILDING REGISTRY BY-LAW XX-XXX FOR THE DEFINITION OF OWNER

PLEASE PRINT CLEARLY					
LOCATION OF PROPERTY WHERE VACANT BUILDING EXISTS	STREET ADDRESS		NUMBER	POSTAL CODE	
	CITY	PROVINCE		NUMBER OF DAYS VACANT	
	TAX ROLL NUMBER	WARD			
APPLICANT INFORMATION	LAST NAME		FIRST NAME		OWNER AGENT OTHER <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
	STREET ADDRESS		NUMBER	POSTAL CODE	
	CITY	PROVINCE		POSTAL CODE	
	PHONE NUMBER	CELL NUMBER	E-MAIL	FAX	
OWNER(S) INFORMATION (IF DIFFERENT FROM APPLICANT)	LAST NAME		FIRST NAME		CORPORATION PARTNERSHIP <input type="checkbox"/> <input type="checkbox"/>
	STREET ADDRESS		NUMBER	POSTAL CODE	
	CITY	PROVINCE		POSTAL CODE	
	PHONE NUMBER	CELL NUMBER	E-MAIL	FAX	
METHODS OF PAYMENT AVAILABLE	BY MAIL Methods of Payments Accepted: Cheques/Money Orders ONLY - Payable to the "City of St. Catharines") CITY HALL P.O. Box 3012, St. Catharines, Ontario L2R 7C2 (Attention: Vacant Building Registry)				
	IN PERSON Methods of Payments Accepted: Cash, Cheque, Debit, Credit Card (Visa or MasterCard) CITY HALL 50 Church Street St. Catharines, Ontario L2R 7C2				
Return Completed Registration Form and Payment					
I acknowledge it is my responsibility to notify the City of St. Catharines immediately in writing of any change in information provided to ensure compliance with the City of St. Catharines Vacant Building Registry By-Law XX-XXX.					
I certify that the information contained in this application is true in all respects to the best of my knowledge.					
Signature of Applicant			Date		
Personal information contained in this application is collected pursuant to the City of St. Catharines' Vacant Building Registry By-law xx-xxx. Questions regarding this information may be addressed to: Administration Clerk, Parking and By-Law Services Division 905-546-2424 ext. 2546					

FAILURE TO SUBMIT THE REQUIRED INFORMATION AND PAYMENT BY THE DUE DATE MAY RESULT IN ENFORCEMENT



Corporate Report City Council

Report from: Planning and Building Services, Planning Services

Report Date: April 28, 2022

Meeting Date: May 16, 2022

Report Number: PBS-075-2022

File: 22 104142 HERT

Subject: Demolition of a Non-Contributing Building in the Port Dalhousie Heritage Conservation District – 16 Lock Street

Strategic Pillar:

This report aligns with the following St. Catharines Strategic Plan pillars: Cultural



Recommendation

That Council approve the Heritage Permit application to demolish the temporary condominium sales centre at 16 Lock Street, which is a non-contributing building in the Port Dalhousie Heritage Conservation District.

Summary

Staff are recommending the approval of a heritage permit for the demolition of the existing temporary condominium sales centre at 16 Lock Street, which was constructed in 2012. The heritage permit is required under the Ontario Heritage Act because the property is located within the Port Dalhousie Heritage Conservation District.

Staff concur with the recommendation from the St. Catharines Heritage Permit Advisory Committee (SCHPAC) that the proposed demolition should be approved based on the Guidelines of the Port Dalhousie Heritage Conservation District. The District's Guidelines state that buildings constructed before 1950 are contributing heritage properties within the District, and as such, the c.2012 building is not a contributing building and its demolition is permitted.

Relationship to Strategic Plan

The recommendation of this report directly supports the Cultural Renaissance Goal in the City's Strategic Plan:

4.1: Addressing Heritage Preservation.

Background

In December 2003, the Port Dalhousie Heritage Conservation District designation received final approval from the Ontario Municipal Board. The District is one of the largest heritage conservation districts in Ontario. The District has the natural boundaries of Lake Ontario and Martindale Pond, and the southwestern boundary runs variously along Corbett Avenue, Johnston Street and Shelley Avenue.

The *Ontario Heritage Act* (OHA) requires that Council approval be obtained for new construction, additions to existing structures and demolition within a Heritage Conservation District. The St. Catharines Heritage Permit Advisory Committee (SCHPAC) was appointed in May 2015 to review applications and provide advice to Council to facilitate this process. The Port Dalhousie Heritage District Advisory Committee (PDHDAC) provided this function from 2004 to early 2015.

By-law 2020-156 delegated the approval of heritage permits to the Director of Planning and Development Services; however, this authorization does not include the approval of demolitions, as is proposed with this application.

In accordance with Section 42(4) of the *Ontario Heritage Act*, when a heritage permit, including demolition, is applied for, Council may give the applicant:

- (a) the permit applied for;
- (b) notice that the Council is refusing the application for the permit or;
- (c) the permit applied for, with terms and conditions attached.

If Council refuses the heritage permit, or approves the application with conditions, the owner may appeal to the Ontario Land Tribunal (OLT). If Council does not take any of the actions specified in Section 42(4) within 90 days after notice of receipt of the application is served on the applicant, Council is deemed to have given the applicant the permit.

Report

An application has been submitted to demolish the temporary condominium sales centre at 16 Lock Street. Appendix 1 shows an aerial view of the structure proposed for demolition. Appendix 2 provides a photographic overview of the building.

Port Dalhousie Heritage Conservation District Guidelines for Conservation and Change (The Guidelines)

The Port Dalhousie Heritage Conservation District Guidelines for Conservation and Change provide the guidelines that property owners are expected to conform to within the Heritage District. Section 4.1 notes that, "For the purposes of these guidelines a heritage building is considered to be any structure built prior to 1950." The 1950 cut-off

date is an important date with regards to how properties are managed within the Guidelines. The c.2012 building is therefore not a contributing heritage building within the district, and as such, its demolition is permitted.

St. Catharines Heritage Permit Advisory Committee

At the SChPAC meeting on April 28, 2022, the Heritage Permit Advisory Committee voted in favour of the following motion:

“That the SChPAC recommends approval of the proposed demolition of the temporary condominium sales centre at 16 Lock Street”

The Committee’s decision was based on the c.2012 construction date of the building.

Financial Implications

There are no direct financial implications associated with this report.

Environmental Sustainability Implications

There are no environmental implications associated with this report.

Conclusion

The *Ontario Heritage Act* requires the respective Municipal Heritage Committee be consulted prior to Council making a decision on a heritage permit application for demolition within a Heritage Conservation District, no matter the age of the building. In this regard, the SChPAC has been consulted with respect to the application to demolish the temporary condominium sales centre at 16 Lock Street and recommends that the application be approved. The recommendation being made to Council is consistent with the guidelines of the Port Dalhousie Heritage Conservation District Guidelines for Conservation and Change.

Planning and Building Services concurs with the recommendation of the SChPAC and recommends the approval of the demolition permit.

Notifications

It would be prudent to notify the owner of the property.

Prepared by

James Neilson, Heritage Planner

Submitted by

Margaret Josipovic, Manager, Planning Services

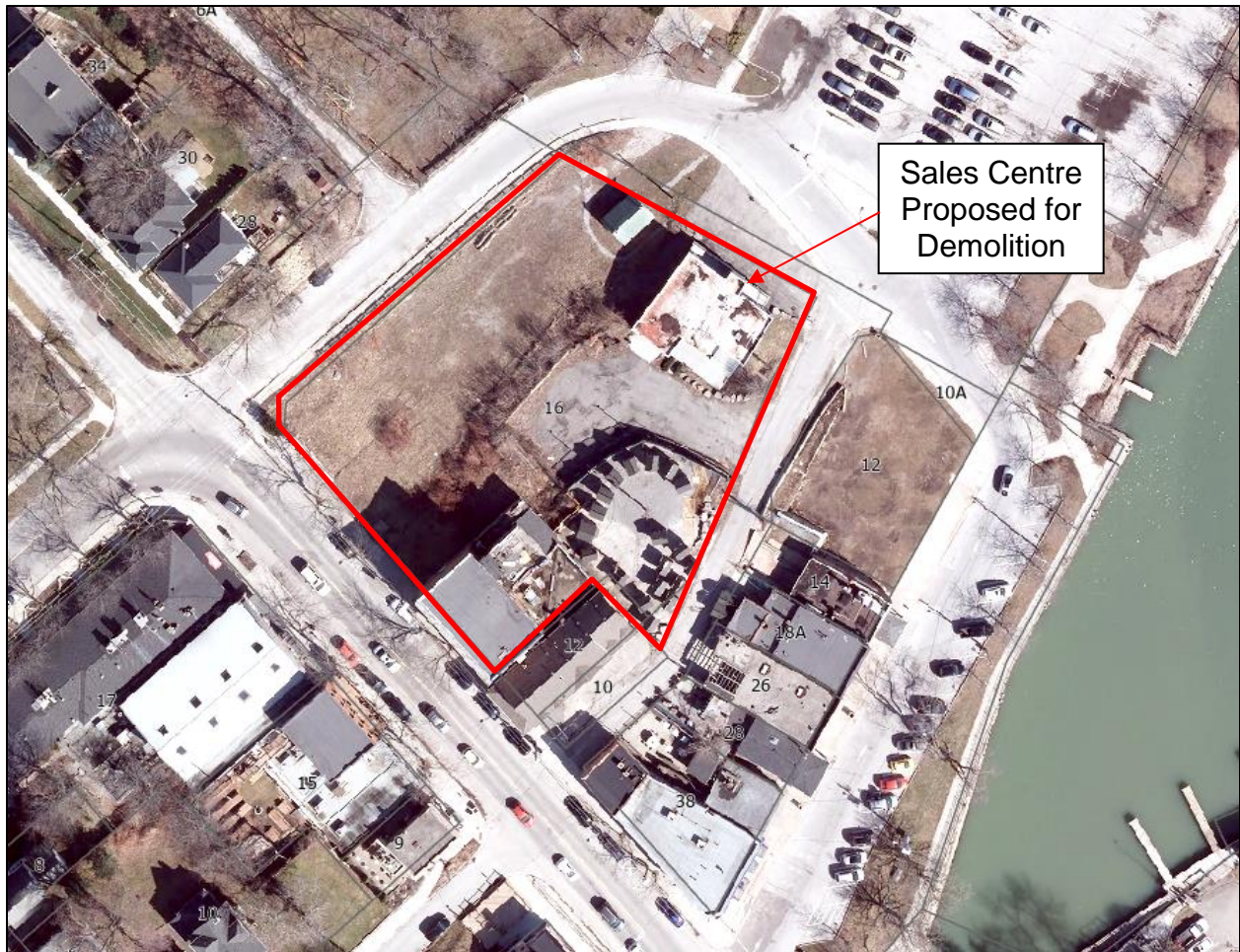
Approved by

Tami Kitay, Director, Planning and Building Services

Appendices

1. Location Plan for 16 Lock Street
2. Photos of 16 Lock Street

Location Map



Photograph - 16 Lock Street





Corporate Report City Council

Report from: Legal and Clerks Services, Office of the City Clerk

Report Date: May 6, 2022

Meeting Date: May 16, 2022

Report Number: LCS-077-2022

File: 10.12.1

Subject: Council Correspondence

Strategic Pillar:

Recommendation

That Council receive and file the items listed within the report; and

That Council appoint the individual outlined in the confidential memorandum from the Deputy City Clerk to the Accessibility Advisory Committee; and

That Council receive and file additional correspondence distributed for the meeting held May 16, 2022, which is available upon request.

Report

The Office of the City Clerk is submitting, for the approval of Council, correspondence received during the period of April 14, 2022 to May 5, 2022.

The information regarding appointment for a vacancy on the Accessibility Advisory Committee is being provided through confidential memorandum as discussion of the merits of individual applicants could be considered a personal matter about identifiable individuals. The memorandum will be placed in Council's SugarSync folder prior to the Council meeting of May 16, 2022. The appointment approved by Council will be published in the meeting minutes.

At the special Council meeting of April 7, 2022, City Council directed that Council's resolution regarding Report PBS-059-2022, "St. Catharines Response to Ontario Housing Affordability Task Force Recommendations," be forwarded to all Ontario municipalities for endorsement. Attached as Sub-Item #5 is a resolution from the Town of Grand Valley thanking City staff for preparing and sharing Report Number PBS-059-2022.

Resolutions

1. City of Waterloo – re. Ontario Must Build it Right the First Time
2. Township of Mulmur – re. More Homes for Everyone Act
3. Town of Arnprior – re. Support for Humanitarian Efforts in Ukraine
4. City of Vaughan – re. Housing Affordability

Response to Motions from St. Catharines City Council

5. Support for City Council's Motion – re. St. Catharines Response to Ontario Housing Affordability Task Force Recommendations
(motion passed at Special Council Meeting of April 7, 2022)

Correspondence

6. Niagara Peninsula Conversation Authority – re. 12 Mile Creek Valley
7. AMO Watchfile – April 21, 2022
8. AMO Watchfile – April 28, 2022
9. AMO Watchfile – May 5, 2022

Niagara Region

10. Development Applications Monitoring Report – 2021 Year End. Report PDS 4-2022
11. 2021 Census Series: Population and Dwelling Counts. Report PDS 9-2022
12. Proposed Niagara Official Plan. Report PDS 14-2022

Reports Requested by Council

13. Outstanding Reports List – updated May 5, 2022

Confidential Memorandums from Staff

(See SugarSync folder for May 16, 2022)

- Deputy City Clerk re. – vacancy appointment for Accessibility Advisory Committee

Prepared by

Evan McGinty
Council and Committee Coordinator

Submitted and Approved by

Bonnie Nistico-Dunk
City Clerk

March 23, 2022

Hon. Steve Clark
Minister of Municipal Affairs and Housing
College Park, 17th Floor
777 Bay St.
Toronto, ON M7A 2J3

**RE: Resolution from the City of Waterloo passed March 21st, 2022 re: Ontario
Must Build it Right the First Time**

Dear Minister Clark,

Please be advised that the Council of the Corporation of the City of Waterloo at its Council meeting held on Monday, March 21st, 2022 resolved as follows:

WHEREAS the Province of Ontario adopted greenhouse gas reduction targets of 30% by 2030, and emissions from buildings represented 22% of the province's 2017 emissions,

WHEREAS all Waterloo Region municipalities, including the City of Waterloo, adopted greenhouse gas reduction targets of 80% below 2012 levels by 2050 and endorsed in principle a 50% reduction by 2030 interim target that requires the support of bold and immediate provincial and federal actions,

WHEREAS greenhouse gas emissions from buildings represent 45% of all emissions in Waterloo Region, and an important strategy in the TransformWR community climate action strategy, adopted by all Councils in Waterloo Region, targets new buildings to be net-zero carbon or able to transition to net-zero carbon using region-wide building standards and building capacity and expertise of building operators, property managers, and in the design and construction sector,

WHEREAS the City of Waterloo recently adopted a net-zero carbon policy for new local government buildings and endorsed a corporate greenhouse gas and energy roadmap to achieve a 50% emissions reduction by 2030 for existing local government buildings and net-zero emissions by 2050 (provided the provincial electricity grid is also net-zero emissions),

WHEREAS the draft National Model Building Code proposes energy performance tiers for new buildings and a pathway to requiring net zero ready construction in new buildings, allowing the building industry, skilled trades, and suppliers to adapt on a predictable and reasonable timeline while encouraging innovation;



WHEREAS the Ministry of Municipal Affairs and Housing is consulting on changes for the next edition of the Ontario Building Code (ERO #: 019-4974) that generally aligns with the draft National Model Building Code except it does not propose adopting energy performance tiers, it does not propose timelines for increasing minimum energy performance standards step-by-step to the highest energy performance tier, and, according to Efficiency Canada and The Atmospheric Fund, it proposes adopting minimum energy performance standards that do not materially improve on the requirements in the current Ontario Building code;

WHEREAS buildings with better energy performance provide owners and occupants with lower energy bills, improved building comfort, and resilience from power disruptions that are expected to be more common in a changing climate, tackling both inequality and energy poverty;

WHEREAS municipalities are already leading the way in adopting or developing energy performance tiers as part of Green Development Standards, including Toronto and Whitby with adopted standards and Ottawa, Pickering, and others with standards in development;

WHEREAS the City of Waterloo is finalizing Green Development Standards for its west side employment lands and actively pursuing Green Development Standards in partnership with the Region of Waterloo, the Cities of Kitchener and Cambridge, and all local electricity and gas utilities through WR Community Energy;

WHEREAS while expensive retrofits of the current building stock to achieve future net zero requirements could be aligned with end-of-life replacement cycles to be more cost-efficient, new buildings that are not constructed to be net zero ready will require substantial retrofits before end-of-life replacement cycles at significantly more cost, making it more cost-efficient to build it right the first time.

THEREFORE BE IT RESOLVED THAT Council request the Province of Ontario to include energy performance tiers and timelines for increasing minimum energy performance standards step-by-step to the highest energy performance tier in the next edition of the Ontario Building Code, consistent with the intent of the draft National Model Building Code and the necessity of bold and immediate provincial action on climate change;

THAT Council request the Province of Ontario to adopt a more ambitious energy performance tier of the draft National Model Building Code as the minimum requirement for the next edition of the Ontario Building Code than those currently proposed;

THAT Council request the Province of Ontario provide authority to municipalities to adopt a specific higher energy performance tier than the Ontario Building Code, which would provide more consistency for developers and homebuilders than the emerging patchwork of municipal Green Development Standards;

THAT Council request the Province of Ontario to facilitate capacity, education and training in the implementation of the National Model Building Code for municipal planning and building inspection staff, developers, and homebuilders to help build capacity; and

THAT this resolution be provided to the Minister of Municipal Affairs and Housing, to area MPPs, and to all Ontario Municipalities.

Please accept this letter for information purposes only.

If you have any questions or require additional information, please contact me.

Sincerely,

A handwritten signature in cursive script that reads 'Julie Scott'.

Julie Scott
City Clerk, City of Waterloo

CC (by email):

Catherine Fife, M.P.P (Waterloo)
Laura Mae Lindo, M.P.P (Kitchener Centre)
Belinda C. Karahalios, M.P.P (Cambridge)
Amy Fee, M.P.P (Kitchener-South Hespeler)
Mike Harris, M.P.P (Kitchener-Conestoga)

Sub-Item 2



758070 2nd Line E
Mulmur, Ontario
L9V 0G8

Local **(705) 466-3341**
Toll Free from 519 only **(866) 472-0417**
Fax **(705) 466-2922**

April 12 2022

RE: MORE HOMES FOR EVERYONE ACT

At the meeting held on April 6, 2022, Council of the Township of Mulmur passed the following resolution regarding the More Homes for Everyone Act.

Moved by Clark and Seconded by Hawkins

WHEREAS Council supports removing red tape and expediting the creation of affordable housing through the proper review and approval

AND WHEREAS Council values citizen input, professional planning recommendations and elected Official decision making;

NOW THEREFORE, Council provides the following comments on Bill 109:

1. Final Decision making should rest with elected officials
2. Planner's recommendations should be subject to public input and local expertise
3. Ratepayers should not be subsidizing development applications through refunds to application fees intended to cover the cost of processing applications
4. That a definition of minor rezoning has not been established
5. Planners should not be put in a position of having to be experts and decision makers over all other disciplines
6. Delegating authority for site plans and creating penalties for site plan and minor rezonings will not solve housing crisis, as the proposed legislation targets single lot developments opposed to large scale residential development

AND FURTHER THAT a copy of this resolution be forwarded to the Province of Ontario, Ministry of Municipal Affairs and Housing, Environmental Registry, the County of Dufferin and all Ontario municipalities.

CARRIED.

Sincerely,

Tracey Atkinson

Tracey Atkinson, CAO/Clerk/Planner
Township of Mulmur



Town of Arnprior Support for Humanitarian Efforts in Ukraine

To Whom it may concern,

Council of the Corporation of the Town of Arnprior passed the following resolution regarding supporting Ukraine in these difficult times. Council at their meeting, requested staff provide this resolution to all municipalities in the province of Ontario for their information.

Whereas the Council of the Corporation of the Town of Arnprior supports our Federal, Provincial and local municipalities in condemning the aggression and violent acts that Russia is taking upon Ukraine; and

Whereas on March 2, 2022 Mayor Stack issued a press release voicing the Town's support of "the Ukrainian people, who are fighting bravely against the invading Russian forces" and asked that everyone in Arnprior keep "these brave souls in our hearts and minds, and hope for a swift end to this conflict," and

Whereas the clock at the D.A. Gillies (Museum) will stay lit in blue and yellow until the attacks cease.

Therefore Be It Resolved That:

1. That Council support the humanitarian efforts in Ukraine with a \$1000.00 donation to the Canadian Red Cross Ukraine Humanitarian Crisis Appeal.
2. That the Mayor send a letter to the Ukrainian Embassy in Ottawa in support and solidarity of those in Ukraine, their friends and families across the globe and those of Ukrainian heritage within our community.

The Town of Arnprior has sent a donation to the Canadian Red Cross Ukraine Humanitarian Crisis Appeal, and the Mayor has issued a letter to the Ukrainian Embassy in Ottawa, as noted.

Sincerely,

Kaila Zamojski
Deputy Clerk
Town of Arnprior
613-623-4231 Ext. 1818

CITY OF VAUGHAN

Sub-Item 4

EXTRACT FROM COUNCIL MEETING MINUTES OF MARCH 22, 2022

Item 2, Report No. 11, of the Committee of the Whole (Working Session), which was adopted, as amended, by the Council of the City of Vaughan on March 22, 2022, as follows:

By approving the recommendation contained in Communication C276, resolution from Councillor Alan Shefman and Councillor Marilyn Lafrate, dated March 8, 2022, as an amendment, to read as follows:

Whereas, the City of Vaughan recognizes the urgency of developing a comprehensive province-wide policy to address the urgent issue of affordability of housing;

Whereas, the City has embarked on developing its own policy on affordable housing;

Whereas, the City of Vaughan has an Official Plan that establishes a desired urban structure to guide its land uses throughout the city;

Whereas, the City undertakes regular reviews of its Official Plan, as required by the Planning Act, to ensure land use decisions are consistent with the Provincial Policy Statement and reflective of the community visions;

Whereas, the City's Official Plan encourages significant growth to the urban growth Centre, mobility hubs and major transit station areas to take advantage of mass transit services and protect the character of established residential areas;

Whereas, the City's Official Plan designates sufficient lands to meet its future growth needs based on provincial growth forecasts and serves as a critical policy document to coordinate between infrastructure and growth;

Whereas, the City's Official Plan is developed and updated based on technical studies and thorough extensive community and stakeholder consultations as required by the Planning Act;

Whereas, the province has established a Housing Affordability Task Force, without municipal representation, that has released 55 recommendations in its draft report on January 25, 2022, that could significantly impact land use planning at municipal level;

Whereas, there are many factors that can influence housing affordability, e.g. lack of Provincial infrastructure investment, immigration policy, backlog of cases at OLT, labour and material costs, income and inflation, as well as complex and sometimes conflicting Provincial policies; and

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF MARCH 22, 2022

Whereas, many of the recommendations of the Housing Affordability Task Force would result in both local planning decisions being fundamentally undermined and download the burdens of the housing crisis to municipalities and their residents to the point that the quality of life of our residents would be seriously threatened;

NOW THEREFORE BE IT RESOLVED:

1. *That as a first step in the process of developing a policy on housing affordability, that a fulsome and comprehensive definition of “affordable housing” be developed in consultation with municipalities and other interested parties;*
2. *That the City of Vaughan support all efforts at all levels of government to increase housing supply that is fair to both existing and future residents;*
3. *That the City of Vaughan be fully committed to working with all levels of government to develop an effective strategy to provide affordable housing;*
4. *That the City of Vaughan express its grave concerns to the local MPPs and the Province of Ontario about the Housing Affordability Task Force report for lack of municipal involvement and consultation; and*
5. *That the Province of Ontario be requested to conduct, with all due haste, a thorough consultation with municipalities and appropriate interested parties prior to developing and releasing any policy based on the Housing Affordability Task Force recommendations; and*
6. **BE IT FURTHER RESOLVED** *That a copy of this Motion and Communication C280 (attached), memorandum from the Deputy City Manager, Planning & Growth Management, dated March 15, 2022, be sent to the Honourable Doug Ford, Premier of Ontario, the Minister of Municipal Affairs and Housing, the Leader of the Opposition, the Leaders of the Liberal and Green Party, all MPPs in the Province of Ontario; the Large Urban Mayors’ Caucus of Ontario, the Small Urban GTHA Mayors and Regional Chairs of Ontario; and*
7. **BE IT FINALLY RESOLVED** *That a copy of this Motion be sent to the Association of Municipalities of Ontario (AMO) and all Ontario municipalities for consideration.*

By approving the recommendation contained in Communication C285, resolution from Councillor Alan Shefman and Councillor Marilyn Iafrate, dated March 22, 2022, as follows:

Whereas Municipalities across this province collectively spend millions of dollars of taxpayer money and municipal resources developing Official Plans that meet current Provincial Planning Policy;

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF MARCH 22, 2022

Whereas an Official Plan is developed through extensive public consultation to ensure, “that future planning and development will meet the specific needs of (our) community”;

Whereas the Vaughan Official Plan includes provisions that encourage development of all forms of housing including the need for attainable housing in our community;

Whereas our Official Plan is ultimately approved by the province;

Whereas it is within the legislative purview of Municipal Council to approve Official Plan amendments or Zoning By-law changes that better the community or fit within the vision of the City of Vaughan Official Plan;

Whereas it is also within the legislative purview of Municipal Council to deny Official Plan amendments or Zoning By-law changes that do not better the community or do not fit within the vision of the City of Vaughan Official Plan;

Whereas municipal planning decisions may be appealed to the Ontario Land Tribunal (OLT; formerly the Ontario Municipal Board) an appointed body that is not accountable to the residents of Vaughan;

Whereas the OLT has the authority to make a final decision on planning matters based on a “best planning outcome” and not whether the proposed development is in compliance with municipal Official Plans or the needs of the community;

Whereas all decisions - save planning decisions - made by Municipal Council are only subject to appeal by judicial review and such appeals are limited to questions of law and or process;

Whereas Ontario is the only province in Canada that empowers a separate adjudicative tribunal to review and overrule local decisions applying provincially approved plans;

Whereas municipalities across this Province are forced to spend millions of dollars defending Official Plans that have already been approved by the province in expensive, time-consuming OLT hearings; and

Whereas lengthy and costly OLT hearings add years to the development approval process and acts as a barrier to municipal development; and

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF MARCH 22, 2022

NOW THEREFORE BE IT RESOLVED that the Government of Ontario be requested to immediately establish a comprehensive and wide-ranging process that includes the participation of municipalities and other interested parties, to determine an alternative land use planning appeals process to replace the OLT in order to establish a fair and efficient appeal process in Ontario; and

BE IT FURTHER RESOLVED that a copy of this Motion be sent to the Honourable Doug Ford, Premier of Ontario, the Minister of Municipal Affairs and Housing, the Leader of the Opposition, the Leaders of the Liberal and Green Party, all MPPs in the Province of Ontario; the Large Urban Mayors' Caucus of Ontario, the Small Urban GTHA Mayors and Regional Chairs of Ontario; and

BE IT FINALLY RESOLVED that a copy of this Motion be sent to the Association of Municipalities of Ontario (AMO) and all Ontario municipalities for consideration; and

By receiving the following Communications:

C149. Mario Marmora, South Maple Ratepayers Association, dated March 1, 2022; and

C280. Memorandum from the Deputy City Manager, Planning & Growth Management, dated March 15, 2022.

2. RESOLUTION SUPPORTING MUNICIPAL FINAL AUTHORITY FOR DEVELOPMENT PLANNING (REFERRED FROM FEBRUARY 15, 2022 COUNCIL MEETING)

The Committee of the Whole (Working Session) recommends:

- 1. That the recommendation contained in the following report of the Deputy City Manager, Legal and Administrative Services & City Solicitor, and Deputy City Manager, Planning and Growth Management, dated March 2, 2022, be approved;**
- 2. That in accordance with Communication C6., the recommendations contained in the resolution of Councillor lafrate and Councillor Shefman, dated February 8, 2022, be approved, subject to the following changes:**
 - 1. That Recommendation 1 be replaced with the following:**
 - 1. That the Government of Ontario be requested to immediately engage municipalities to determine**

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF MARCH 22, 2022

an alternative land use planning appeals process in order to dissolve the OLT and eliminate one of the most significant sources of red tape delaying the development of more attainable housing in Ontario;

3. That staff draft a response to the Report of the Ontario Housing Affordability Task Force, in the form of a resolution or letter, which outlines staff and Council's concerns with its recommendations, to be considered at the Council meeting of March 22, 2022;
4. That the staff presentation and Communication C7., presentation material, entitled *"Resolutions Supporting Municipal Final Authority for Development Planning"*, dated March 2, 2022, be received; and
5. That the following communications be received:
 - C2. Robert Kenedy, Mackenzie Ridge Ratepayers' Association, Georgia Crescent, Vaughan, dated February 28, 2022;
 - C3. Heidi Last, dated February 28, 2022;
 - C4. Catherine Lazaric, dated February 28, 2022; and
 - C5. Ron Moro, Tasha Court, Vaughan, dated March 1, 2022.

Recommendations

1. That Council receive this report for information.

DATE: March 15, 2022
TO: Mayor and Members of Council
FROM: Haiqing Xu, Deputy City Manager, Planning & Growth Management
RE: **COMMUNICATION – March 22, 2022, Council**

Item #2, Report #11, Committee of the Whole (WS)

**RESOLUTION SUPPORTING MUNICIPAL FINAL AUTHORITY
FOR DEVELOPMENT PLANNING**

Additional Staff Input on the Housing Affordability Task Force Report

Purpose

To provide further staff analyses/opinions in addition to the staff comments presented to Committee of the Whole Working Session on March 2, 2022, with respect to the recommendations contained within the Affordability Task Force report released on February 8, 2022.

Analysis

The Housing Crisis Has Complex Causes

Population growth, low supply of new homes, decreasing rental units, record low interest rate, increasing material and labour costs, and the general desire to live in or near the city can all be factors that may change the balance between housing supply and demand. Thus, a collective effort from all levels of government, as well as developers and communities, is needed to address the current housing crisis.

Municipalities have a significant role to play to help increase the supply of new homes through expediting planning approvals, infrastructure developments and issuance of building permits. In the meantime, municipalities also have the responsibility to protect community characters and ensure quality of living in existing communities.

Staff support all efforts to increase housing supply. Planning staff have been working closely with colleagues of other departments to explore in detail opportunities to streamline the development approval process and will be reporting to Council our findings and the progress of ongoing efforts next month. Through the process, we have discovered some other factors contributed to missed deadlines and slow processing, which include the province's own reply to circulations, timely input from required agencies and stakeholders and the quality of the initial applications and subsequent submissions. Staff believe the province should consider simplifying its own regulations,

delegating certain approval authorities, and leading by policy – no micromanaging municipalities - to help speed up development approval process, cut red tape, and get homes built quicker.

“As-of-right” Approvals Allow Intensification to Spread to Existing Communities

Staff are gravely concerned with the following recommended "as of right" developments and approvals:

- Up to four units and up to four storeys on a single residential lot;
- Secondary suites, multi-tenant housing, conversion of underutilized or redundant commercial properties to residential or mixed residential and commercial use;
- Zoning up to unlimited height and unlimited density in the immediate proximity of individual major transit stations within two years if municipal zoning remains insufficient to meet provincial density targets;
- Zoning of 6 to 11 storeys with no minimum parking requirements on any streets utilized by public transit (including streets on bus and streetcar routes).

These recommendations would lower design standard and allow intensification to spread to the existing neighbourhoods where there is no major infrastructure improvement to support such a growth. If implemented, municipal councils will no longer have the authority to decide on these developments, and instead they will receive all complaints about reduced quality of life, e.g. lowered water pressure, excessive street parking, and shadowed backyards.

Staff believe “as-of-right” permissions need to be fully and carefully re-assessed to ensure conformity, good planning, and the best interests of the public are protected. Limited site specific “as-of-right” approvals may be considered, but not a broad application as recommended.

Treating All Municipalities Homogeneously is not Good Planning

The City of Vaughan has convenient access to highways and passenger GO rail services. It is also the only municipality that has a TTC subway station outside the City of Toronto. Its preferred location together with major infrastructure improvements allows the City to plan and support significant intensifications in areas such as the Vaughan Metropolitan Centre, Yonge and Steeles area, and many Major Transit Station Areas. These developments have already contributed and will continue to significantly contribute to the housing supply and thus help ease the housing crisis.

What the City has been experiencing is not easily transferrable to another municipality. The recommended province-wide zoning standards or prohibitions by the task force would cause all municipalities to consider their land use regulations homogeneously, and limit their authorities to regulate minimum lot sizes, maximum building setbacks, minimum heights, angular planes, shadow rules, front doors, building depth, landscaping, floor space index, heritage view cones, and parking requirements based on planning merit and in accordance with their respective Official Plans.

Official Plan Authority Must be Protected

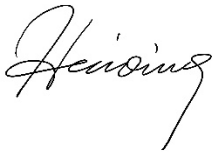
Official Plan is a very important local planning tool to establish the desired urban structure and land uses throughout the City. It is used to direct growth to urban growth centres, mobility hubs and major transit station areas while maintain and protect the character of established residential areas.

The City's Official Plan designates lands that are sufficient to meet future growth needs based on provincial growth forecasts. Also, it is a critical policy document that helps coordinate between infrastructure and growth. The City undertakes regular reviews of the Official Plan, as required by the *Planning Act*, to ensure land use decisions are consistent with the Provincial Policy Statement.

Staff believe the City's Official Plan, once update and approved, should not be subject to further appeals, so that its policies can be immediately translated to zoning regulations to guide and expedite development approvals.

For more information, contact Christina Bruce, Director, Policy Planning & Special Programs at ext. 8231.

Approved by

A handwritten signature in black ink, appearing to read 'Haiqing Xu', written in a cursive style.

Haiqing Xu, Deputy City Manager,
Planning & Growth Management

At the April 26, 2022 regular meeting of Grand Valley Council the following resolution was passed:

Resolution 2022-04-30

Moved by P Rentsch, Seconded by S Miles

BE IT RESOLVED THAT the Town of Grand Valley Council appreciates the work staff of the City of St Catharines put into Report Number PBS-059-2022 regarding St Catharines Response to Ontario Housing Affordability Task Force Recommendations and would like to thank the staff and the municipality for sharing this information;

AND FURTHER THAT staff be directed to provide a copy of this resolution to the City of St Catharines.

CARRIED

Please do not hesitate to contact me if you have any questions or concerns.

Kind regards,
Sabrina VanGerven



Sabrina VanGerven, CHRP

Deputy Clerk/Communications Coordinator

Town of Grand Valley | 5 Main Street North, Grand Valley, ON L9W 5S6

Tel: (519) 928-5652 | Fax: (519) 928-2275 | svangerven@townofgrandvalley.ca



250 Thorold Road West, 3rd Floor, Welland, Ontario L3C 3W2
Telephone 905.788.3135 | Facsimile 905.788.1121 | www.npca.ca

April 25, 2022

Mayor Sendzik and Council
City of St. Catharines
50 Church Street, P.O. Box 3012
St. Catharines, ON
L2R 7C2

SENT ELECTRONICALLY

Dear Mayor Sendzik and Council,

Please be advised that at its meeting of April 22, 2022, the Board of Directors of the Niagara Peninsula Conservation Authority adopted the following as Resolution No. FA-42-2022:

Moved by Board Member Ed Smith
Seconded by Board Member Bill Steele

WHEREAS the NPCA issued a permit to Ontario Power Generation (OPG) and Canada Summer Games Host Society Inc. on November 12th, 2021 for the purpose of "Phase One: Trail Maintenance and Mountain Bike Features for Canada Games";

AND WHEREAS the NPCA sent correspondence to Canada Summer Games on December 1st, 2021 concerning the intended future use of the site being prepared for Summer Games 2022 and received a response from the Summer Games Chair on March 28th, 2022 indicating ongoing negotiations between the City of St. Catharines and OPG regarding a Recreational Use Master Plan that will address future use of the 12 Mile Creek Trail;

NOW THEREFORE, BE IT RESOLVED:

1. **THAT** the City of St. Catharines and OPG **BE ADVISED** of the NPCA's ongoing interest in future use and environmental enhancement of the 12 Mile Creek Valley.
2. **THAT** any future high intensity use of the 12 Mile Creek Valley **BE SUBJECT** to slope stability, environmental impact studies and/or other technical works deemed appropriate by NPCA staff.
3. **AND FURTHER THAT** the City of St Catharines and Ontario Power Generation **BE** so **ADVISED**.

CARRIED

NPCA staff will be in contact to follow up on this matter. In the interim, should you have any questions, please feel free to contact CAO, Chandra Sharma at csharma@npca.ca or 905-788-3135.

Sincerely,

A handwritten signature in black ink, appearing to read "Rob Foster", written over a horizontal line.

Rob Foster
Chair, NPCA



April 21, 2022

In This Issue

- Minister's Order issued in response to avian influence in Ontario.
- AMO Conference registration - early bird available until May 13.
- Sponsorship and exhibitor opportunities for AMO 2022 - Live and in-person.
- Jump-start your digital transformation with an e-signature solution.
- It's time to report your annual energy consumption.
- Canoe vendor spotlight: Yokohama and Fountain Tire.
- Road & Sidewalk Assessment info session.
- 2022 is the Year of the Garden.
- Careers: Greater Sudbury and Brampton.

Provincial Matters

To limit the spread of avian influenza (H5N1), a Minister's Order under the *Animal Health Act*, 2009 has been issued to prohibit events where birds co-mingle, including fair exhibitions.

Eye on Events

The AMO Conference registration is officially open! Register here before May 13 for your early bird rates. Haven't booked your room yet? The AMO conference website contains all the hotel information you need. Questions: contact events@amo.on.ca.

AMO 2022 is a premier educational event for Ontario's municipal sector. Become a conference sponsor or exhibitor and make face-to-face communications with over 3000 delegates, promoting your products or services. View unparalleled opportunities to support municipalities here.

As municipalities move from paper to electronic filing, authentication of these files is a critical challenge. On April 27 at 12 pm ET, join AMO's partner, Notarius, and learn how ConsignO Cloud can greatly reduce the signing time of documents and allow anyone to sign legally reliable documents electronically with a phone, a tablet, or a computer. Register today.

LAS

The Ministry of Energy is now accepting annual energy reports under O. Reg. 507/18. Reporting is for energy used in 2020 and due by July 1, 2022. Ministry hosted

reporting webinars will be from 11 am - 12 pm on June 7 and 21. For questions, email BPSsupport@ontario.ca.

We are excited to welcome Yokohama and Fountain Tire as new vendors under the Tire Category! They join Michelin, Goodyear, and Kal Tire to offer high quality on and off-road tires to those using the Canoe Procurement Group. Need new tires for your fleet? Contact your local retailer to take advantage of special Canoe pricing or contact Simon to learn more.

Our popular Road & Sidewalk Assessment Service helps your municipality manage some of their most expensive assets. Combine the right data with a cutting-edge software to not only save money but improve the quality of these networks. Join LAS and StreetScan on April 21 at 10 am to learn more - Register here.

Municipal Wire*

2022 has been unanimously proclaimed by the House of Commons as the Year of the Garden. The Canadian Garden Council is inviting municipalities to celebrate their garden culture and the benefits it provides to the quality of life of their communities.

Careers

Supervisor of Payroll - City of Greater Sudbury. Supervise and coordinate the payroll functions and develop policies, procedures and training tools as required. Apply by email at hrjobs@greatersudbury.ca by April 29.

Director, Human Resources - City of Brampton. The role has oversight and accountability over employee and labour relations, health, safety and wellness, compensation and benefits, talent acquisition, integrated disability management. Apply online in confidence to arthur@wmc.on.ca by May 22.

Director, Purchasing - City of Brampton. Responsible for building the Purchasing team into a strategic sourcing operation that provides outcome-based, effective and efficient services to acquire goods and services for the City. Apply online by May 22.

About AMO

AMO is a non-profit organization representing almost all of Ontario's 444 municipal governments. AMO supports strong and effective municipal government in Ontario and promotes the value of municipal government as a vital and essential component of Ontario's and Canada's political system. Follow @AMOPolicy on Twitter!

AMO Contacts

AMO Watchfile Tel: 416.971.9856

Conferences/Events

Policy and Funding Programs

LAS Local Authority Services

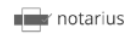
MEPCO Municipal Employer Pension Centre of Ontario

ONE Investment

Media Inquiries

Municipal Wire, Career/Employment and Council Resolution Distributions

AMO's Partners



*Disclaimer: The Association of Municipalities of Ontario (AMO) is unable to provide any warranty regarding the accuracy or completeness of third-party submissions. Distribution of these items does not imply an endorsement of the views, information or services mentioned.



April 28, 2022

In This Issue

- Call for Nominations to AMO Board of Directors.
- PJ Marshall Awards - Call for submissions for 2022 now open.
- Decision on temporary suspension of Excess Soil Regulations to January 1, 2023.
- Ontario announces pilot of electric-assisted large quadricycles on Ontario roads.
- AMO Conference registration - early bird available until May 13.
- Sponsorship and exhibitor opportunities for AMO 2022 - Live and in-person.
- The Hybrid Office - Blog.
- Annual Energy Reports due in two months.
- Canoe vendor spotlight: Fieldturf.
- Celebrate Doctor's Day on May 1.
- Careers:

AMO Matters

Please be advised that in accordance with the Association's governing by-law, the Secretary-Treasurer is requesting nominations to the 2022-2024 AMO Board of Directors. [Nomination package available here.](#)

Every year at the AMO Conference the [PJ Marshall Awards](#) recognize municipal excellence and innovation in capital projects, operating efficiencies, and new approaches to service delivery. If you have something you are proud to share, the deadline for [2022 submissions](#) is May 27, 2022.

Provincial Matters

The Ministry of the Environment, Conservation and Parks [has temporary suspended](#) the need to comply with the requirements under O. Reg. 406/19: On-Site and Excess Soil Regulation that came into effect on January 1, 2022, until January 1, 2023.

A new [regulation](#) sets out pilot parameters to allow electric large quadricycles on roads in Ontario beginning April 21, 2022. Municipalities must opt-in to the pilot program. More information is available [here](#).

Eye on Events

The AMO Conference registration is officially open! [Register here](#) before May 13 for your early bird rates. Haven't booked your room yet? [The AMO conference website](#) contains all the hotel information you need. Questions: contact events@amo.on.ca.

AMO 2022 is a premier educational event for Ontario's municipal sector. Become a conference sponsor or exhibitor and make face-to-face communications with over 3000 delegates, promoting your products or services. View unparalleled opportunities to support municipalities [here](#).

LAS

As restrictions eased, many organizations have returned to the office, adopting a hybrid model. LAS have experienced this work schedule for one month. How does it really feel to be back in the office after all this time cooped up in our homes? [Read our latest blog](#).

The Ministry of Energy is now accepting annual energy reports under [O. Reg. 507/18](#). Reporting is for energy used in 2020 and due by July 1, 2022. Ministry hosted reporting webinars will be from 11 am - 12 pm on [June 7](#) and [21](#). For questions, email BPSsupport@ontario.ca.

The [Canoe Procurement Group](#) is excited to welcome Fieldturf to the program, offering turf and court equipment to keep your sports facilities ready for use. Use the Canoe contract to save time and money on your purchases. [Contact Simon](#) to learn more.

Municipal Wire*

[Doctors' Day](#) happens every May 1 for Ontarians to show their appreciation for the extraordinary doctors who have been on the front lines during the COVID-19 pandemic. For the last two years, various landmarks, city halls and other municipal centres have lit up blue to celebrate physicians and we hope this year will be the biggest yet, from the CN Tower to Niagara Falls. Mark the occasion on your social media platforms, recognizing the efforts of Ontario doctors with the hashtag #DoctorsDay.

Careers

[Manager, Employee Services Operations - Niagara Region](#). Position has a key role in building and maintaining client relationships, and operationalizing strategic HR priorities. Apply to arthur@wmc.on.ca by May 22.

[Development Permit Administrator - Town of Oakville](#). Role is responsible for the administration of the review, approval and inspection processes and requirements are followed and legal aspects of current By-laws are met. [Apply online](#) by May 5.

[Manager of Finance - City of Sault Ste. Marie](#). Manage the preparation of periodic financial reporting for management and Finance Committee; ensuring reliability and accuracy. Apply to human.resources@cityssm.on.ca by May 6.

Business Support Analyst - City of Kingston. Communicates with the business community in collaboration with other organizations involved in business support. Apply online by May 9.

Supervisor, Public Works, Roads - City of Kingston. Responsible for the prioritization of work assignments, condition assessments, site inspections, asset management, contract administration and financial management tasks. Apply online by May 6.

Supervisor, Public Works, Parks and Sports Fields - City of Kingston. Provides leadership and guidance to unionized employees and is responsible for the safe and efficient delivery of Public Works maintenance operations. Apply online by May 6.

Operations Manager, Public Works - City of Kingston. Responsible for providing leadership in areas related to roads & sidewalks, parks & sports fields maintenance, and horticulture & forestry. Apply online by May 6.

Director, Corporate Projects, Policy and Liaison - City of Brampton. Provides collaborative oversight and leadership of multi-disciple teams, on development and delivery of corporate projects. Apply to arthur@wmc.on.ca by May 22.

Vice President, Operations - Ontario Clean Water Agency. You will provide executive leadership, vision and direction for the management of water and wastewater facilities. Apply online by May 11.

Director of Finance - South Nation Conservation. Seeking an experienced professional, with the knowledge, skills, and abilities to provide financial leadership and risk management. Apply to careers@nation.on.ca by May 26.

Director, Black Equity Branch - Treasury Board Secretariat. As Director, you will lead a team of professionals focused on delivering and coordinating OPS-wide strategies and programs to eliminate anti-Black racism in the OPS, through the removal of systemic barriers. Apply online by May 16.

About AMO

AMO is a non-profit organization representing almost all of Ontario's 444 municipal governments. AMO supports strong and effective municipal government in Ontario and promotes the value of municipal government as a vital and essential component of Ontario's and Canada's political system. Follow [@AMOPolicy](https://twitter.com/AMOPolicy) on Twitter!

AMO Contacts

AMO Watchfile Tel: 416.971.9856

Conferences/Events

Policy and Funding Programs

LAS Local Authority Services

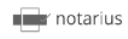
MEPCO Municipal Employer Pension Centre of Ontario

ONE Investment

Media Inquiries

Municipal Wire, Career/Employment and Council Resolution Distributions

AMO's Partners



*Disclaimer: The Association of Municipalities of Ontario (AMO) is unable to provide any warranty regarding the accuracy or completeness of third-party submissions. Distribution of these items does not imply an endorsement of the views, information or services mentioned.



May 5, 2022

In This Issue

- Provincial Election watch.
- Call for nominations to AMO Board of Directors.
- Ontario heavy vehicle inspection changes.
- AMO 2022 Early Bird registration rate ends soon!
- Request for Provincial Delegation Meetings now open.
- Advanced Land Use Planning Training - A Deeper Dive: May 31 virtual session.
- Jump-start your digital transformation with an e-signature solution.
- Watch OMERS 2022 Annual Meeting.
- The benefit of energy training for your staff.
- Boost staff productivity and morale with LED upgrades.
- Annual Energy Reports due before July 1.
- A digital CRM/311 solution for municipalities.
- Careers: TBS, Durham Region, Orillia, Hamilton and Southgate

AMO Matters

Visit the AMO website to review [AMO's 2022 Provincial Election Strategy](#) and election monitoring updates. Follow AMO on [Twitter](#) and [LinkedIn](#) and share election updates with your networks.

Please be advised that in accordance with the Association's governing by-law, the Secretary-Treasurer is requesting nominations to the 2022-2024 AMO Board of Directors. [Nomination package available here.](#)

Provincial Matters

Starting this spring, the Ministry of Transportation (MTO) is making changes to heavy vehicle emissions and safety inspections through the [DriveON](#) program. MTO has asked that this information be shared with the municipal officials that manage municipal fleets, transit and other appropriate departments

Eye on Events

You have until **May 13** to take advantage of the AMO 2022 [early bird registration rate](#). That is soon! The City of Ottawa awaits AMO delegates August 14 - 17, 2022.

Registered AMO conference delegates can now [request an in-person meeting](#) with a minister or parliamentary assistant at the AMO conference. The deadline to submit your request is June 24, 2022.

AMO has developed advanced land use planning training that supports Ontario's elected officials in the strategic decision making and management of the many facets of land use planning. Limited space available. Register [here](#).

As municipalities move from paper to electronic filing, authentication of these files is a critical challenge. On May 25 at 12 pm ET, join AMO's partner, Notarius, and learn how ConsignO Cloud can reduce the signing time of documents and allow anyone to sign legally reliable documents electronically with a phone, a tablet, or a computer. [Register here](#).

MEPCO

On April 11, OMERS held its Annual meeting, where it presented 2021 financial results and other updates. Watch the recording [here](#) on [omers.com](#).

LAS

[LAS Energy Training workshops](#) have uncovered energy savings worth hundreds of thousands of dollars. More than 300 attendees have already discovered the benefits of a custom workshop and treasure hunt at their facilities. Contact [Christian Tham](#) to book your customized workshop for this fall.

Do you know that improved lighting boosts productivity and staff morale? LAS and Conrad Lighting Solutions deliver high-quality LED lighting upgrades through our turnkey [Facility Lighting Service](#). Contact [Christian Tham](#) for a free no obligation quote/proposal.

Get a jump on energy reporting! The Ministry of Energy is now accepting annual energy reports under [O. Reg. 507/18](#). Reporting is for energy used in 2020 and due by July 1, 2022. Ministry hosted reporting webinars will be from 11am to 12pm on [June 7](#) and [21](#). For questions, email BPSsupport@ontario.ca.

AMO Partnerships

[Frequency Foundry](#) offers members a scalable, intuitive, and affordable digital citizen relationship management (CRM)/311 solution through its [Signal system](#). Built on the Microsoft Dynamics 365 and Azure platforms, Signal allows you to manage service requests and engage with residents seamlessly. Contact [Charles Finstad](#) for more information and preferred pricing.

Careers

[Director, Indigenous Equity Branch - Treasury Board Secretariat](#). Are you an Indigenous (First Nations, Métis, Inuit) leader looking for a challenging opportunity to lead the Ontario Public Service in eliminating systemic barriers, and the advancement of, Indigenous OPS employees? If so, we would like to hear from you! Closing date:

May 16.

Program Manager, Community Engagement & Change Management - Durham Region Transit Commission. Oversees year-round community engagement efforts including service and business initiatives, projects, marketing and promotion. Closing date: May 20.

Senior Financial Planning Analyst - City of Orillia. Participate in the development and implementation of policies and internal control processes reflecting industry best practice. Applications will only be accepted by applying online. Closing date: May 18 at noon.

City Solicitor - City of Hamilton. The position provides strategic leadership to a specialized workforce engaged in the analysis of services. Apply online. Closing date: June 1.

Chief Administrative Officer - Township of Southgate. Assists Council with their responsibilities by acting as a resource, facilitator and change agent. Apply to employment@southgate.ca by June 2 at 2 pm.

About AMO

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Subject: Development Applications Monitoring Report – 2021 Year End

Report to: Planning and Economic Development Committee

Report date: Wednesday, April 6, 2022

Recommendations

1. That this Report **BE RECEIVED** for information; and
2. That this Report **BE CIRCULATED** to the Local Area Municipalities, Niagara Peninsula Conservation Authority, Niagara Home Builders Association, Niagara Industrial Association, local Chambers of Commerce and School Boards.

Key Facts

- The purpose of this report is to inform Regional Council of 2021 development application activity in Niagara Region.
- Regional Development Planning and Engineering staff reviewed 826 development applications in 2021 (39% increase from 2020 application volumes).
- Regional Development Planning and Engineering staff provided comments for 848 pre-consultation meetings in 2021 (54% increase from 2020).
- The Region received \$1,794,233 in review fees for development applications in 2021 (33% increase from 2020 fees).
- The related 2021 End of Year Growth and 5 Year Growth Trend Report (Report PDS-9-2022) provides information on growth in Niagara in 2021. Development application volumes typically equate to an increase in housing starts, completions, and building permits in later years. Accordingly, it is anticipated that the increased development application volumes experienced in 2021 will impact growth trends in the future.

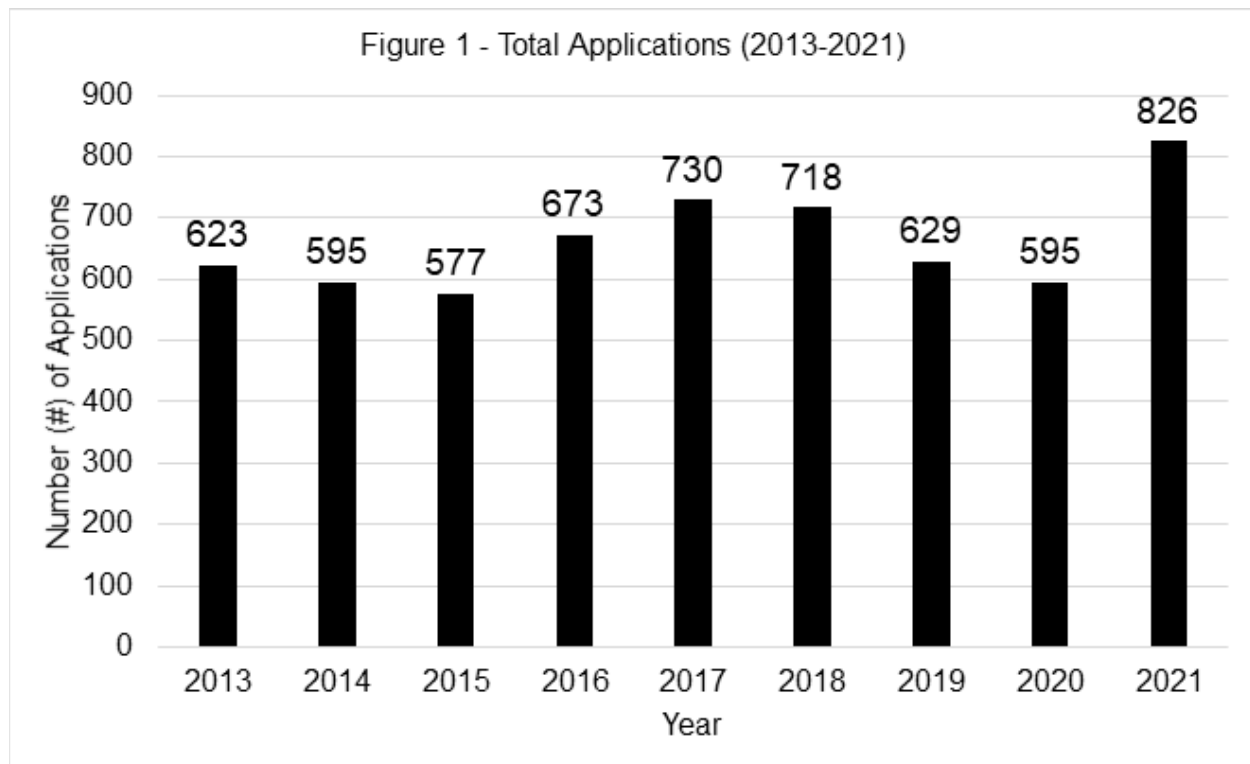
Financial Considerations

There are no direct financial implications associated with this report.

Analysis

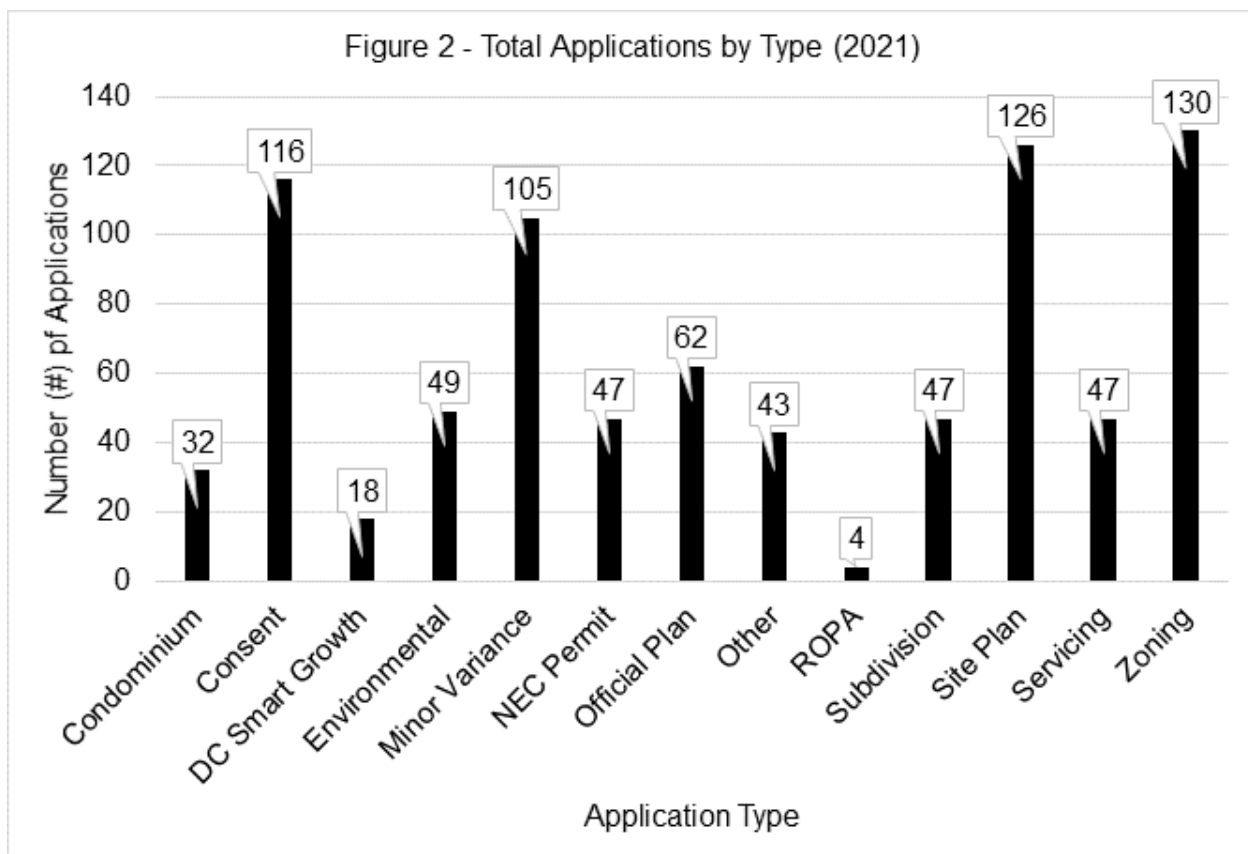
Development Applications

Regional Development Services staff reviewed 826 development applications in 2021, representing a 39% increase from 595 applications reviewed in 2020. Figure 1 illustrates the number of applications considered by Development Planning and Engineering staff from 2013 to 2021. Development applications are circulated to the Region based on Provincial legislation requirements, including the Niagara Escarpment Commission legislation, and the existing 2019 Memorandum of Understanding (MOU) between the Region and Local Area Municipalities for planning in Niagara. Development Services has the ability to waive its review function on certain types of minor development applications in local municipalities. This represents an effort to increase efficiency in the planning review function in Niagara.



Lower volumes in 2020 were attributable to the beginning of the COVID-19 pandemic, as a result of a short pause in the processing of development applications while municipalities adjusted to working remotely and holding virtual meetings. 2021 volumes rebounded significantly and were greater than those experienced in any year since 2013, representing a 13% increase from the previous peak of 730 applications in 2017.

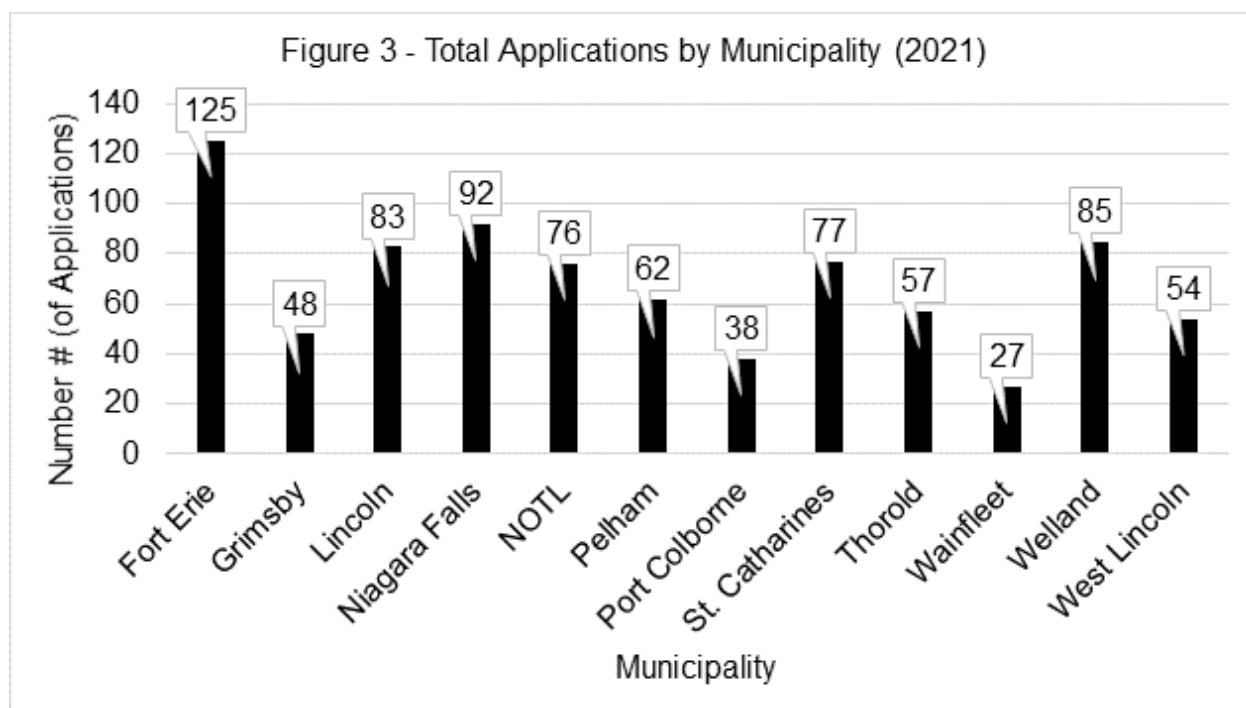
Figure 2 below provides the breakdown of development applications, by type, reviewed by Regional staff in 2021. Some complex development proposals often require multiple planning approvals. As an example, subdivision and condominium applications may also need amendments to the municipal Official Plan and/or Zoning By-law to facilitate the development. The categories with the most applications considered by Regional staff in 2021 were Zoning By-law Amendment (130), followed closely by Site Plan (126), Consent (i.e. severances) (116), and Minor Variance (105).



The distribution of applications circulated to the Region by municipality during 2021 is shown on Figure 3. Municipalities with the most applications received by the Region were Fort Erie (125), Niagara Falls (92), Welland (85), and Lincoln (83). Nearly every

municipality (with the exception of Niagara Falls) experienced an increase in applications considered from 2020 to 2021.

Regional staff were also involved in reviewing several complex development applications in 2021, as highlighted in Appendix 1 of this report. This often requires review that is more extensive as these applications typically affect a broad range of issues (i.e. environmental impacts, traffic impacts and urban design considerations, etc.). For several of these applications, Regional staff also assisted with urban design peer review, at the request of local municipal staff, as well as preparing design alternatives and contributing to discussions with developers, most notably through the participation in several design charrettes aimed at improving design outcomes.



Pre-consultation Meetings

Development Planning and Engineering staff attend regular pre-consultation meeting sessions two days each month in each local municipality. These meetings are to determine complete application submission requirements and assist in the processing of applications. The COVID-19 pandemic required planning staff at the Region and the local municipalities to adapt to an online meeting format starting in April 2020. Developers, property owners, local staff and agencies were able to participate effectively in these virtual pre-consultation meetings. The use of virtual pre-consultation

meetings has been well received by development proponents and their consultants as it affords efficiency and time savings, such as the ability to attend “back to back” pre-consultation meetings in different municipalities without the need to travel.

Figure 4 illustrates the number of pre-consultation meetings attended by Development Planning and Engineering staff from 2013 to 2021. In 2021, Regional staff attended 848 pre-consultation meetings, which is a 54% increase from the 2020 total (552), and a 37% increase from the previous yearly high from 2017 (622). The number of pre-consultation meetings is generally an indicator of anticipated future development application volumes; accordingly, staff expect development application activity to remain high in 2022.

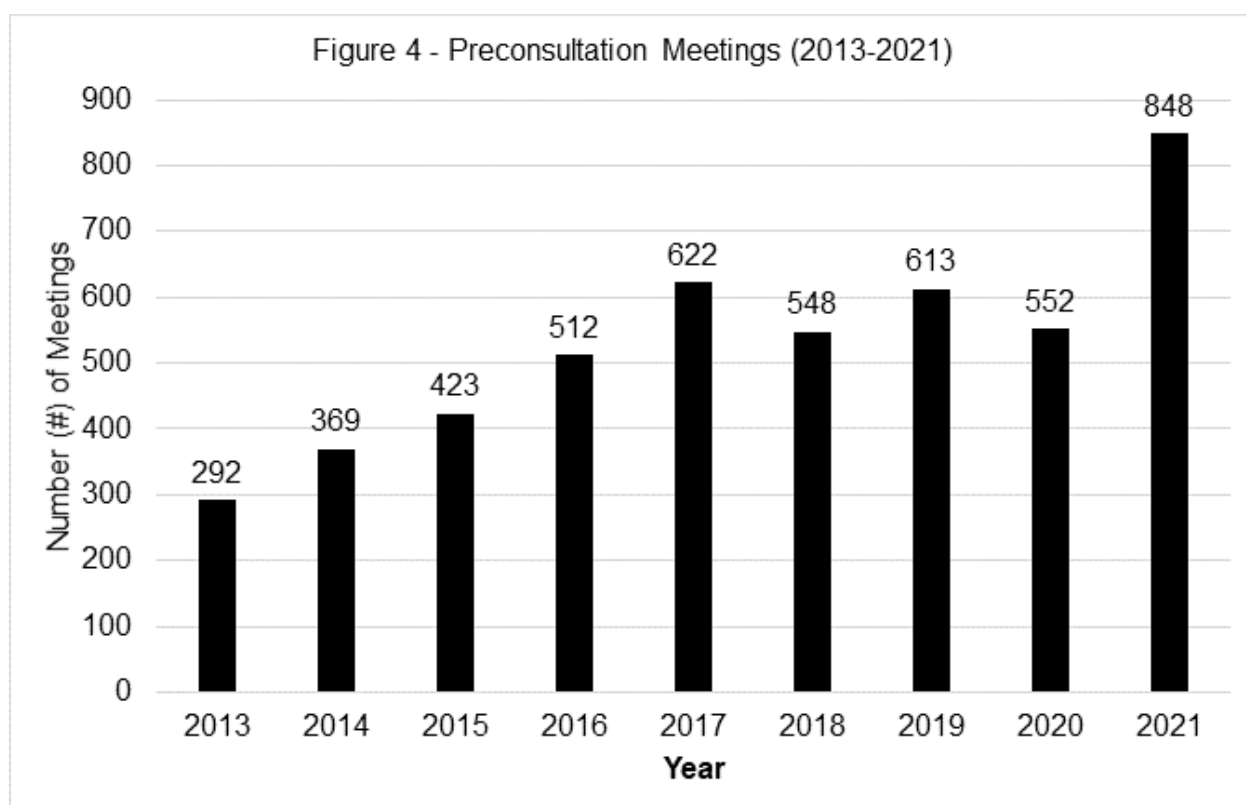
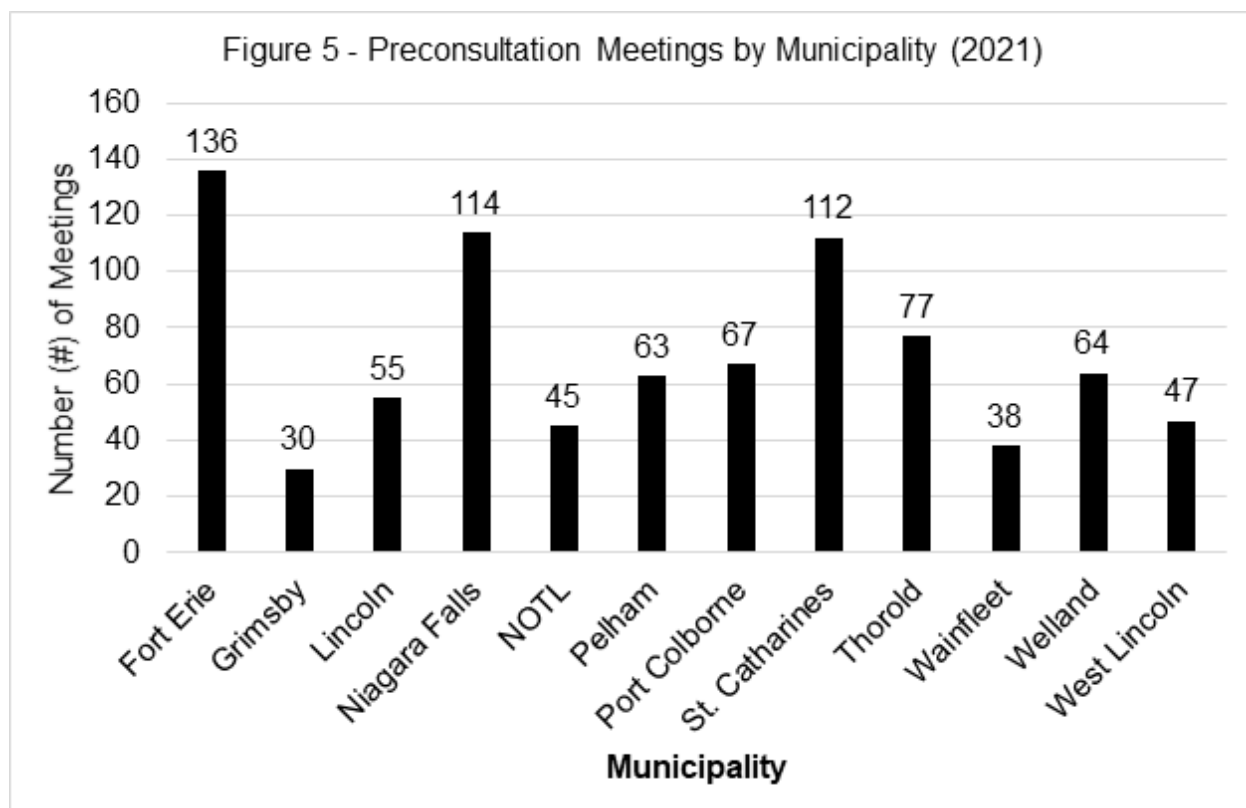
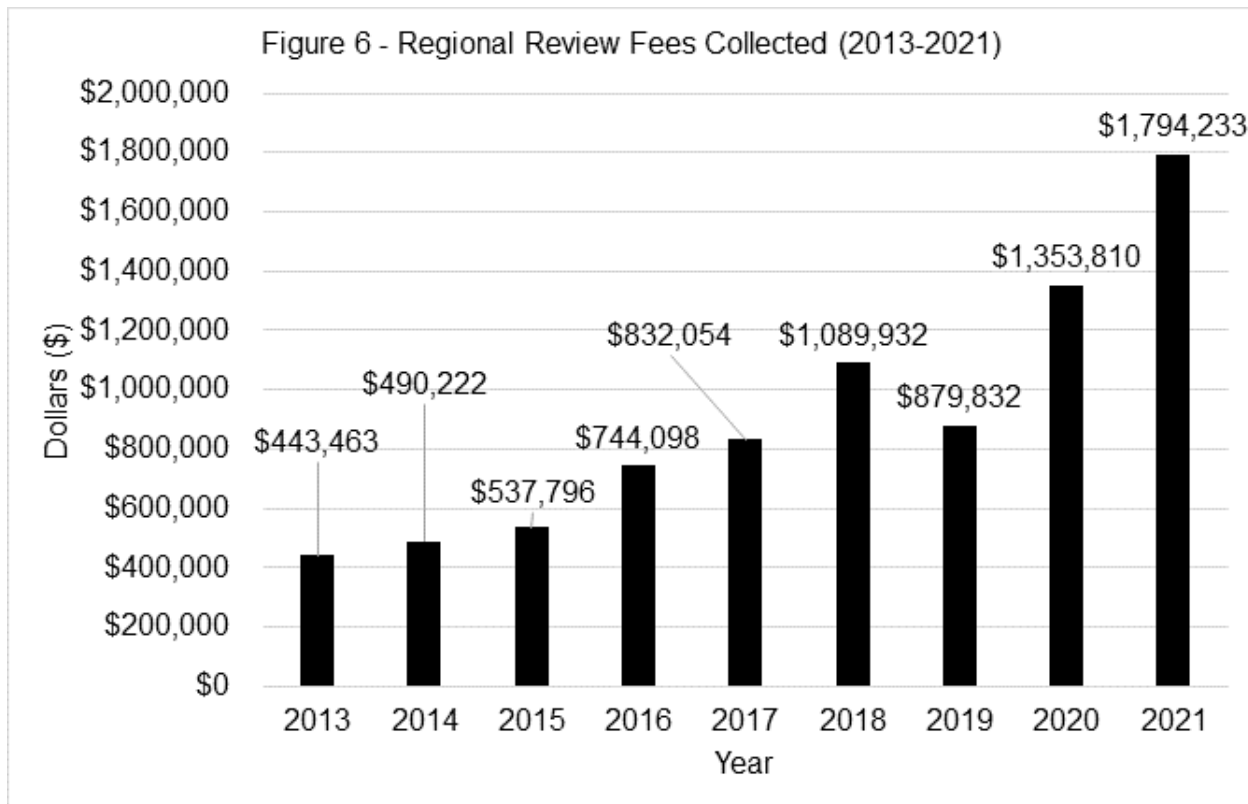


Figure 5 illustrates the number of pre-consultation meeting by municipality in 2021 that included Regional staff. The municipalities with the highest levels of pre-consultation activity were Fort Erie (136) and Niagara Falls (114), followed by St. Catharines (112), Thorold (77), and Port Colborne (67).



Regional Review Fees

Regional review fees are intended to offset Regional costs for the development review service. Figure 6 summarizes the fees collected between 2013 and 2021 for the Regional review of development applications. The 2021 total of \$1,794,233 represents a 33% increase from 2020. This relates to the increased number of development applications received between 2020 and 2021, as well as the large number of complex applications received (i.e. Regional Official Plan Amendment, Zoning By-law Amendment and Site Plan), which generally have higher review fees. As the total volume of development applications is expected to remain high in 2022, development review fees are also expected to remain high.



The increased fees are also due in part to the receipt of a Regional Official Plan Amendment (ROPA) application in November 2021 for a new quarry in Niagara Falls (Upper's Quarry). The Region is also currently processing the ROPA application for the proposed expansion of the Port Colborne Quarry (Pit 3), and has held a pre-consultation meeting for the proposed expansion of another quarry, which is expected to proceed in 2022. In addition, staff anticipate potentially receiving a further ROPA application in 2022 for an expansion of another existing quarry based on correspondence from the quarry operator. Quarry applications are the most complex, and are very time intensive to process, with many technical studies that often require peer reviews to assist staff in areas in which the department does not have in-house expertise. The application fees approved by Regional Council reflect the complexity and staff resources involved in reviewing quarry applications. As a best practice, the Region, with the participation of the affected local area municipality and the Niagara Peninsula Conservation Authority, has implemented a Joint Agency Review Team (JART) to share resources, including a single peer reviewer for each technical study, in order to maximize efficiencies.

2022 Outlook

Staff anticipate development application volumes will remain high in 2022, as trends in the fourth quarter of 2021 showed an increase in applications by 29% compared to the fourth quarter of 2020. Additionally, as noted previously, staff consider the high number of pre-consultation meetings attended by Regional staff in 2021 to be an indicator of a high volume of development applications in the future.

The increased level of development in recent years represents a 'new normal' for the Region. Regional Development Services has adjusted its approach and practices to be solution-oriented and proactive in response to these increased development volumes. By providing ongoing support to our local municipalities, the Region strives to realize complete community planning outcomes that encourage the best possible development throughout the Region. This includes the urban design function within Development Planning, which serves to elevate the quality of development within Niagara through both the review of development applications, as well as providing support to local municipal planning teams in approaches and programs aimed at achieving well-designed built environments.

In addition, at a policy level, the Planning and Development Services Department partners with local area municipalities in undertaking district and secondary planning to proactively establish integrated land use planning policies that provides direction for the development of complete communities, and facilitates the receipt of future development applications which achieve Regional and local municipal Council goals and desired development outcomes.

Alternatives Reviewed

As this report is for information purposes, there are no alternatives reviewed.

Relationship to Council Strategic Priorities

This report provides information on development application activity that contributes to strong economic prosperity throughout the communities within the Niagara Region. This relates to Council's Strategic Priority of Supporting Business and Economic Growth, as well as Sustainable and Engaging Government through ensuring high quality, efficient and coordinated core services.

Other Pertinent Reports

- PDS-24-2021 Development Applications Monitoring Report – 2020 Year End

Prepared by:

Amy Shanks
Development Planner
Planning and Development Services

Recommended by:

Michelle Sergi, MCIP, RPP
Commissioner
Planning and Development Services

Submitted by:

Ron Tripp, P.Eng.
Chief Administrative Officer

This report was prepared in consultation with Cheryl Selig, MCIP, RPP, Acting Manager, Development Planning and Pat Busnello, MCIP, RPP, Acting Director, Development Approvals.

Appendices

Appendix 1 Current Major Development Applications

Appendix 1: Current Major Development Applications

Planning and Development Services Staff participated in the review of a number of major development applications in 2021. A summary of some of these major development applications are provided in the table below.

Municipality	Application	Developer	Details	Status
Fort Erie	7 Central Avenue Type: Official Plan Amendment, Zoning By-law Amendment and Site Plan	Compass Land Developments Ltd.	Applications are for a 12-storey mixed use building with 230 residential units and 879.9 m ² commercial space.	<ul style="list-style-type: none"> Regional comments were provided on January 7, 2022.
Grimsby	West Lincoln Memorial Hospital Type: Site Plan	Hamilton Health Sciences	Application relates to the comprehensive redevelopment of the existing hospital.	<ul style="list-style-type: none"> Regional comments were provided for Phase 1 of the Site Plan on April 1, 2021. Construction is planned to begin in 2022, with the new hospital opening in early 2025.
Grimsby	Century Condos 6 Doran and 21-23 Main Street Type: Local Official Plan Amendment, Zoning By-law Amendment and Site Plan	DeSantis Homes	Applications are for a 4-storey mixed use building with 92 residential units with 2 commercial units totaling 463m ² on the first floor.	<ul style="list-style-type: none"> A comprehensive public Urban Design Charrette with Town, Region and Applicant was completed in early 2021. Site plan approved.

Municipality	Application	Developer	Details	Status
Lincoln	3221 North Service Road Type: Zoning By-law Amendment	LJM Developments	Application proposes 2 residential towers (25 and 23 storeys, respectively) that share a common 6-storey podium, with a total of 431 residential units. The site is located in the Prudhommes Secondary Plan Area adjacent to the proposed Prudhommes Landing development.	<ul style="list-style-type: none"> Regional comments were provided for the third submission on October 15, 2021. A comprehensive public Urban Design Charrette with Town, Region and Applicant was completed in Spring 2021.
Lincoln	Prudhommes Landing 3245, 3293, 3305, 3319, 3325, 3335 and 3339 North Service Road Type: Zoning By-law Amendment	Prudhommes General Partner Inc.	Application proposes various amendments to the previously approved zoning for the Prudhommes Landing site to reflect an updated concept plan prepared by the developer that proposes approximately 2,090 residential units in a range of low, medium and high density as well as mixed-use housing forms, employment, commercial, natural environment, park and open space uses. In addition to proposed adjustments to the approved zone boundaries, the amendment proposes flexibility for additional height and units in the high-rise residential areas at the east end of the site.	<ul style="list-style-type: none"> Regional comments were provided on February 9, 2022.

Municipality	Application	Developer	Details	Status
Niagara Falls	New South Niagara Hospital Type: Site Plan	Niagara Health System	Application relates to the Campus Planning for new Niagara South Hospital site.	<ul style="list-style-type: none"> • Campus Plan was finalized in September 2019. • Project was incorporated into Ministry of Health Functional Program Submission. • Stage 1 of the Site Plan has been completed for issuance of RFP.
Niagara Falls	Riverfront Residential Community Type: Zoning By-law Amendment and Draft Plan of Subdivision	GR (CAN) Investments Ltd.	Applications are for an estimated total of 1,045 residential units (consisting of single-detached, semi-detached, townhouse and apartment units), 1.86 hectares of parkland and open space, and 17 hectares of natural area. Regional conditions of approval include servicing, natural heritage requirements, site remediation, etc.	<ul style="list-style-type: none"> • Draft Plan and Zoning By-law Amendment approved. • Developer proceeding to address conditions of draft approval for first phase.

Municipality	Application	Developer	Details	Status
Niagara Falls	Upper's Quarry Type: Regional Official Plan Amendment, Local Official Plan Amendment, Zoning By-law Amendment	Walker Aggregates Inc.	Applications are proposed to permit the establishment of a new quarry on the property.	<ul style="list-style-type: none"> The Region, with the participation of the City and the NPCA, has implemented a Joint Agency Review Team (JART) to review the application. External agencies and the public have also been circulated for comment. Public Open House scheduled for March 23, 2022.
Niagara-on-the-Lake	Stone Eagle Winery Type: Regional Official Plan Amendment, Zoning By-law Amendment	Solmar Inc.	Applications are proposed to permit a new estate winery and secondary uses (wine retail, indoor and outdoor hospitality areas, restaurant/function room, and kitchen and dry food services). The Regional Official Plan Amendment is proposed to permit a new private sanitary connection to serve the proposed winery.	<ul style="list-style-type: none"> Staff are reviewing the applications, and have circulated external agencies and the public for comment. Public Open House scheduled for March 3, 2022 Statutory Public Meeting (for the Regional Official Plan Amendment) scheduled for April 6, 2022.

Municipality	Application	Developer	Details	Status
Pelham	Park Place North Type: Local Official Plan Amendment, Zoning By-law Amendment, Draft Plan of Subdivision	Mountainview Homes	Applications are to permit the creation of two blocks, with zoning permissions for an apartment dwelling, nursing home, senior citizens home, or townhouse dwellings. The development will have approximately 180 to 287 dwelling units in total, depending on the concept plan selected to be built.	<ul style="list-style-type: none"> Regional comments were provided on January 21, 2021, August 31, 2021 and January 3, 2022. Applications were approved by Town Council on January 24, 2022.
Port Colborne	Port Colborne Quarry – Pit 3 Expansion Type: Regional Official Plan Amendment, Local Official Plan Amendment, Zoning By-law Amendment	Port Colborne Quarries Inc. (Rankin Construction Inc.)	Applications are proposed to permit an expansion of the existing Port Colborne Quarry onto lands to the east of the existing Pit 3.	<ul style="list-style-type: none"> The Region, with the participation of the City and the NPCA, has implemented a Joint Agency Review Team (JART) to review the application. External agencies and the public have also been circulated for comment. Public Open House held on September 9, 2021.

Municipality	Application	Developer	Details	Status
Thorold	1149 Kottmeier Road Type: Zoning By-law Amendment and Draft Plan of Subdivision	800460 Ontario Limited	Applications are for the creation of 52 single-detached lots and 42 street townhouse dwellings.	<ul style="list-style-type: none"> Regional comments were provided on September 13, 2021. Applications were approved by City Council on November 2, 2021.
St. Catharines	88 James Street Type: Site Plan	88 James Street Holdings Inc.	Application is for a 30-storey mixed use building with 276 dwelling units and 452.2 m ² commercial space.	<ul style="list-style-type: none"> Regional comments provided to City on May 27, 2021 and September 24, 2021.

Municipality	Application	Developer	Details	Status
Welland	John Deere – Dain West Subdivision Type: Regional Official Plan Amendment, Local Official Plan Amendment, Zoning By-law Amendment, Draft Plan of Subdivision	Empire Homes	Application is for a mixed use subdivision that allows for a maximum development of 870 residential dwelling units (consisting of detached, semi-detached and townhouse dwellings), a 4 hectare mixed-use employment block, a stormwater management pond, an elementary school, parks and open space on approximately 74 hectares of land.	<ul style="list-style-type: none"> Applications were approved by City Council on May 4, 2021. Local Official Plan Amendment and Regional Official Plan Amendment approved by Regional Council on June 24, 2021. Developer proceeding to address conditions of draft approval.
West Lincoln	Smithville West Type: Zoning By-law Amendment and Draft Plan of Subdivision	Marz Homes	Applications are to permit the creation of 46 single-detached lots and 9 future development blocks, totalling approximately 268 units.	<ul style="list-style-type: none"> Regional comments were provided on December 4, 2020 and July 23, 2021. Applications were approved by Township Council on May 28, 2021 (Zoning By-law Amendment) and November 25, 2021 (Draft Plan of Subdivision).

Subject: 2021 Census Series: Population and Dwelling Counts

Report to: Planning and Economic Development Committee

Report date: Wednesday, April 6, 2022

Recommendations

1. That this Report **BE RECEIVED** for information; and
2. That this Report **BE CIRCULATED** to Local Area Municipalities, Niagara Peninsula Conservation Authority, Niagara Home Builders Association, Niagara Industrial Association, local Chambers of Commerce and School Boards.

Key Facts

- Population and Dwellings, from the 2021 Census of Population, were released by Statistics Canada on February 9, 2022.
- Niagara's population increased by 30,000 people between 2016 and 2021, the highest 5-year increase since the baby boom era (1951-1961).
- The City of Thorold had Ontario's fourth highest growth rate and 8th fastest in Canada, with a 27% increase in population between 2016 and 2021.
- All municipalities in Niagara experienced an increase in population during the census period for the first time since 2006.
- Nearly 40% of dissemination areas in Niagara experienced a decline in population over the last five years showing decline in more established neighbourhoods and growth in newly developing areas.

Financial Considerations

There are no financial implications associated with this report.

Analysis

2021 Census and Topic Release Schedule

The Census of Population is conducted by Statistics Canada every five years. In the census year, the survey is sent out in May to every household in Canada for completion. The last survey was conducted in May 2021.

There will be seven major releases of Census data throughout 2022. The seven release dates and topics are summarized as follows:

Census Data Release Date	Census Topic
February 9, 2022	<ul style="list-style-type: none"> Population and dwelling counts
April 27, 2022	<ul style="list-style-type: none"> Age Sex at birth and gender Type of dwelling
July 13, 2022	<ul style="list-style-type: none"> Families, households, and marital status Canadian military experience Income
August 17, 2022	<ul style="list-style-type: none"> Language
September 21, 2022	<ul style="list-style-type: none"> Indigenous peoples Housing
October 26, 2022	<ul style="list-style-type: none"> Immigration, place of birth and citizenship Ethnocultural and religious diversity Mobility and migration
November 30, 2022	<ul style="list-style-type: none"> Education Labour Language of work Commuting Instruction in the official minority language

This report is the first in a series of reports that will be prepared by staff throughout the year to summarize key findings, trends and data points from the 2021 Census topic releases.

The information provided in this report is based on the seven data points that were released for population and dwelling counts released on February 9, 2022. The seven data points are:

- Population, 2021
- Population, 2016
- Population percentage change, 2016 to 2021
- Total private dwellings
- Private dwellings occupied by usual residents
- Population density per square kilometre
- Land area in square kilometres

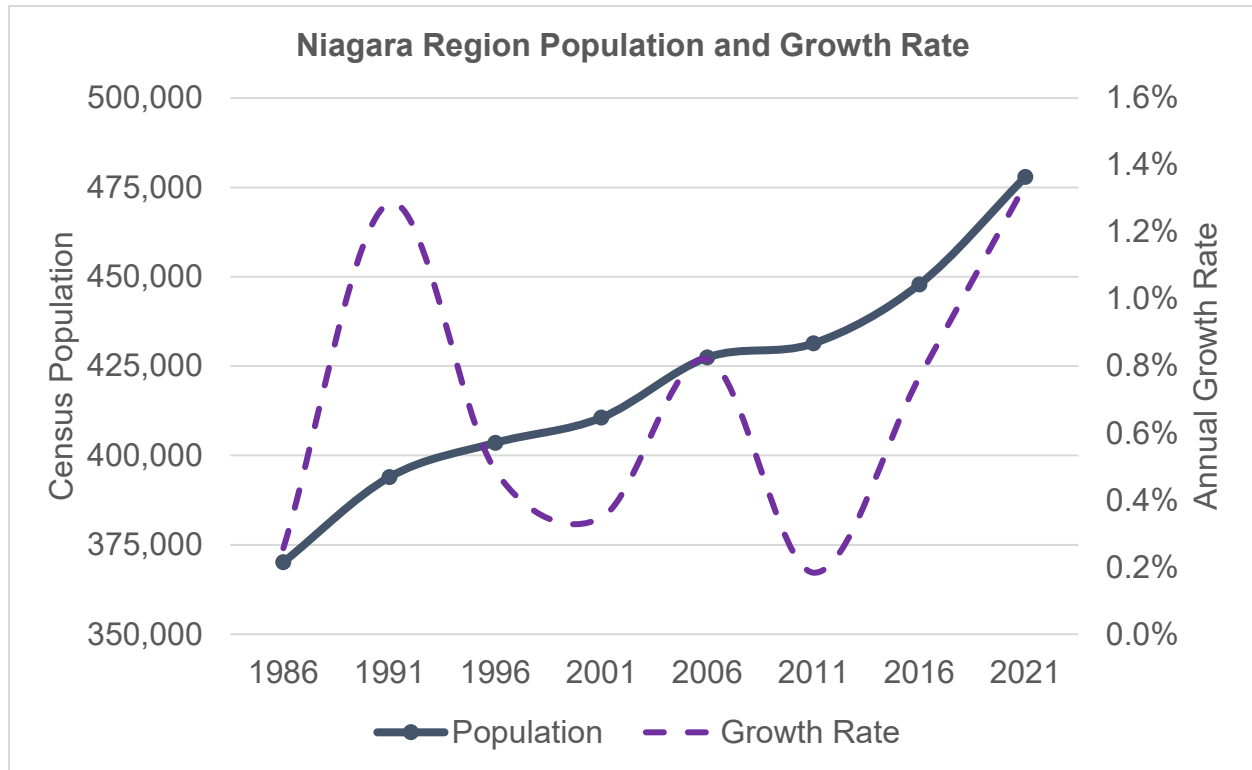
This report provides baseline data for further analysis as the remainder of 2021 census information is released throughout 2022.

Strongest Population Growth in 70 Years

Niagara Region added over 30,000 people between 2016 and 2021. This is the largest population increase in a five-year period since the baby boom era and highest annual growth rate (1.3%) since 1986.

As shown in Figure 1, the pace of population growth has been increasing since 2011. Between 2016 and 2021 Niagara added an average of 6,000 people per year.

Figure 1: Niagara Region population and growth rate (1986 to 2021)



The pace of growth between 2016 and 2021 is lower than what is needed to meet the 2051 population target of 694,000. Niagara needs to add an average of 6,750 people per year to achieve population forecasts identified in the draft Niagara Official Plan.

Niagara's population increase of 30,000 is lower than comparative upper- and single-tier municipalities in Ontario. Table 1 shows Niagara's growth is close to Hamilton (32,400) but well below Simcoe (53,500), Waterloo (52,000) and Halton (48,200). When comparing growth rate, Niagara is growing faster than Hamilton but below other municipalities in the Growth Plan outer ring (Waterloo, Simcoe and Middlesex).

Table 1: 2021 population and growth rate among comparative municipalities in Ontario.

Census Division	2021 Population	2016 Population	Population Change	Growth Rate
Halton	596,637	548,435	48,202	9%
Waterloo	587,165	535,154	52,011	10%
Hamilton	569,353	536,917	32,436	6%
Simcoe	533,169	479,635	53,534	11%
Middlesex	500,563	455,526	45,037	10%
Niagara	477,941	447,888	30,053	7%
Essex	422,860	398,953	23,907	6%

Municipal Population and Growth Rates

All 12 municipalities in Niagara experienced population growth between census periods for the first time since 2001-2006.

Niagara Falls had the largest increase in population (6,345), followed by Thorold (5,015), St. Catharines (3,690) and Welland (3,455).

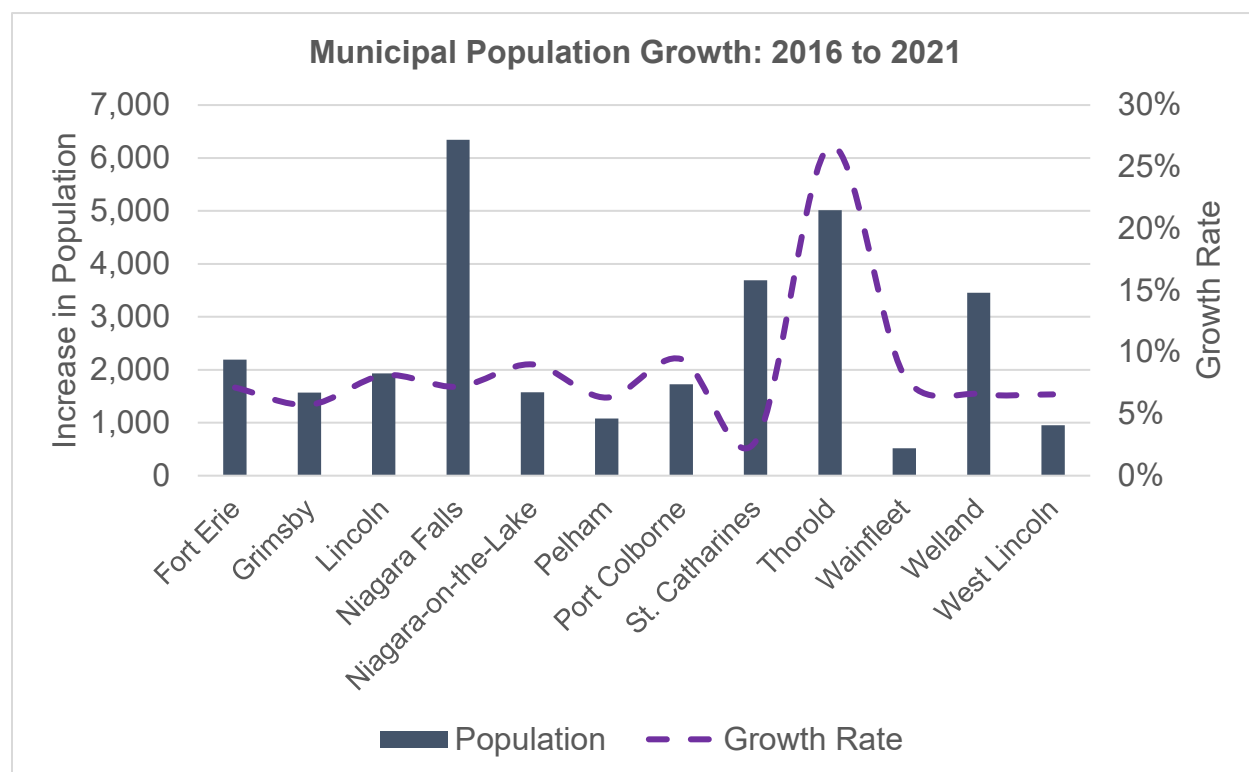
Thorold had the highest population growth rate with an increase of 27%, which is the highest municipal growth rate in Niagara, 4th in Ontario and 8th in Canada.

11 out of 12 municipalities had a population increase above 6%, excluding St. Catharines (3%). The lower growth rate in St. Catharines is not due to a lack of population growth as the City added the third most population. Rather, the lower rate of 3% is reflective of St. Catharines having the largest population base in Niagara.

Port Colborne had a 9% growth rate in the 2021 Census which appears to be attributed to a combination of new residents and a shift in seasonal residents now considering Port Colborne their usual place of residence.

Figure 2 provides a summary of population and growth rates for each municipality in Niagara.

Figure 2: 2021 population and growth rate by municipality



Growth Concentrated Along Highway Corridors and Designated Greenfield Areas

Appendix 1 and 2 identify population growth based on geography. Appendix 1 identifies population growth by municipality and Appendix 2 looks at Dissemination Areas¹ (DA).

As shown on Appendix 1, the greatest concentration of growth over the last 5 years has been located primarily along the 406 corridor in Niagara Falls, Thorold, and St. Catharines. Population growth remains strong along the QEW corridor but has slowed in Grimsby and Niagara-on-the-Lake.

Appendix 2 provides greater clarity on areas of population change within municipalities. The areas with the highest levels of population growth are situated within Designated Greenfield Areas and are made up of large developments that have been built over the

¹ A dissemination area (DA) is a small, relatively stable geographic unit with an average population of 400 to 700 persons based on data from the previous Census of Population Program

last five years. Such developments can be seen in west Smithville, west Welland, south Thorold and south Niagara Falls.

Appendix 2 also highlights the decline in population across more established neighbourhoods and the rural area. Nearly 40% of DA's in Niagara experience a decline in population of the last 5 years.

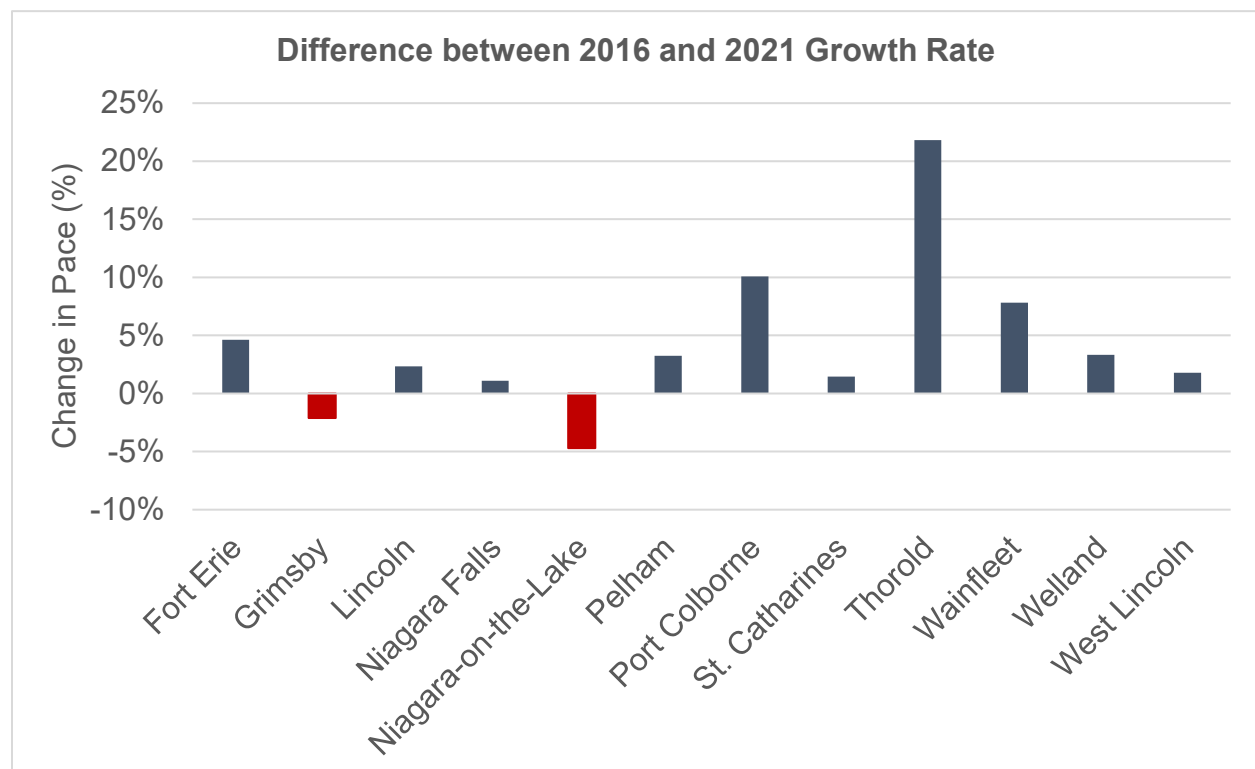
Pace of Growth Shifting to Central and South Niagara

One of the notable trends from the 2021 Census is the shifting pace of growth across municipalities in Niagara.

The highest municipal growth rates from the 2016 Census were primarily in north Niagara within Greenbelt municipalities. This trend has shifted over the last five years with most municipalities in Niagara having experienced an increase in population between 7% and 9%.

Figure 3 explores the difference in growth rate between the 2016 and 2021 Census.

Figure 3: Change in growth rate between 2016 Census and 2021 Census



As shown in Figure 3, the greatest change in growth rate was within Thorold (22%), Port Colborne (10%), Wainfleet (8%), and Fort Erie (5%).

Niagara-on-the-Lake experienced the largest decline in growth rate, going from 14% to 9%. The 9% growth rate in Niagara-on-the-Lake is still significant and the second highest in Niagara. Population growth in Niagara-on-the-Lake is likely to remain at this pace as development within the Glendale District Plan area continues.

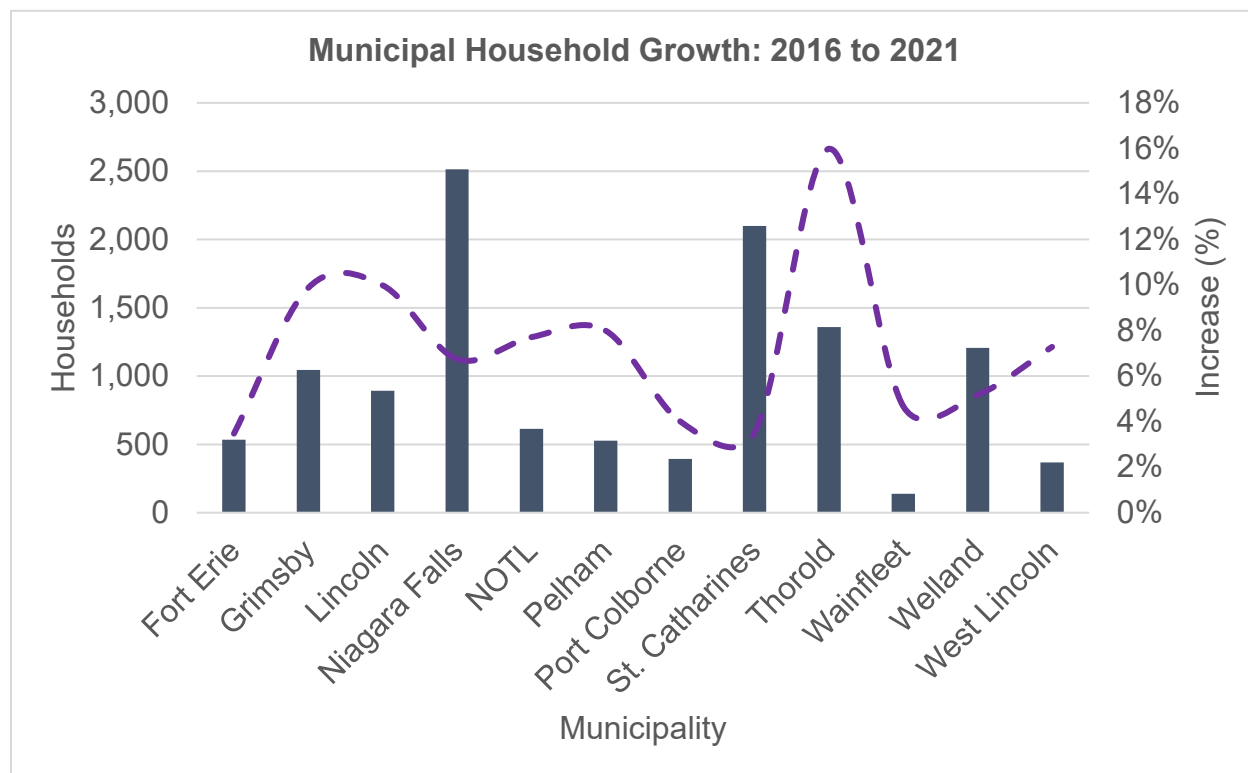
Growth in Total Dwelling Units

A total of 11,685 dwelling units were added to Niagara Region between 2016 and 2021, a 6% increase.

Niagara Falls (2,515), St. Catharines (2,100), Thorold (1,360), Welland (1,210) and Grimsby (1,045) added the most dwelling units over the census period.

Figure 4 highlights housing growth by municipality.

Figure 4: Municipal Household Growth between 2016 and 2021

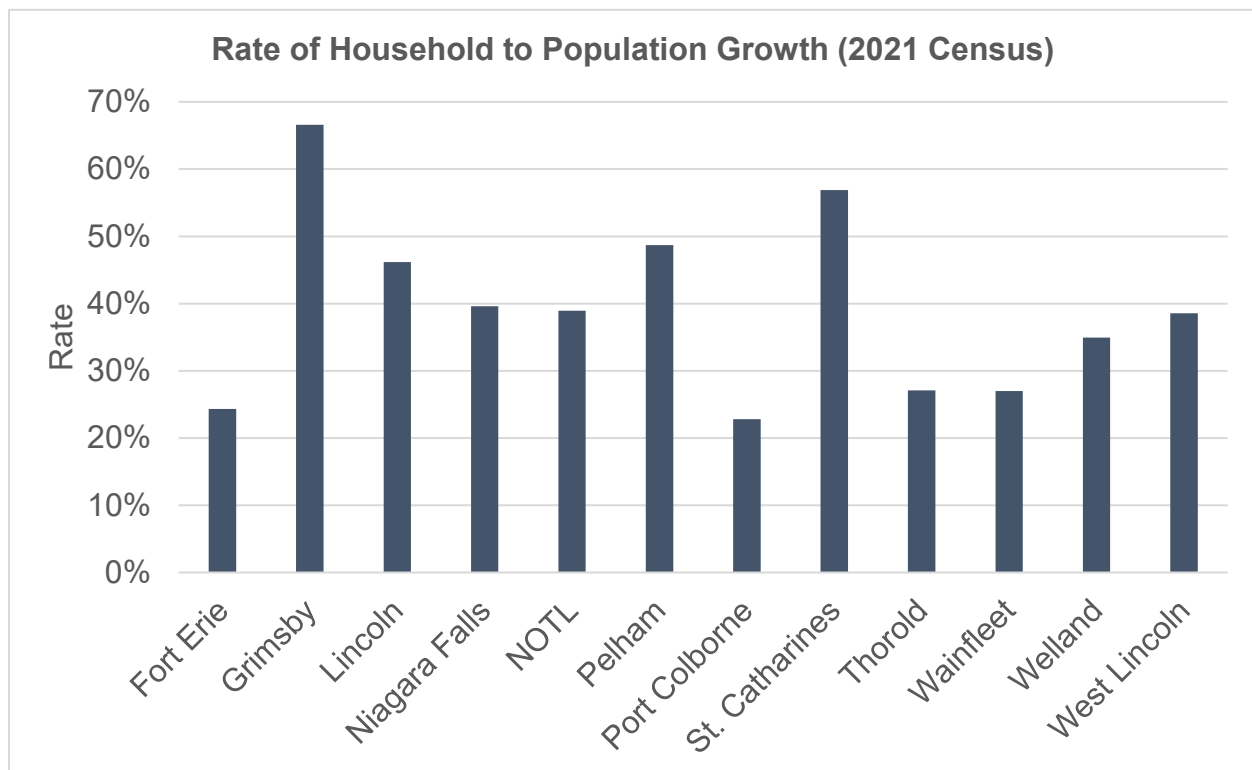


While information on housing mix will not be released until April 27, 2022, we can interpret a few trends from the limited information we do have. Figure 5 compares the rate of household growth to population growth. Higher rates in municipalities like Grimsby (67%), St. Catharines (57%) and Pelham (49%) imply housing growth has been within medium to high density unit types (townhomes and apartments) where there are few people per unit. It may also imply an aging demographic where, despite healthy housing growth, the population is declining within existing units.

Alternatively, lower rates such as Port Colborne (23%), Fort Erie (24%), Thorold (27%) and Wainfleet (27%) imply housing growth has been primarily in lower density housing types and/or population growth has been within existing units.

This topic will be revisited through future reports as we get additional information on housing mix and age.

Figure 5: 2021 rate of household to population growth



Alternatives Reviewed

This report provides Planning and Economic Development Committee a summary of the first release of data from the 2021 census. No alternatives were considered.

Relationship to Council Strategic Priorities

- **Supporting Businesses and Economic Growth**

The census provides key information and details on business and economic growth trends. This topic is not addressed in this report but will be the subject of a future report once data is released in November, 2022.

- **Healthy and Vibrant Community**

The census provides key socioeconomic data. This topic is not addressed in this report but will be the subject of a future report once data is released throughout 2022.

- **Responsible Growth and Infrastructure Planning**

The census is the authoritative source for population data that is used by departments across the Region. This information is critical for monitoring the Official Plan and insuring to the Region plans growth and infrastructure responsibly.

- **Sustainable and Engaging Government**

This report, and forthcoming reports for this series, is aimed at providing Planning and Economic Development Committee information from the census so Council is engaged and aware of trends in Niagara.

Other Pertinent Reports

PDS 2-2022 Niagara Official Plan: Proposed Draft for Consultation

PDS 23-2021 2020 End of Year Growth Report and 5 Year Growth Trend

Prepared by:

Greg Bowie
Senior Planner
Planning and Development Services

Recommended by:

Michelle Sergi, MCIP, RPP
Commissioner
Planning and Development Services

Submitted by:

Ron Tripp, P.Eng.
Chief Administrative Officer

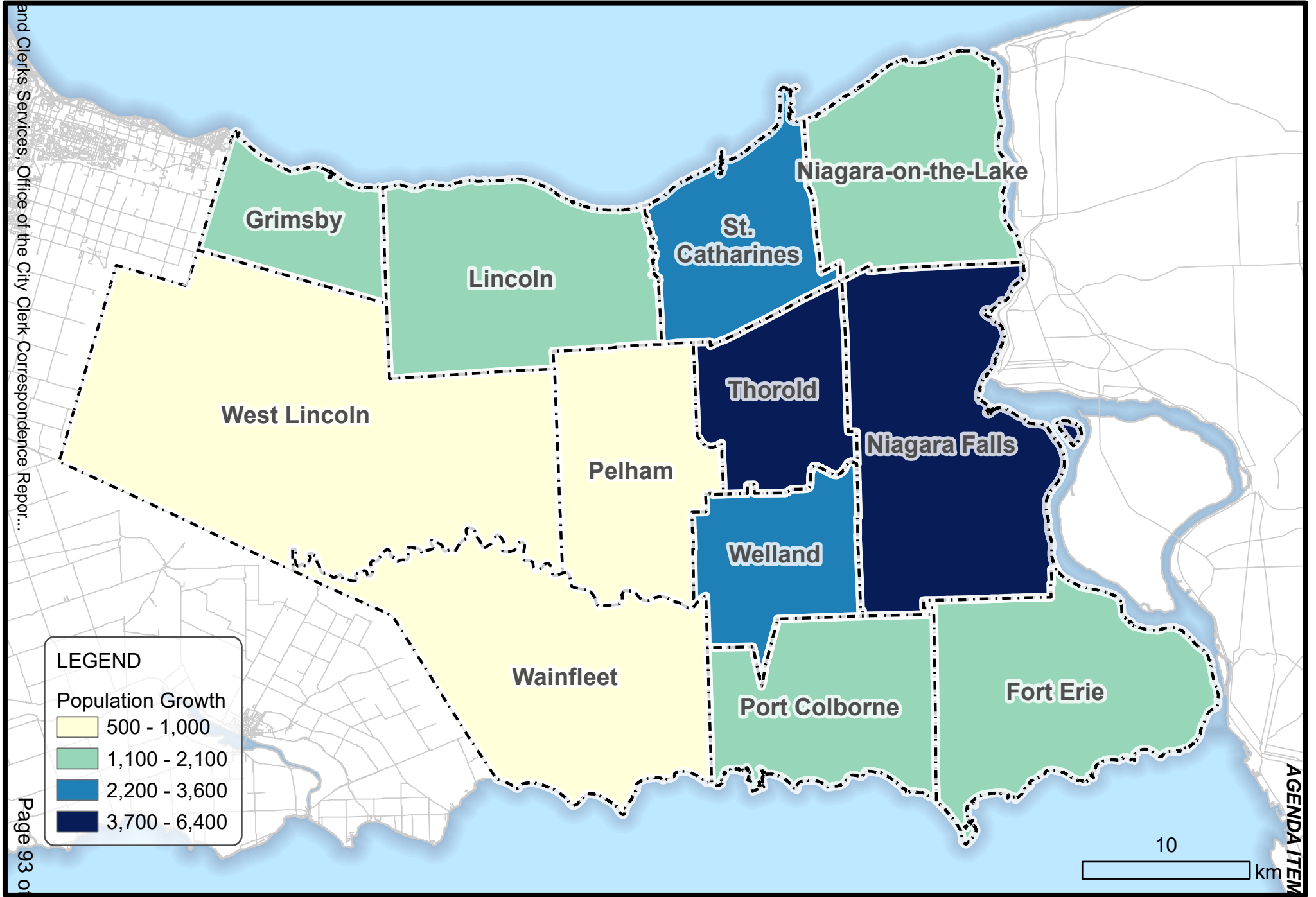
This report was prepared in consultation with John Federici, Planner and reviewed by Diana Morreale, Acting Director of Community and Long Range Planning.

Appendices

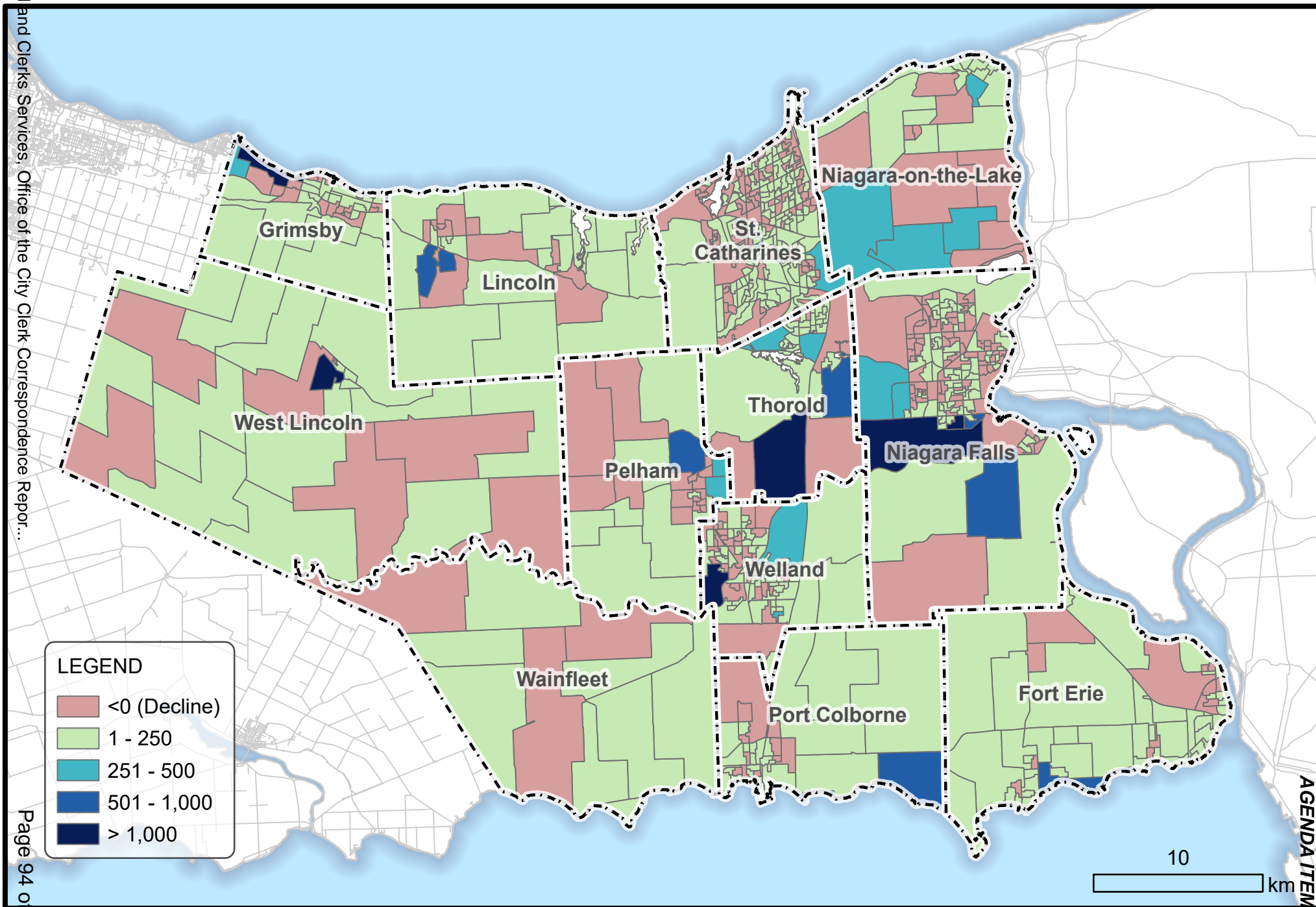
Appendix 1 Population Growth by Municipality (2016 to 2021)

Appendix 2 Population Growth by Dissemination Area (2016 to 2021)

Appendix 1: Population Growth by Municipality (2016 to 2021)



Appendix 2: Population Growth by Dissemination Area (2016 to 2021)



Subject: Proposed Niagara Official Plan

Report to: Regional Council

Report date: Thursday, April 28, 2022

Recommendations

1. That this report **BE CIRCULATED** to the Local Area Municipalities and the Niagara Peninsula Conservation Authority (NPCA).

Key Facts

- The purpose of this report is to provide an overview on the proposed Niagara Official Plan (NOP) and to inform the April 28, 2022 statutory public meeting.
- The NOP contains a wide range of policies that set out what we protect, where and how the Region will grow, and policy tools for success.
- The NOP policies protect the natural environment, Niagara Escarpment, source water, agricultural system, aggregate resources, and cultural heritage and archaeology.
- The NOP plans for a population of 674,000 and 272,000 jobs by 2051 and allocates growth to local municipalities by establishing intensification targets for built up areas and densities for greenfield areas and strategic growth areas.
- The NOP includes policies to support the success of our growth by requiring the development of district and secondary plans, the use of urban design to guide built form, and preparing subwatershed plans for growth areas.
- The report addresses the consultation received on the January 2022 draft NOP and highlights key changes made.
- Input on the proposed NOP will be received throughout the statutory process. In addition to this statutory public meeting, a statutory open house was held on the proposed NOP on April 7, 2022.
- All input received on the proposed NOP will be considered and a revised NOP will be recommended for adoption by Regional Council in June 2022.
- The deadline for submitting the Niagara Official Plan to the Province is July 1, 2022.

Financial Considerations

There are no financial considerations directly related to this report. Council approved the resources to complete the NOP over a five year period as part of the 2017 Budget Process.

The growth forecasts associated with the NOP inform the Niagara 2051 initiatives, guiding updates to the Water and Wastewater Master Servicing Plan (MSP), Transportation Master Plan (TMP) and Development Charges Study (DCS). These key master plans and studies identify growth related projects to be undertaken and identify related capital costs to ensure financial responsibility and accountability are appropriately placed and maintained.

Analysis

The purpose of this report is to provide Council with an overview of the proposed NOP, consultation to date, and to advise Council of the statutory requirements of the open house and public meeting under the *Planning Act*. The NOP must conform to all provincial policies and plans, assess our land needs to accommodate provincial growth forecasts, identify systems to protect and plan for future infrastructure and financials.

On March 30, 2022, the proposed NOP was released for public comment, and an official notice was issued for both the statutory open house and public meeting under the Planning Act. The open house was scheduled and held on April 7, 2022 and the public meeting is occurring today, on April 28, 2022. The proposed NOP can be viewed at <https://niagararegion.ca/official-plan/proposed-plan.aspx>.

The development of a new Niagara Official Plan was launched on July 5, 2018 with a special meeting of Council to provide the public with an opportunity to identify areas of interest. Over the following years, several background reports were produced on a variety of themes related to growth management, the natural environment, the agricultural system, housing, and employment. The background work was followed by the creation of themed policy sections which culminated in a consolidated draft of the official plan made available for public review in January 2022. The consolidated draft incorporated Council reviewed directions on settlement area boundary expansions and natural environment system (NES) mapping and policies. At the end of March 2022, a proposed NOP was made available for formal consultation under the Planning Act. Appendix 1 provides a more detailed chronology of steps taken to develop the NOP.

Consultation and Next Steps

A significant amount of consultation went into the development of the proposed NOP, including outreach with the public, agencies, stakeholder groups, First Nations and Indigenous communities, local municipalities and Niagara Peninsula Conservation Authority. Appendix 1 also outlines the consultation which has taken place on the development of the NOP from the beginning of the process.

More specifically, to assist in gathering comments on the draft consolidated NOP from January to March 2022 the following consultation steps were taken:

- The draft plan was posted on the website;
- Agencies were circulated;
- Subscribers for information on the NOP were e-mailed a newsletter;
- Public Information Sessions were held on Settlement Area Boundary Review (January 24, 2002), NES (February 10, 2022) and all components of the NOP (February 24, 2022);
- A zoom workshop was held to inform urban property owners with newly mapped natural heritage features;
- An NES mapping tool was made available for property owners and public to comment on specific mapped natural features;
- Presentations have been made to local municipal councils; and,
- Staff have been in direct contact with Ministry to discuss conformity in an effort expedite approval when the NOP adoption package is sent to the province.

The Niagara Official Plan

The NOP is the first comprehensive review since the original policy plan was approved in the early 1970's. The NOP is a long range planning document that will set out what we protect, where and how the region will grow, and policy approaches for success. The NOP implements a planning horizon to 2051, which conforms with the timeframe *in A Place to Grow, Growth Plan for the Greater Golden Horseshoe* (2019, amended 2020) (*Growth Plan*).

The requirements for an Official Plan is set out in the *Planning Act*. Additionally, the NOP must be consistent with the *Provincial Policy Statement*, conform to the *Growth Plan*, the *Greenbelt Plan* and not conflict with the *Niagara Escarpment Plan*.

The region is developing an entire new Official Plan to ensure contemporary policies are developed in order to:

- address provincial policy conformity, matters of Regional interest and provide policy support to the local municipalities;
- guide planning at a Regional level while assisting local municipalities with managing growth pressures including policies that support the protection of established neighbourhoods and varying intensification rates across municipalities;
- prioritize climate change throughout the Plan to achieve sustainable and resilient communities;
- improve mapping and policies to protect the natural features and water resources of the natural environment system;
- protect the agricultural system and land base, and provide for opportunities for value added agriculture;
- support a diverse range of housing types and sufficient housing supply to address affordability and market demand; and,
- identify employment areas to protect for long term investment.

The NOP is built on a vision derived from pillar statements which were developed from public and Council consultation. The pillar statements are:

EXCEPTIONAL development and communities - Well planned, high quality development in appropriate locations that improves our communities, while protecting what is valuable.

DIVERSE housing types, jobs and population - A wide mix of housing types and employment opportunities that attract diverse populations to Niagara across all ages, incomes and backgrounds.

THRIVING agriculture and tourism - A prosperous agricultural industry and world-class tourism opportunities that grow our economy and elevate the Niagara experience.

RESILIENT urban and natural areas - Areas rich in biodiversity that mitigate and adapt to climate change while strengthening Niagara's ability to recover from extreme weather events.

Policy Content and Directions

Many policies across the plan relate to one another and work together to create co-benefits, like protecting the natural environment, reducing greenhouse gas emissions, and growing the economy, while also improving quality of life. One of the best examples of policy interconnection is climate change. The climate change pulls policy directions from other areas of the plan that support addressing climate change such as complete communities, strategic growth areas, intensification in proximity to public transit, green infrastructure and protecting the environment. The climate change section also commits the Region to future work such as completing greening and adaptation strategies and climate modelling.

The core policy directions of the NOP related to the resources we protect, how and where we grow, and the policy tools for success are found throughout different Chapters in the NOP. For the purposes of this report the core policy directions of the NOP are summarized below.

What We Protect

The NOP contains key policy directions that protect significant resources such as the natural environment, Niagara Escarpment, source water, agricultural system, aggregate resources and cultural heritage and archaeology.

Based on consultation the NES and agriculture systems were considered fundamental to protect. In this regard policy directions on the NES go beyond the provincial plan requirements in what is protected. The NES is an overlay designation across Niagara Region. Individual features are identified within the NES and specific policies apply to protect these features depending on their geographic location in the system. There are policies requiring Environmental Impact Studies and for transition policies for development applications initiated or in process.

The policies of the Agricultural Section aim to protect the Region's agricultural system land base and provided value added agricultural opportunities. Additionally, the proposed NOP identifies Specialty Crop lands, Prime Agricultural lands and Rural lands. Specialty Crop lands are protected in conformity with Greenbelt Plan policies and Prime Agricultural lands are protected from fragmentation and non-farm development. Rural residential development is limited to Rural areas.

How and Where We Grow

The Growth Plan requires the Region to plan for a population of 674,000 and 272,000 jobs by 2051. In order to plan for this growth, the Region is required to allocate growth to local municipalities, set intensification targets for built up areas, densities for greenfield areas, strategic growth areas and determine if there is sufficient settlement area land to accommodate the growth to 2051. The Region has planned for a population 20,000 people higher than the provincial forecast with the extra population being accommodated in the built up areas of Welland and Lincoln.

The NOP contains policies supporting a housing mix to address aging in place and housing affordability, as well as setting affordable housing targets. There are policies to support gentle density and integration of intensification in established neighborhoods as well as flexibility for municipalities to plan for intensification in a manner that addresses their local needs provided the intensification targets of the plan are met.

Urban settlement areas are the focus of growth. The Region is required to plan for growth (population and employment) to 2051 and despite an intensification target of 60% in built up areas certain municipalities need additional community or employment lands based on the Region's land needs assessment. To accommodate allocated growth, the proposed NOP includes urban expansions in West Lincoln, Niagara Falls, Fort Erie, Welland and Pelham/Thorold, as well as hamlet expansions in West Lincoln and Wainfleet. The location of expansion areas were selected through a comprehensive Settlement Area Boundary Review (SABR). Larger expansion areas shall develop by secondary plan and sub-watershed planning to ensure natural areas are protected.

Strategic Growth areas are a focus of growth because of available infrastructure and transit. These areas include: the provincial Urban Growth Centre of downtown St. Catharines; GO Station areas of Grimsby, St. Catharines, Niagara Falls, and future station in Lincoln; downtowns of Niagara Falls and Welland; and the South Niagara Falls Regional Growth Centre. Over 30 percent of all growth is directed to these areas. Secondary planning will be required for Strategic Growth Areas and where existing secondary plans are in effect these will be reviewed to determine the necessity of updates.

Employment Areas are identified for protection over the long term. Conversion of Employment Areas can only take place through a Municipal Comprehensive Review. The NOP identifies density targets and employment uses for Core, Dynamic and Knowledge and Innovation Employment Areas.

Policy Tools for Success

The NOP includes policy tools to support the management of our growth while protecting our resources by requiring the development of district and secondary plans, the use of urban design to guide built form, and preparing subwatershed plans for growth areas.

District and Secondary Plans are community level plans that establish a blue print for how a community will grow identifying strategic areas for intensification and ensuring infrastructure and transportation planning along with community consultation are considered. These plans envision the types of land uses to be developed within a specified area and the improvements needed to realize a vision. Secondary plans will be required for strategic growth areas and expansion areas.

Urban design will play an important role in fitting intensification in developed areas and enhancing the public realm. The NOP includes policies and guidelines that outline the scale, form and design standards used for a community's built form, streetscape, and public realm.

Infrastructure policies support where and how we grow and provide a sustainable transportation system that accommodates forecasted growth. The Water and Wastewater and Transportation Master Plans are informed by the NOPs growth allocations.

Sub-watershed planning or its equivalent will compliment and inform secondary plans and ensure growth scenarios consider the natural environment system on a comprehensive scale.

Changes Based on Consultation

The proposed NOP revises the draft made available for comment between January and March 2022.

Significant feedback was received on the draft consolidated NOP from the public, agencies, interest groups, First Nations and Indigenous communities, local municipalities and Niagara Peninsula Conservation Authority.

Comments received and regional response can be reviewed within the following Appendices at: <https://www.niagararegion.ca/official-plan/proposed-plan-comments-jan-mar-2022.aspx>

Appendix 2- Comments on the draft Consolidated NOP

Appendix 3- Comments on the NES

Appendix 4- Summary of Comments on NES Mapping

Appendix 5- Comments/Requests Submitted for SABR after the March 4, 2022 deadline

After considering all the consultations, revisions were made throughout the Plan.

Appendix 6, attached to this report, identifies key changes made in terms of policy additions or changes in direction for the sections in each of the Chapters.

Some revisions and important matters to bring to Council's attention are:

- Urban and hamlet expansions as per the Council endorsed Reports PDS 6 2022 and PDS 7 2022.
- New strategic growth area boundary in Niagara Falls around the future hospital site as discussed in Report PDS 6-2022.
- Alignment with provincial policy with respect to protected major transit station areas (Go Station areas) and providing opportunities for inclusionary zoning in these areas.
- Revisions to the policy to clarify that the NES is an overlay, to align with a core policy that allows refinements to limits of features without a Regional Official Plan amendment.
- A new Schedule C4 incorporating definitions and criteria for NES features.
- Changes to the transition policies for the NES.
- New climate change policies addressing the preparation of a municipal energy plan, exploring options for green building development standards; considering opportunities to integrate electric vehicle charging, and committing the Region to LEED silver for new Corporate facilities.
- Technical and editorial changes to Aggregate policies to ensure that proposed policies are consistent with the PPS and conform to provincial plans.
- Recognition of existing rural employment areas, outside settlement area boundaries, in Thorold and Port Colborne.
- Clarification of the intent of future employment areas recognizing their consideration in long range planning.
- Stronger acknowledgement of First Nations and Indigenous communities in engagement, archaeological management and cultural heritage planning.

Next Steps

Staff will consider all the comments submitted on the proposed NOP. The final version of the NOP will be presented with supporting material to complete the Municipal Comprehensive Review. If adopted all the materials will be submitted to the Province for approval. A recommendation report with the final NOP will be presented to Council in June 2022 for adoption to meet the Provincial deadline of July 1, 2022.

Alternatives Reviewed

This report is for information purposes. There can be more than one good planning approach to achieve the policies and objectives set out in the NOP. Consultation to date has identified a variety of competing interests. The NOP works to strike a balance between these interests to ensure the social and economic health of our communities.

Relationship to Council Strategic Priorities

The Niagara Official Plan supports the following Council Strategic Priorities:

- **Supporting Business and Economic Growth-** Through long range planning for the supply and retention of a broad range of community and employment lands that offer community related employment and industrial employment opportunities to attract and support economic wellbeing;
- **Healthy and Vibrant Community-** Through planning for safe, healthy neighbourhoods that are attractive, inclusive and connected, based on complete community principles and design;
- **Responsible Growth and Infrastructure Planning-** Through coordinated, efficient use of existing infrastructure and optimizing planned infrastructure that will service the communities of Niagara and facilitate movement of people and goods; and
- **Sustainable and Engaging Government:** Through planned growth that is fiscally sustainable and fosters strong, successful relationships between all levels of government in the supply of services and infrastructure.

Other Pertinent Reports

PDS 40-2016	Regional Official Plan Update
PDS 41-2017	New Official Plan Structure and Framework
PDS 3-2018	New Official Plan Update
PDS 6-2018	Natural Environment Project Initiation Report
PDS 18-2018	Natural Environment – Project Framework
PDS 9-2019	New Official Plan Consultation Timeline Framework
PDS 10-2019	Update on Natural Environment Work Program – New Regional Official Plan
CWCD 122-2019	Agricultural and Environmental Groups – Draft Stakeholder Lists
CWCD 150-2019	Update on Official Plan Consultations – Spring 2019
CWCD 179-2019	Notice of Public Information Centres – Natural Environment Work Program, New Regional Official Plan
CWCD 271-2019	Update on Consultation for New Official Plan
PDS 32-2019	Natural Environment Work Program – Phases 2 & 3: Mapping and Watershed Planning Discussion Papers and Comprehensive Background Study
PDS 1-2020	New Niagara Official Plan – Public Consultation Summary
PDS 3-2020	Ecological Land Classification Mapping Update
PDS 9-2020	Niagara Official Plan – Consultation Details and Revised Framework
CWCD 153-2020	Natural Environment Work Program Update – New Niagara Official Plan
PDS 26-2020	Natural Environment Work Program – Phase 4: Identification and Evaluation of Options
CWCD 314-2020	Update Natural Environment Work Program
PDS 35-2020	Niagara Official Plan Consultation Update
PDS 4-2021	Niagara Official Plan – Steps and Direction Moving Forward
PDS 1-2021	Natural Environment Work Program – 2nd Point of Engagement
CWCD 2021-70	Mapping and Data for Natural Environment Options
PDS 17-2021	Niagara Official Plan Consolidated Policy Report
PDS 30-2021	Niagara Watershed Plan – Draft for Consultation
PDS 32-2021	Update on Niagara Official Plan - Further Draft Policy Development
PDS 36-2021	Consultation Response and Further Policy Development
PDS 39-2021	Niagara Official Plan: Employment Area Conversion Recommendations
PDS 8-2021	Niagara Official Plan: Natural Environment System

PDS 41-2021	Settlement Area Boundary Review - Urban Recommendations
PDS 42-2021	Settlement Area Boundary Review - Rural Recommendations
PDS 2-2022	Niagara Official Plan - Proposed Draft for Consultation
PDS 6-2022	Niagara Official Plan: Final Urban Settlement Area Recommendations
PDS 7-2022	Niagara Official Plan: Final Rural Settlement Area Recommendations

Prepared by:

Dave, Heyworth, MCIP, RPP
Official Plan Policy Consultant
Planning and Development

Recommended by:

Michelle Sergi, MCIP, RPP
Commissioner
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Submitted by:

Ron Tripp, P.Eng.
Chief Administrative Officer

This report was prepared in consultation with Diana Morreale, Acting Director of Community and Long Range Planning.

Appendices

Appendix 1 Key NOP Development Steps/ Consultation on the NOP

(Note: Appendices 2-5 available electronically only)

Appendix 2 Comments on the draft Consolidated NOP

Appendix 3 Comments on the Natural Environment System (NES)

Appendix 4 Summary of Comments on NES Mapping (available electronically)

Appendix 5 Comments/Requests Submitted for SABR after the March 4/ 2022

Appendix 6 Key Policy Changes to the Draft Consolidated NOP



City Council Outstanding Reports List

Sub-Item 13

Reports by Strategic Pillar

Cultural	1	Economic	5
Environmental	5	Social	23

Reports Related to Strategic Plan 34

Reports Unrelated to Strategic Plan 3

Updated: May 5, 2022

Relation to Strategic Plan	ORL #	Requested	Requested by	Request	Lead Dept.	Expected Return Date	Comments
Cultural	2020-15	19-Oct-20	Littleton / Siscoe / Harris	Report back on excluding 101 Oakdale Avenue, 25 Duke Street and 160, 168, 174, 176 St. Paul Street from the register of non-designated cultural heritage properties. Report to include update on the request for the property owners of 101 Oakdale Avenue and 25 Duke Street to attend a Heritage Committee meeting about their request to be excluded. Report to include update on correspondence from 160, 168, 174, 176 St. Paul Street requesting exclusion from the register.	PBS	July 18, 2022	Follow-up report to PBS-111-2020. See General Committee minutes from October 19, 2020. Due to the effects of the COVID-19 pandemic on downtown businesses, staff will report back to Council once the downtown economic climate strengthens. Staff will report back on 25 Duke Street upon completion of renovations at the property
Economic	2019-22	15-Jul-19	Townsend	Amend sign by-law to permit digital signage on City-owned properties and buildings, including the appropriateness and ability to include third-party advertising as part of digital signage on City-owned properties.	PBS / COMMS	June 13, 2022	Appeal Information Report - Application for Sign By-law Variance; 142 St. Paul Street; Owner: 2400795 Ontario Inc. was deferred 8-12-19 until ORL #2019-22 is presented to Council. COVID delayed.
Economic	2021-11	10-May-21	Social Pillar / Garcia	That the diverse supplier policy proposal from the Anti-Racism Advisory Committee, as amended, be sent to City Council to request a report back by the end of Q4 2021 from City staff on the development of a Diverse Supplier Policy.	FMS	Q3 2022	Council approved a complementary motion from Cllr Garcia at the meeting of February 28, 2022. See Council Minutes Item 10.1 from February 28 for full motion
Economic	2021-14	10-May-21	Surplus Lands Dev TF	That staff be directed to prepare a report regarding 2 Facer Street, including condition of the facility and the potential to declare the property surplus with consideration to not displacing the existing tenant.	FMS / EFES	Q2 2022	
Economic	2021-15	14-Jun-21	Miller	Report back on the City's current remuneration formula for members of Council, including how and when the formula was developed, as well as the remuneration for Councillors at comparator municipalities.	FMS	May 16, 2022	Include information on reimbursement for committee chairs and administrative supports for Councillors at other municipalities. Report went to March Budget Standing Committee Meeting - coming to Council Q2.
Environmental	2020-18	16-Nov-20	Townsend / Sorrento	That staff be directed to prepare a report on the costs associated with beautifying the Bunting Road corridor between Scott Street and the Garden City Skyway to include tree planting, grassed boulevards, floral, etc.	EFES	Q2 2022	From Nov. 18, 2020 GC meeting (formerly BSC) - That \$50,000 for a visioning or master streetscape plan to recommend improvements to the Bunting Road corridor be included in the Draft 2022 Operating Budget
Environmental	2021-24	18-Oct-21	Porter	Prepare a report with information on the following: •Tree management and protection policy, with a focus on construction •Feasibility of a fee for service agreement with the Region to have city take over tree planting and maintenance on Regional Roads •Mandatory tree planting on boulevards	MW	Q2 2022	Information will be provided as a memo
Environmental	2022-09	25-Apr-22	Phillips	Provide an update on the status of the private property trees by-law	MW		Information will be provided as a memo
Environmental	2022-10	25-Apr-22	Townsend	Report back on a workplan to plant 100,000 trees over the next 10 years – developed as a Corporate-wide focus for all appropriate departments, with information on financial and staffing resources required, and potential community partnerships and grants to achieve the planting goal. Include information on the reforestation of Walkers Creek and Malcolmson Eco-Park and an enhanced maintenance plan for trees	MW / EFES / CRCS / FMS		Residents, businesses, organizations and schools to be challenged to commit to planting to total of 500,000 trees in 10 years in the city (inclusive of the City's 100,000 promise). Efforts of the community-wide challenge be monitored and promoted by the City.
Social	2019-12	15-Apr-19	Porter	Review of Citizen Appointments to Boards and Committees Policy	LCS	May 30, 2022	Report postponed due to COVID-19. See Council Minutes of April 15, 2019, Item 8.2, for original motion. Report to include info on a "statement of interest" for future appointments of elected officials to boards and commissions
Social	2019-23	15-Jul-19	Littleton	Opportunities and strategies for the City to support neighbourhood associations and neighbourhood-based community groups, including best practices and information gathered from the forum	CRCS	Q4 2022	Staff report will come forward following the neighbourhood association forum. Forum was scheduled for March 28, 2020 but was postponed to a later date due to the COVID-19 pandemic
Social	2019-29	09-Sep-19	Littleton	Report back on the existing street naming process with ways to include more public engagement, perhaps similar to the park naming process	PBS	July 18, 2022	

Relation to Strategic Plan	ORL #	Requested	Requested by	Request	Lead Dept.	Expected Return Date	Comments
Social	2021-02	18-Jan-21	Miller	Repeal / review and update the City's loitering by-laws and report back to Council	MW	Q2 2022	Staff to provide a memo to Council noting issue will be included in Pilot study with Gateway of Niagara
Social	2021-04	18-Jan-21	Social Pillar	Produce a report on amending Facility and Design Standards (FADS) in the following sections: Section 4.2.7 Universal Washrooms and Section 4.5.2 Outdoor Recreational Facilities – Playground	CRCS / EFES	Q2 2022	See Council Minutes of January 18, 2021 for what is to be included in the report
Social	2021-12	10-May-21	Social Pillar	Amend current by-law for erection of signs and advertising devices to state that no person shall display or cause to be displayed a sign that bears a hate message or a logo, crest or graphic that would convey such a message	PBS / LCS	Q2 2022	
Social	2021-13	10-May-21	Social Pillar	That staff provide a report by Q4 2021 on the options for improving accessibility of the Carousel to make it more inclusive	CRCS / EFES	Q2 2022	
Social	2021-18	9-Aug-21	Social Pillar	Amend By-law 2007-295 (a By-law to address Public Nuisances) under Section 2 "Prohibitions" to add: "No person shall, in a public place, unnecessarily interfere with another person's use and enjoyment of the Public Place by using abusive or insulting language as a personal invective."	LCS	Q2 2022	Staff report to also include information on adding "aggressive behaviour" to the Public Nuisances by-law
Social	2021-19	30-Aug-21	Phillips	That staff be directed to prepare a report on the possibility of capturing grey water from municipal facilities, such as splash pads and the St. Catharines Kiwanis Aquatics Centre, into cisterns in order to irrigate municipal sports fields and gardens as well as hanging baskets and planters.	EFES / PBS	May 16, 2022	In the report include information on the timing, locations and costs associated with capturing grey water.
Social	2021-21	27-Sep-21	Garcia	Review issues with bird feeders and seed		2022	Include what other municipalities are doing
Social	2021-23	18-Oct-21	Siscoe	Stop signs for Coronation Boulevard at Vansickle Road North and options for the creation of a safe crosswalk and other appropriate traffic calming measures in the school zone at the intersection of Dufferin and George Street	EFES	Q3 2022	Required studies can only be done in the Spring / Summer
Social	2021-22	4-Oct-21	Miller	Prepare a report exploring options for improving accessibility for those with invisible disabilities, including, but not limited to, providing closed captioning on livestreamed videos and identification options for those with invisible disabilities who are working at or otherwise accessing City facilities	CAO	2022	Consult with the Accessibility Advisory Committee in the creation of the report.
Social	2021-26	15-Nov-21	Social Pillar	Prepare a report regarding the Anti-Racism Advisory Committee's recommendations on a Racist / Hate Incident Response Protocol	CAO	2022	See Social Sustainability Minutes of November 4, 2021, page 45, for the Committee's recommendations on a Racist / Hate Incident Response Protocol.
Social	2021-28	15-Nov-21	Social Pillar	What Council can do to support initiatives in the motion from Anti-Racism Advisory Committee, and referred by the Social Sustainability Committee, regarding Calls to Action in the Wake of the London Islamophobic Attack.	CAO	2022	See Social Sustainability Minutes of November 4, 2021, page 40, for the Committee's recommended Calls to Action in the Wake of the London Islamophobic Attack.
Social	2021-30	29-Nov-21	Siscoe	Traffic calming on Dufferin Street East	EFES	Q3 2022	Required studies can only be done in Spring / Summer
Social	2021-31	29-Nov-21	Dodge	Prepare a report on the suitability of modifying Bylaw 89-2000 to permit vehicles to legally park within the confines of a residential driveway apron subject to specific safety and operational constraints	EFES	Q4 2022	
Social	2022-04	17-Jan-22	Porter	Report back on a policy for warming / cooling centres	CRCS / EFES	Q3 2022	
Social	2022-05	07-Mar-22	Littleton	Alternatives to current road configuration on Oakdale Avenue, including crosswalks, traffic calming, traffic humps and bike lanes.	EFES	Q3 2022	Required studies can only be done in Spring / Summer
Social	2022-07	28-Mar-22	Porter / Garcia	Prepare a report regarding item of correspondence from Friends of 12 Mile Creek with information on the questions posed in the item of correspondence.	CAO	Q2 2022	See Council Correspondence Report from March 28, 2022, Sub-Item 6, for the item of Correspondence.
Social	2022-11	25-Apr-22	Miller	Update Housing Action Plan to include emphasis on affordable housing	PBS	Q3 2022	
Social	2022-12	25-Apr-22	Mayor	Prepare a report on the creation of an Indigenous Relations Advisor position, including a job description developed in collaboration with the Niagara Regional Native Centre and a potential workplan. Workplan to include possibility of collaborating with St. Catharines Library and FirstOntario Performing Arts Centre	CAO / CSS		Requested return date of Q3 2022. Funding for the position to be referred to the 2023 annual operating budget deliberations
None	2021-27	15-Nov-21	Williamson	Respond to the item of correspondence from Marianne Murray regarding Regional Road 87, including the legal questions raised by Ms. Murray	LCS	2022	Item of correspondence included as additional correspondence from meeting of November 15, 2021
None	2019-47	16-Dec-19	Miller / Mayor Sendzik	That the request for funds to be used to record in-camera meetings be referred to 2020 for a report including the upgrading of screening services for all meetings (open and closed sessions).	LCS	2022	
None	2022-06	07-Mar-22	Porter	Information on a lobbyist registry for St. Catharines and the possibility of a fee-for-service agreement with the Niagara Region	LCS	2022	Information will be provided as a memo

Follow Up Reports

Relation to Strategic Plan	ORL #	Requested	Requested by	Request	Lead Dept.	Expected Return Date	Comments
Economic	2020-17	09-Nov-20	Mayor Sendzik	That Council bring back the Accessory Dwelling Unit Program in 2022 to come back as part of an update on the overall CIP program annual report.	PBS		Follow up report to PBS-154-2020 and PBS-048-2022.

Relation to Strategic Plan	ORL #	Requested	Requested by	Request	Lead Dept.	Expected Return Date	Comments
Environmental	2021-16	28-Jun-21	Siscoe	Ontario Street Secondary Plan launch, including scope, preliminary workplan, public engagement strategy, and study partnership options	PBS	Q2 2022	Follow up report to PBS-111-2021. See General Committee minutes of June 28, 2021. Requested return Q4 2021
Social	2020-07	24-Feb-20	Porter	Revised Graffiti Program: Consult with the community, the relevant cultural committees and downtown stakeholder groups to modernize the graffiti program and by-law by 2021.	PBS	September 12, 2022	Follow up report. Initial report (PBS-010-2020) approved February 10, 2020. Delayed due to COVID.
Social	2022-03	17-Jan-22	Phillips	That staff report back with additional information on the boat launch	CAO	2022	Follow up report to CAO-004-2022. See Council minutes of January 17, 2022
Social	2022-08	11-Apr-22	Miller	Success of the 2022 beach strategy, residential beach parking permits and recommended amendments to the beach strategy, including discounted parking passes for seniors and variable pricing for parking	CAO		Follow up report to CAO-044-2022. See Council minutes of April 11, 2022. Report back to Council before the 2023 beach season



Corporate Report City Council

Report from: Municipal Works, Operations

Report Date: April 4, 2022

Meeting Date: April 25, 2022

Report Number: MW-066-2022

File: 10.57.28, 10.53.1

Subject: Traffic Accident Cost Recovery and Required By-law Amendments

Strategic Pillar:

This report aligns with the following St. Catharines Strategic Plan pillars: economic.



Recommendation

That the Staff Recommendation in Report MW-066-2022, regarding the Traffic Accident Cost Recovery and Required By-law Amendments, be referred to City Council for consideration of the Staff Recommendation after the public meeting scheduled for May 16, 2022, for which notice will be duly given.

Staff Recommendation

That Council approve the appended amendment to By-law No. 2021-101, 2022 Rates and Fees By-law, to provide for cost recovery of damages to municipal property, as a result of motor vehicle accidents; and

That Council delegate authority to Department Heads and to the Manager of By-law Enforcement to authorize agreements to access the provincial Authorized Requester Information System (ARIS); and

That the City Solicitor be directed to prepare the necessary by-laws.

Summary

Minor by-law amendments are required in-order for staff to pursue recovery of costs stemming from damage to municipal property caused by third parties, in motor vehicle accidents.

Background

In March 2021, the Niagara Regional Police Services (NRPS) stopped providing the City with certain specific information pertaining to motor vehicle accidents. This information is needed by and for the city, to pursue reimbursement of costs for repair of damaged infrastructure from a driver's insurer. The reason the NRP cited for this charge in past practice was concern over compliance with privacy legislation.

Alternatively, the City was directed to contact the Ministry of Transportation (MTO) directly, as they maintain a central provincial database that houses all traffic accident incident information, including names, addresses and relevant insurers, that has been provided by various police services across the province. This is known as "ARIS" or the Authorized Requester Information System.

Access to the ARIS network is controlled by a third-party operator / contractor, on behalf of the Ministry of Transportation. Since March 2021, City staff have been attempting to secure designation as an Authorized Requestor; however, we have been unsuccessful.

Report

While it is clear that pursuant to the Municipal Act, the City is entitled to pursue compensation for damage stemming from motor vehicle accidents, the ARIS Operator that administers access to the system, has specific requirements with regards to municipal legislation that must be fulfilled before they accept a formal application from the City for access to the ARIS system.

At this time, the City has been advised that in-order to finalize the City's "checklist package", staff require a specific Council approved by-law, reaffirming the City's desire to recoup damage expenses for infrastructure repairs, stemming from a motor vehicle accident. This is to take the form of an amendment to our Rates and Fees By-law (Appendix 1). In addition, a proposed Amendment to Delegation of Powers and Duties By-law is required to give staff authority to enter into ARIS agreements (Appendix 2).

Financial Implications

Numerous motor vehicle accidents occur across the city which result in damage to municipal property. While most accidents result in minor damage to municipal infrastructure, (e.g. guidrails, fire hydrants) some damage can be significant (e.g. melted pavement, broken electrical/traffic signals, etc.). Furthermore, for due diligence, the City must repair most infrastructure damage from traffic accidents immediately.

The City currently has a backlog of expense claims for damages of approximately \$30,000. Access to the ARIS system is necessary for the City to pursue compensation for these damages.

Conclusion

The by-law amendments recommended in this report are minor in nature and will simply allow staff to continue to pursue reimbursement of damages to municipal property resulting from motor vehicle accidents.

Prepared by

John Kukalis
C.E.T., Manager of Operations

Submitted by

Darrel Smith
P.Eng., Director of Municipal Works

Approved by

David Oakes,
Chief Administrative Officer

Appendices

1. Revision to Bylaw No. 2021-10, 2022 Rates & Fees Bylaw
2. Revision to By-law No. 2020-156, Delegation of Powers and Duties

Appendix 1:Revision to Bylaw No. 2021-10; 2022 Rates & Fees Bylaw

Fee Title	Unit of Measure	2022		
		Base Fee	Tax	Fee
Recovery costs for repairs to damaged municipal property as result of a motor vehicle collision	Per Event	-	-	10% of total damages (administration fees for recovery of damages) + Damage specific costing

Appendix 2:

Revision to By-law No. 2020-156, Delegation of Powers and Duties

	Subject Matter	Delegated Authority	Delegate	Conditions and Other Requirements
17.1	ARIS Applications	Agreements between the Ontario Ministry of Transportation (MTO) to receive information through the Authorized Requester Information System (ARIS)	Department Head of the affected department or Manager of By-law Enforcement	Form of document(s) approved by City Lawyer



**INTEGRITY COMMISSIONER REPORT ON CODE OF CONDUCT
COMPLAINT 2021-05**

THE CORPORATION OF THE CITY OF ST. CATHARINES

John Mascarin

Aird & Berlis LLP

March 30, 2022



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INTEGRITY COMMISSIONER REPORT ON CODE OF CONDUCT COMPLAINT 2021-05 COUNCILLOR KARRIE PORTER

SUMMARY

A formal complaint pursuant to the *Code of Conduct for Members of Council and Local Boards* (the “**Code**”) of The Corporation of the City of Catharines (the “**City**”) was filed directly with our office in October 2021.

A revised version of that complaint was re-submitted to our office on November 17, 2021 (the “**Complaint**”).

The Complaint alleges that Councillor Karrie Porter (the “**Councillor**”), a member of City Council (the “**Council**”), contravened several sections of the Code.

The Complaint alleges that the Councillor contravened the Code through her actions related to two separate social media posts relating to the 2021 Federal Election and, in particular, against an individual who was the candidate representing Green Party of Canada for the St. Catharines electoral riding (the “**Candidate**”).

APPOINTMENT & AUTHORITY

Aird & Berlis LLP was appointed as Integrity Commissioner for the Municipality pursuant to subsection 223.3(1) of the *Municipal Act, 2001*¹ on January 28, 2019 by By-law No. 2019-13. As the City’s Integrity Commissioner, we have jurisdiction to review, investigate and report on complaints made against members of Council pursuant to the Code or any other rule, procedure or policy governing their ethical conduct.

The Complaint, as initially filed, contained several deficiencies in relation to the Formal Complaint Protocol, forming Appendix “B” to the Code. Upon conducting our standard intake and review procedure in accordance with our authority, we exercised our discretion to request further particulars from the Complainant, and also exercised our discretion to decline to investigate certain allegations.

The Complaint was subsequently revised to address these deficiencies and subsequently re-submitted to our office.

¹ S.O. 2001, c. 25.

CODE PROVISIONS AT ISSUE

The Complaint alleges that the Councillor contravened Sections 4.1(a), (c), (d), (e) and (f), Section 8.1 and Section 10.1 of the Code. Those sections of the Code provide as follows:

4.0 General Obligations

4.1 In all respects, a Member shall:

- (a) make every effort to act with good faith and care;
- ...
- (c) seek to advance the public interest with honesty;
- (d) seek to serve their constituents in a conscientious and diligent manner;
- (e) respect the individual rights, values, beliefs and personality traits of any other person recognizing that all persons are entitled to be treated equally with dignity and respect for their personal status regarding gender, sexual orientation, race, creed, religion, ability and spirituality;
- (f) refrain from making statements known to be false or with the intent to mislead Council, staff or the public;

8.0 Confidential Information

8.1 Members receive confidential information from a number of sources as part of their work as elected officials. This includes information received in confidence by the City that falls under the privacy provisions of the *Municipal Freedom of Information and Protection of Privacy Act* and other applicable privacy laws and information received during closed meetings of Council. Examples of types of information that a Member must keep confidential, unless expressly authorized by Council or as required by law, include, but are not limited to:

- (a) matters related to ongoing litigation or negotiation, or that is the subject of solicitor-client privilege;
- (b) information provided in confidence, for example the identity of a complainant where a complaint is made in confidence;
- (c) price schedules in contract tender or Request for Proposal submissions if so specified;
- (d) personnel matters about an identifiable individual;
- (e) "personal information" as defined in the *Municipal Freedom of Information and Protection of Privacy Act*; and
- (f) any census or assessment data that is deemed confidential;
- (g) a proposed or pending acquisition or disposition of land by the municipality or local board;

- (h) labour relations or employee negotiations;
- (i) litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board;
- (j) price schedules in contract tender or request for proposal submissions if so specified; and
- (k) a matter in respect of which a closed meeting may be held under the *Municipal Act, 2001* or another Act

...

- 8.4 A Member shall not misuse confidential information in any way or manner such that it may cause detriment to the City, Council or any other person, or for financial or other gain for themselves or others.

...

10.0 Improper Use of Influence

- 10.1 A Member shall not use the influence of their office or appointment for any purpose other than the exercise of his or her official duties in the public interest.

REVIEW OF MATERIALS & INQUIRY

In order to undertake our inquiry into the Complaint and make a determination on the alleged contraventions of the Code, we have undertaken the following steps:

- Review of the Complaint and all materials referred to therein, including addenda thereto;
- Further email correspondence and telephone conversations with the individual who filed the Complaint (the “**Complainant**”) regarding the requirements for filing a complete complaint;
- Correspondence to the Complainant advising of deficiencies in the Complaint, requesting further particulars, and summarily dismissing some aspects of the Complaint;
- Review of the Councillor’s response, dated December 17, 2021, and all materials referred to therein;
- Review of reply submissions of the Complainant, dated January 6, 2022; and
- Review of relevant social media posts, threads, and comments.

We have also reviewed, considered and had recourse to such applicable case law and secondary source material, including other integrity commissioner reports that we believed to be pertinent to the issues at hand.

A draft of this Report was provided to the Councillor and the Complainant on February 18, 2022 to allow them to review and comment on the factual accuracy of the Report. The Councillor indicated that she had no comments on the substance of our Report. No response was received from the Complainant.



BACKGROUND

(a) Introduction

The Councillor was first elected to Council in the 2018 Municipal Election to represent Ward 4, St. Patrick's Ward.

At all relevant times, the Candidate was the individual nominated as the local candidate for the Green Party of Canada in the St. Catharines electoral riding for the 2021 Federal Election. The Candidate is also a resident of the City, residing within Ward 4.

The Complaint arises from two separate incidents related to the Councillor's use of social media during the 2021 Federal Election campaign. In the first incident, the Councillor is alleged to have obtained and misused "personal information" about the Candidate's vaccination status in an attempt to harm their reputation. In the second instance, the Councillor is alleged to have made certain inflammatory, racially-charged social media posts which the Councillor allegedly ought to have known would result in "further hate crimes" against the Candidate.

(b) Social Media Posts Regarding the Candidate's Vaccination Status

The Candidate was unable to receive a COVID-19 Vaccine prior to 2021 due to unavailability in their local area and a pending medical procedure. The Candidate received their first dose of the vaccine shortly after undergoing a medical procedure. Shortly after receiving their first dose of the vaccine, the Candidate experienced a "strong negative reaction." Informed by their own experience and what they perceived as a growing animus against those who were unvaccinated, the Candidate made several statements on social media urging Canadians not to target individuals who could not be fully-vaccinated for medical reasons, as well as other public statements on the topic of vaccination and government policies regarding vaccination.

On August 25, 2021, a digital news article about the Candidate was published by *The St. Catharines Standard*, in its "Meet the Candidates" series during the 2021 Federal Election. In response to a question about vaccination, the article quotes the Candidate as saying "I will be fully vaccinated by Election Day."

Shortly before voting day for the 2021 Federal Election, the Councillor wanted to share a social media post encouraging people to get vaccinated, that vaccines were safe and effective, and that the local candidates from all major political parties were supportive of vaccines.

On or around mid-September 2021, the Councillor began gathering information to make this social media posts. Two candidates had previously made social media posts regarding their vaccination status. The Councillor also messaged a third candidate inquiring about their vaccination status, and a response was received immediately.

As mentioned above, the Candidate had previously been quoted that they only had one dose of the vaccine, but expected to be fully-vaccinated by the 2021 Federal Election. On or about September 16, 2021, the Councillor sent the Candidate a private message on social media inquiring about their vaccination status and to confirm they were fully-vaccinated. The Councillor's inquiry was initially met with resistance by the Candidate. The Councillor explained the purpose of her inquiry, advising that she intended to make a social media post advising that the candidates for all major political parties in the City were vaccinated.

The Candidate responded by reiterating their personal and party's position on such matters as attacks on political candidates, "vaccine passports", and public health restrictions. The Candidate also specifically stated that whether they had received the vaccine was irrelevant to this position, and that the Councillor did not have the Candidate's permission to attach their name to a social media post encouraging vaccine passports.

The Councillor responded by clarifying that they had said nothing about vaccine passports, and that, in any event, if the Candidate was not comfortable sharing their vaccination status, the Councillor would respect the Candidate's privacy.

At no point during this exchange did the Candidate ever disclose their vaccination status, one way or another, to the Councillor.

On September 18, 2021, the Councillor made a social media post, a full excerpt of which is attached as **Appendix "A"** to this Report (the "**Post**"). The Post contained the images of the candidates from the Liberal Party of Canada, Conservative Party of Canada, and the New Democratic Party, identified by name and respective political party.

The text of the Post stated as follows:

These three double-vaccinated candidates may have different opinions and ideas but they all agree that vaccines provide safe and effective protection against COVID-19. I want to thank them for their leadership. Please remember to go out and vote this Monday! #Elxn44

The Post did not include or contain any reference to the Candidate, or any other candidate from another federal political party.

(c) **Social Media Posts Regarding Alleged Statements Against the Candidate**

We take notice that during the 2021 Federal Election, there were several instances of vandalism against political candidates. This aspect of the Complaint deals with the fallout from one such incident.

On the morning of September 12, 2021, the candidate for the Liberal Party of Canada (the "**Liberal Candidate**") awoke to find that his vehicle has been vandalized. Their vehicle was spray-painted with the words "F U LIBERALS," a reference to their political affiliation. We understand that a police investigation was commenced, but no charges have since been announced. We also note that within a few days, Mayor Walter Sendzik also experienced vandalism of his house and vehicles, also spray-painted with vulgar language.²

The event received significant coverage by local and regional media. In addition, several public figures took to social media platforms to denounce instances of politically-related vandalism, which included support for the Liberal Candidate.

² We also note that during the course of our investigation, the Councillor's residence was vandalized on two separate occasions, occurring within a period of about one month. These incidents may have been politically motivated. In our view, these actions are reprehensible, and are entirely antithetical to the purpose and function of the local democratic process.

The Liberal Candidate issued a statement on social media, attaching a photo of his vehicle. In response, local candidates for both the Progressive Conservative Party and the New Democratic Party each made a social media post denouncing the incident of vandalism against the Liberal Candidate.

In response to the Liberal Candidate's post, the Candidate responded with the following:

In St Catharines, most residents have had their homes robbed or vandalized. It's a main complaint from business owners. I had "[expletive]" spray painted on my house. It's a community safety issue that needs addressing.

In response to the Candidate's response, the Councillor responded with the following:

[Candidate], is this really your take on what happened here?

Shortly thereafter, the Councillor sent the Candidate a private message on social media asking if they were aware of what happened to the Liberal Candidate's car. The Candidate responded that they were aware given his social media posts and media coverage, and suggested that there was an issue with violence and vandalism in the community, citing instances of break-ins, thefts and vandalism against the Candidate's property.

The Councillor responded with a message suggesting that the Candidate lacked critical analysis of the issue. The Councillor and the Candidate then engaged in an exchange of private messages regarding whether the Candidate would issue a public statement similar to other candidates. During this exchange, the Candidate disclosed to the Councillor that they had endured racially-motivated attacks, and asking that the Councillor "do some work" to ensure similar acts of racially-motivated attacks in the community were publicly denounced. The Councillor then shared several media articles on instances where the Councillor had publicly denounced such actions.

There was no evidence in our investigation to suggest that the content of the private exchange between the Candidate and the Councillor was shared publicly, or repeated publicly by the Councillor.

THE POSITION OF THE PARTIES

(i) *Position of the Complainant*

As it relates to the social media post about the Candidate's vaccination status, the Complainant alleges that this conduct contravened Sections 4.1 (a), (c), (d), (e) and (f) of the Code in that the Councillor was "clearly not acting in good faith, advancing the public interest with honesty," and that she "acted with extreme disrespect [regarding Section 4.1 (e)] by outright stating that people do not deserve to be treated equally if they weren't able to be vaccinated within [the Councillor's] timeframe." The Complainant also takes the position that the Post misrepresented the Candidate's vaccination status.

Furthermore, the Complaint alleges that the Councillor's course of conduct contravened Section 8.0 of the Code by obtaining and improperly using personal information about the Candidate's vaccination status in the Post. The Complainant alleges that the Candidate's vaccination status was not widely-known, and that the only way for the Councillor to have received knowledge of this was in her position as City Councillor for the Candidate's ward.

The Complaint also alleges that the Post contravened Section 10.1 of the Code, being that she improperly used the influence of her office, insofar that the Post was made in her capacity as a member of Council, and therefore “on behalf of the City and not of herself.”

As it relates to the social media post about political vandalism, the Complainant takes the position that the Councillor contravened Sections 4.1 (a), (c), (d), (e) and (f) of the Code in that the Councillor’s statements were “knowingly false and meant to mislead the public,” and further that the Councillor was aware her statements were “inflammatory, racially charged,” and “would tend to incite violence against” the Candidate.

The Complainant also alleges that the Councillor publicly stated that the Candidate was being insensitive, and “ordered” the Candidate to “sympathize with the [Liberal Candidate], rather than speaking out against hate crimes.”

(ii) Position of the Councillor

The Councillor denies that her actions, whether viewed individually or cumulatively, constitute a contravention of the Code. The Councillor also disputes several factual aspects of the allegations in the Complaint.

As it relates to the social media post about the Candidate’s vaccination status, the Councillor disagrees that she ever improperly shared or misrepresented the Candidate’s vaccination status, which the Councillor asserts was already reported publicly before the Post. The Councillor takes the position that based on her private exchange with the Candidate, it was clear that the Candidate did not want to be included in the Post. The Councillor respected this by not sharing any details about the Candidate’s vaccination status or views on vaccines.

The Councillor disagrees that she was acting in bad faith and takes the position that the Post was motivated by a desire to promote and encourage vaccines, which was an especially important topic during the 2021 Federal Election. The Councillor submits that this would be a normal question any candidate would have received, including the Candidate, and further that the Candidate had already been asked to and had in fact shared a their vaccination status.

As it relates to the social media post about political vandalism, the Councillor takes the position that she did nothing wrong in privately messaging a political candidate to ask if they were aware of a political attack on an opponent during a campaign, asking to clarify their critical analysis of the situation, and asking that they denounce it.

The Councillor denies that she ever made a public statement that the Candidate was being “insensitive,” or that she “ordered” the Candidate to sympathize with the Liberal Candidate instead of speaking out against hate crimes.

The Councillor also denies that she ever made any public statement that was “knowingly and willfully false and meant to mislead the public” regarding the Candidate, nor would she have made any public statement which would tend to incite racialized violence against the Candidate.

The Councillor admits that she was not aware of previous instances of hate crimes against the Candidate, only learning of this after speaking with the Candidate, but that had she been aware of any specific act or targeted incident that happened to the Candidate, she would have spoken out publicly to denounce it and supported the Candidate.

FINDINGS

We have carefully and fully considered the submissions of each of the parties and the evidentiary record from our investigation. For the reasons set out below, on a preponderance of the evidence and on a balance of probabilities, we find that the Councillor has not contravened the Code.

(a) Councillor's Post about Vaccination Status

We find that the Post and the Councillor's course of conduct did not contravene Sections 4.1(a), (c), (d), (e) and (f), Section 8.0, or Section 10.1 of the Code.

(i) Section 4.0 - General Obligations

Much of the Complaint has been brought under Section 4.0 of the Code, which sets out the general obligations of members of Council. These provisions set out the duties of members of Council in general terms, and as positive obligations rather than prohibitions. However, these Sections must be interpreted and applied reasonably and within the context of the entire Code. These general obligations cannot be elasticized to such a degree to apply to any action (or inaction) that may appear to be transgressive of the Code.

Section 4.1(a) provides that a member of Council shall make every effort to act with good faith and care. This section entails action by members of Council that is sincere, fair, open and with honesty. On the converse, this section prohibits conduct done in bad faith, with malice or ill intention.

Section 4.1(c) requires that a member of Council advance the public interest with honesty. Honesty entails action and speech which is sincere, and free of deceit or deception.

Section 4.1(d) requires that a member of Council serve their constituents in a conscientious and diligent manner.

Section 4.1 (e) requires that a member of Council respect the individual rights, values, beliefs and personality traits of other persons, recognizing that all persons are entitled to be treated with dignity and respect for their personal status regarding gender, sexual orientation, race, creed, religion, ability and spirituality. This provision works in conjunction with other sections of the Code to prevent discrimination against individuals on prohibited grounds.

Lastly, Section 4.1(f) prohibits a member of Council from making statements that are known to be false, or with the intent to mislead the public. The purpose of this section is not to strictly regulate factually incorrect statements. Rather, this provision requires a member of Council to refrain from deliberately or intentionally making statements they know are not true, or for the purpose of misleading others. Both prescriptions have an element of intent or motivation.

On the basis of the evidence before us, we find that the Councillor did not contravene any of the general obligations under Section 4.0. There was no evidence in our investigation that demonstrates the Councillor acted in bad faith, or with ill-intent, in creating the Post. There is no evidence to suggest that the Councillor was motivated by any animus, dislike, or ill will against the Candidate. We accept the Councillor's explanation that the Post was motivated by her personal view that candidates' positions on the efficacy of vaccines was and remains an important election issues, and also by a desire to advise voters that all candidates agreed on this basic point and had in fact received vaccines.

Furthermore, we find that the Councillor acted diligently and conscientiously in gathering information supporting the Post, and directly making inquiries of the Candidate. While those inquiries may have been unwanted, the Councillor respected the Candidate's request for privacy and that their name not be included in the Post.

We also find that the Post did not contain any information or statements which would tend to support an allegation that it was discriminatory. Again, the Post only spoke to the vaccination status of those candidates who agreed to be in the Post, and said nothing which was deliberately discouraging, demeaning, or harmful to anyone who was not included. Section 4.1(e) of the Code cannot be interpreted in a way to prohibit differences of opinion or disagreements. The Complaint fails to demonstrate that the Post discriminated against any identifiable group under the Code.

Lastly, we find that at no time did the Councillor make "knowingly false" statements, or statements which were intended to mislead the public. Nothing about the Post disclosed the Candidate's vaccination status, nor did it suggest that the Candidate was not "fully-vaccinated," or was "anti-vaxx." At no time did the Councillor obtain, use, or disclose the Candidate's vaccination status. We find, as fact, that by at least August 25, 2021, the Candidate had made public statement which implied that they had not yet received both doses of a vaccine.

We also wish to address the potential argument that the Councillor made a misleading statement by omission by excluding the Candidate from the Post, which would lend to the inference that the Candidate was not vaccinated and/or did not support vaccines.

We disagree with this interpretation of the facts and the Post. The Post did not use any exclusionary language whatsoever suggesting that only those candidates included in the Post had been vaccinated. Simply put, it did not include any information about the Candidate or their vaccination status. In addition, the evidence in our investigation demonstrates that in response to the Post, other social media users referenced the earlier news article in *The St. Catharines Standard* referencing the Candidate's vaccination status.

(ii) Section 8.0 - Confidential Information

Section 8.0 of the Code imposes strict obligations on members of Council regarding confidential and/or sensitive information. At its core, Section 8.0 seeks to protect confidential City information from misuse by members of Council. As it related to the factual matrix of the Complaint, Section 8.0 would prohibit a member of Council from disclosing or misusing confidential information obtained in the course of their duties as a member of Council.

On the basis of the evidence before us, we find that the Councillor did not contravene any of her confidentiality obligations under Section 8.0. We make the following factual findings in support.

First, and dispositive of this issue, there was no evidence that the Councillor at any time disclosed any "confidential information" or "personal information" about the Candidate's vaccination status. The Post did not contain this information, either expressly or implicitly, nor did the Councillor ever make any of the statements alleged in the Complaint, which the Complainant imputes to the Councillor.

Second, there was no evidence that at any time before making the Post the Councillor had actual knowledge or confirmation of the Candidate's then-current vaccination status. This was the impetus for the Councillor's message to the Candidate. During their exchange of private messages however, the Candidate did not confirm or deny whether they had received a second

dose, and asked not to be included in the Post. As such, the Councillor cannot be said to have “obtained” this information.

Lastly, notwithstanding that Councillor never actually disclosed any information about the Candidate, by the time the Post was made, the Candidate already had made public statements on that topic. Based on article in *The St. Catharines Standard*, dated August 25, 2021, the Candidate’s quote indicated that they had not received both doses of the vaccine at that date, but intended to do so by voting day.

In summary, the Councillor did not contravene Section 8.0 of the Code as she never disclosed anything about the Candidate.

(iii) Section 10.1 - Improper Use of Influence

Section 10.1 of the Code prohibits a member of Council from using the power or clout associated with their office for any purpose other than for the exercise of their duties as a member of Council. In this regard, the Complaint alleges the Councillor to have obtained information on the Candidate’s vaccination status and made the Post in her capacity as a member of Council, and was therefore acting on behalf of the City and not herself.

We find that the Councillor did not contravene Section 10.1 of the Code. First, there was no evidence that the Councillor used the “influence of her office” to obtain any information on the vaccination status of the Candidate. That allegation is simply not borne out on the evidence of our investigation.

Moreover, while the Councillor may have a social media presence, her social media posts are not to be taken as formal statements issued by the City. No single member of Council has authority to bind or direct the City, except through a decision of Council as a whole. While the Councillor may always be seen as a *representative* of the City, she alone does not speak *on behalf of* it. The Councillor is entitled to continue using her social media platform in a responsible and conscientious manner to express her views, so long as that expression accords with the Code.

(b) Councillor’s Post about Political Vandalism

It is our finding, based on a totality of the evidentiary record, that the Councillor’s course of conduct regarding political vandalism against the Liberal Candidate did not contravene Sections 4.1(a), (c), (d), (e) and (f) of the Code.

There was no evidence to suggest that the Councillor ever made any public statement accusing the Candidate of being insensitive, “ordering” that they sympathize with the Liberal Candidate, or inciting further instances of racialized violence against the Candidate. These allegations have been taken very seriously and have been reviewed as closely and in as much detail as possible. Despite this, our investigation found no evidence to support these allegations.

The extent of the Councillor’s public statements in response to the incident was one single social media post: “...is this really your take on what happened here?”

We find as fact that the Councillor made no other public statement about the Candidate or their interpretation of the incident.

We have reviewed in great detail the private correspondence between the Councillor and Candidate, which was provided to our office as evidence in our investigation. There was no dispute about the content or completeness of this exchange. We understand that the tone of the exchange can be characterized as a disagreement, or even as confrontational. However, nothing about that conversation or the Councillor's social media posts can reasonably sustain any of the allegations made in the Complaint. The Code cannot not be used a tool to regulate disagreement or differences of opinion, or to force another to capitulate their point of view.

In summary, we find that the Councillor's course of conduct did not contravene the Code.

CONCLUSION

For all of the reasons set out in detail above, the Councillor has not contravened any of the provisions of the Code in the manner asserted in the Complaint. It is our conclusion that the Councillor acted in accordance with her obligations under the Code.

The Complaint is hereby dismissed.

Since there has been no finding of a contravention, this Report is provided to Council solely for information as there is no authority for Council to make any decision.

AIRD & BERLIS LLP



John Mascarin

Integrity Commissioner for the City of St. Catharines

Dated this 30th day of March, 2022

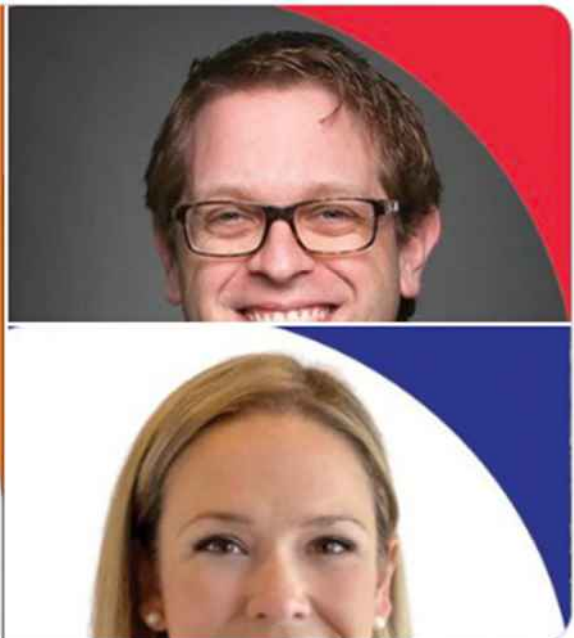
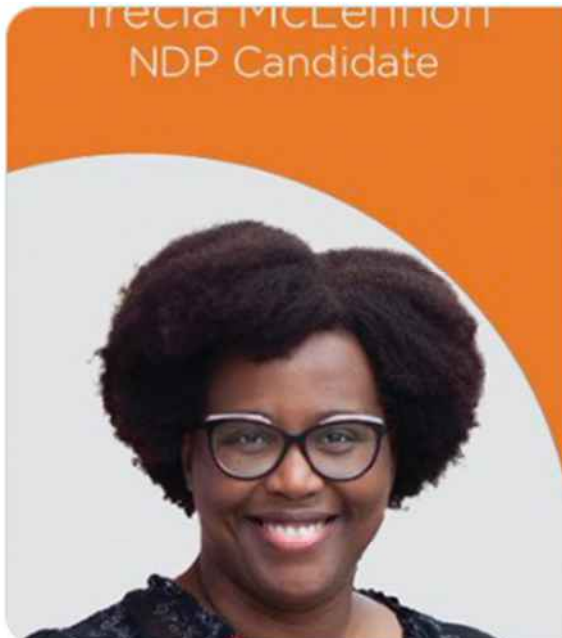
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Karrie Porter
@karrieporter

...

These three double-vaccinated candidates may have different opinions and ideas but they all agree that vaccines provide safe and effective protection against COVID-19. I want to thank them for their leadership. Please remember to go out and vote this Monday!
[#Elxn44](#)



 Trecia McLennon (she/her) and 2 others

3:45 pm · 18 Sep 2021 · Twitter for iPhone



INTEGRITY COMMISSIONER REPORT ON CODE OF CONDUCT COMPLAINT 2021-06

THE CORPORATION OF THE CITY OF ST. CATHARINES

John Mascarin

Aird & Berlis LLP

April 14, 2022



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INTEGRITY COMMISSIONER REPORT ON CODE OF CONDUCT COMPLAINT 2021-06 COUNCILLOR DAWN DODGE

SUMMARY

A formal complaint pursuant to the *Code of Conduct for Members of Council and Local Boards* (the “**Code**”) of The Corporation of the City of Catharines (the “**City**”) was filed directly with our office in November 2021. A revised version of that complaint was re-submitted to our office on December 5, 2021 (the “**Complaint**”).

The Complaint alleges that Councillor Dawn Dodge (the “**Councillor**”), a member of City Council (the “**Council**”), contravened the Code on account of the her attendance and participation in a hearing of the City’s Committee of Adjustment (the “**Committee**”) held on October 20, 2021 (the “**Hearing**”).

APPOINTMENT & AUTHORITY

Aird & Berlis LLP was appointed as Integrity Commissioner for the City pursuant to subsection 223.3(1) of the *Municipal Act, 2001*¹ on January 28, 2019 by By-law No. 2019-13. As the City’s Integrity Commissioner, we have jurisdiction to review complaints made against members of Council.

The Complaint, as initially filed, was incomplete with respect to the information required under the Formal Complaint Protocol, forming Appendix “B” to the Code, and was unclear as to the sections of the Code at issue. Upon conducting our standard intake and review procedure in accordance with our authority, we exercised our discretion to request further particulars from the Complainant. The Complaint was subsequently revised to address these deficiencies and re-submitted to our office.

CODE PROVISIONS AT ISSUE

The Complaint alleges that the Councillor contravened Sections 4.1(e), Section 9.2 and Section 10.1 of the Code. Those sections of the Code provide as follows:

4.0 General Obligations

4.1 In all respects, a Member shall:

...

- (e) respect the individual rights, values, beliefs and personality traits of any other person recognizing that all persons are entitled to be treated equally with dignity and respect for their personal status regarding gender, sexual orientation, race, creed, religion, ability and spirituality;

¹ S.O. 2001, c. 25.

9.0 Discrimination and Harassment

...

- 9.2 A Member not use indecent, abusive or insulting words, phrases or expressions toward any member of the public, another Member or staff. A Member shall not make comments or conduct themselves in any manner that is discriminatory to any individual based on the individual's race, colour, ancestry, citizenship, ethnic origin, place of origin, creed or religion, gender, sexual orientation, marital status, family status, disability, age or record of offences for which a pardon has not been granted.

10.0 Improper Use of Influence

- 10.1 A Member shall not use the influence of their office or appointment for any purpose other than the exercise of his or her official duties in the public interest.

REVIEW OF MATERIALS & INQUIRY

In order to undertake our inquiry into the Complaint and make a determination on the alleged contraventions of the Code, we have undertaken the following steps:

- Review of the initial complaint and all materials referred to therein;
- Further email correspondence and telephone conversations with the individual who filed the Complaint (the “**Complainant**”) requesting further particulars and clarification;
- Review of the Complaint, as revised;
- Email correspondence and a telephone conversation with the Councillor regarding the Complaint, and timeline for response;
- Review of the Councillor's response, dated January 4, 2022;
- Further telephone conversations with both the Complainant and the Councillor;
- Review of the materials dealing with the Application;
- Review of a video recording of the Hearing;

We have also reviewed, considered and had recourse to such applicable case law and secondary source material, including other integrity commissioner reports that we believed to be pertinent to the issues at hand.

Our investigation process was temporarily paused to explore opportunities for alternative resolution.

A draft of this Report was provided to the Councillor and the Complainant on March 28, 2022 to allow them to review and comment on the factual accuracy of the Report. The Councillor and the Complainant provided comments which have been considered and addressed in this Report.

BACKGROUND**(a) Introduction**

The Councillor is one of two representatives for Ward 5, Grantham Ward, in the northeast portion of the City. The Councillor is not a member of the Committee, nor does she have any staffing role in relation to the Committee's statutory mandate.

The Committee is a municipal "committee of adjustment" established by the City under section 44 of the *Planning Act*.² The Committee's statutory mandate is to hear applications for minor variances from the provisions of the City's zoning by-laws, and may grant or refuse applications on a case-by-case basis. The Committee functions as a quasi-judicial body by hearing and making decisions. Importantly, the Committee is statutorily authorized to operate independently of Council's views or directions on specific applications.

The Committee is comprised of five members, appointed by Council for a four-year term. The Committee is assisted by specific City staff. City planning staff also often write reports to the Committee advising on the planning merits of applications.

Since the start of the pandemic, the Committee has been holding its hearing by virtual means.

(b) The Application

The factual background of the Complaint relates to a specific application heard by the Committee on October 20, 2021 for the property municipally known as 617 Vine Street (the "**Property**"). The Property is located within the Councillor's Ward.

The owners the Property filed an application for minor variances from the City's zoning by-law to facilitate the construction of an accessory dwelling unit in the basement of the existing single detached dwelling (the "**Application**").

The Application sought variances from the provisions of the zoning by-law restricting the maximum floor area of an interior accessory dwelling unit, and the maximum floor area of an interior accessory dwelling unit as a percentage of the floor area of the dwelling. In essence, the Application proposed to create an additional dwelling unit in the basement of the existing dwelling above what was permitted as-of-right in the zoning by-law.

City staff authored a Technical Report, dated October 15, 2021, providing a planning analysis of the merits of the Application. It recommended that the Committee approve the Application. The report also notes that while the Application was circulated to all appropriate departments and agencies, no objections to the Application were received.

(c) Local Opposition to the Application

Despite City staff's support, the Application was not well received by local residents. Several residents wrote to the Committee to voice their opposition to the Application. In general terms, those objections dealt with the proposed increase in density on the Property, potential impacts of the additional dwelling units, and a potential increase in traffic in the neighbourhood. In addition,

² *Planning Act*, R.S.O. 1990, c. P.13.

there were also specific concerns that the Property would be used for student rentals, and concerns associated with an “absent landlord” and perceived nuisances from student tenants.

The specific objections and concerns from residents are detailed in the correspondence attached to the Committee’s Agenda for the Hearing, which is publicly available for download from the City’s website.³

(d) The Hearing

In accordance with the provisions of the *Planning Act*, the Committee held a statutory public hearing on October 20, 2021 by virtual means (i.e., the “Hearing”) to consider the Application. The Hearing was video-recorded, and made available for viewing at the City’s YouTube channel.⁴ Based on our review of the video recording of the Hearing, the Councillor attended the Hearing, and self-identified as “Councillor Dawn Dodge” in her screen name, which we understand was her default screen name on ZOOM.

The Committee’s consideration of the Application began with a brief deputation from the owners’ architectural consultant, who explained the nature of the proposal and addressed concerns from residents.

The Hearing proceeded with several deputations from residents in opposition to the Application. In addition to these deputations by residents, the Councillor made an oral deputation to the Committee.⁵ In general terms, the Councillor’s deputation to the Committee was made in opposition to the Application, reiterating the position of residents that the Application should be refused. Through her deputation, the Councillor is quoted as making the following statements:

“Don’t allow it to go bigger than allowed. Maybe not as many people would live there.”

“6 bedrooms means those residents could be students.”

“I’m asking not to give them any more space.”

“It’s on a bus route that could very easily be taken to either Brock University or Niagara College...and that makes a difference to what type of people who could possibly want to stay there.”

At one point during the Councillor’s deputation, the Chair of the Committee interjected to clarify that on consideration of the Application, the Committee could not consider the types of individuals who could potentially inhabit the Property, to which the Councillor responded “uses then, okay, of who they could rent to or not rent to.”

The Committee ultimately voted to refuse the Application in a divided 4-to-1 vote. We understand that the owners appealed the Committee’s refusal to the Ontario Land Tribunal.

³ <https://stcatharines.civicweb.net/filepro/documents/83048?preview=91378>

⁴ <https://www.youtube.com/watch?app=desktop&v=BpQxuzpgeMc>

⁵ The Councillor’s deputation can be viewed between timestamps 0:54:46 and 0:57:39.

THE POSITION OF THE PARTIES

(i) Position of the Complainant

The Complainant alleges that the Councillor's conduct in attending the Hearing and making submissions to the Committee constitute a contravention of Section 10.1 of the Code.

The Complainant takes the position that the Councillor's attendance at the Hearing as anything more than an observer is inappropriate. The Complainant submits that the Councillor contravened the Code by using her position as an elected official in an attempt to influence the decision-making process of the Committee, with such influence not falling within the proper role of a member of Council.

The Complainant also alleges that the Councillor's statements disapproving of "students" or "renting to students" constitutes a contravention of Section 4.1(e) and 9.2 of the Code.

With respect to Section 4.1(e), the Complainant take the position that students are entitled to be treated equally and with respect, that "students should not be maligned by an elected politician wielding control over their options to find a place to live, particularly during a housing crisis..." and that the Councillor's statements "were clear that she did not want students to reside in this neighbourhood which is deliberately and explicitly exclusionary.

With respect to Section 9.2, the Complainant takes the position that the Councillor's comments were discriminatory against students, and were made not to comment on the land-use planning merits of the Application but specifically to deny housing to students.

(ii) Position of the Councillor

The Councillor provided her explanation for her conduct in her responding written submissions. The Councillor acknowledged that she spoke to the Application during the Hearing, but that she did so to represent the constituents of her Ward as she had many calls from residents about the matter. She asserts that she wanted to ask the Committee to support "Council's policy" expressed through the City's planning instruments.

The Councillor admitted that she used the example of "students" as possible tenants of the Property. She asserts that her comments were no way intended to mean that students were not welcome as residents of the neighbourhood, but that she is now aware that the City "cannot zone tenants or residents."

The Councillor also advised us that following the Hearing, she spoke with City staff who advised the Councillor that attending a hearing to speak to a particular application was "strongly discouraged." In response to our draft Report however, the Councillor commented that City staff's advisement to her was not as explicit as she would have liked, as no one had told her not to attend. We note that the Councillor did not seek advice from our office in our capacity as Integrity Commissioner.

The Councillor also advised us that she was prepared to make a public apology at the meeting of Council following the Hearing. However, in light of the owners' appeal and in consultation with City staff, the Councillor determined that the best course of action would be to wait to issue an apology.

FINDINGS

We have carefully and fully considered the submissions of the parties and the evidentiary record from our investigation. For the reasons set out below, based on a preponderance of the evidence and on a balance of probabilities, we find that the Councillor has contravened Section 10.1 of the Code. We find that the Councillor did not contravene sections 4.1(e) or 9.2 of the Code.

1. Participation at Committee Hearing

We find that the Councillor's conduct at the Hearing contravened Section 10.1 of the Code.

Section 10.1 of the Code provides as follows:

10.0 Improper Use of Influence

- 10.1 A Member shall not use the influence of their office or appointment for any purpose other than the exercise of his or her official duties in the public interest.

This section prohibits a member of Council from using the power associated with their position for any purpose other than for the exercise of their duties as a member of Council. In the present case, it is important to consider the function of the Committee and role of members of Council.

To be as explicit as possible in our findings and interpretation, this section of the Code prohibits a member of Council from appearing before and making representations to an independent, quasi-judicial decision-making body of the City in their capacity as a member of Council.

(a) Role of Councillors

Generally speaking, there are three main roles of a member of council: representative, policy-making, and stewardship. Of these three roles, the "representative" role connotes a councillor's role in representative democracy: advancing the views and interests of those whom the member was elected to represent.

A member of municipal council bears a unique role in local democracy. Individually, a municipal councillor has no authority whatsoever to bind the municipal corporation or give direction to municipal staff. They can only make decisions and take action with a majority vote of the other members of council at a duly-constituted meeting. This forum is where the "representative" role of democratically elected individuals comes into play; a member of council is to represent the views and interests of their constituents in council's decision-making process.

The Province's publication "The Ontario Municipal Councillor's Guide" characterizes this portion of a councillor's role as representing the views and opinions of constituents when issues are brought before council. However, the publication also provides a caution against using one's role to influence independent municipal processes:

There may also be circumstances where decisions are made by designated staff who operate at arm's length from the council, and where it could be inappropriate for elected officials to interfere or be seen to be interfering. Examples of this include decisions made by statutory officers such as the clerk, treasurer, fire chief, chief building official or medical officer of health. These individuals may also be acting

in accordance with accountability provisions under other pieces of legislation, which may impact their advice to council.⁶

The Ontario Municipal Councillor's Guide recognizes that a councillor's representative role should heed to the role of independent statutory officers or decision-makers.

In addition, municipal councillors are only "representatives" of the views and interests of their constituents insofar that they have been democratically elected to reflect those views and interests in the decisions made by municipal council. That being said, municipal councillors are not "advocates." They do not bear a duty to represent the specific interests or concerns of specific individuals. A councillor owes their duty to the public at large and the municipal corporation.⁷

(b) Role of the Committee

A municipal committee of adjustment is an quasi-judicial body. It is required by law to hold a hearing to adjudicate requests for relief from municipal zoning by-laws. Although its proceedings may fall on the less-formal side of the spectrum, a committee of adjustment is intended to operate completely independently of Council.

Although a committee of adjustment is appointed by a municipal council,⁸ it is not answerable to it. A committee of adjustment is statutorily empowered to make decisions independent of a municipal council.⁹ A committee of adjustment is not bound in any way in its dealing with an application by any decision or direction given by a municipal council, municipal staff, and specifically, municipal councillors.

Those appearing before adjudicative bodies such as a committee of adjustment are entitled at common law to procedural fairness. An important component of procedural fairness is the independence of tribunals in a process which is free from political interference.¹⁰ This is especially true where the appointment, re-appointment, or continued engagement of individual members of that body is at the will of a political entity, such as municipal council.

In order for the public to have trust in the administrative processes of the City, not only must these processes be free from political influence, but must also be *seen to be* free from political influence. The public must have confidence that decisions are made on the merits of the case, and not any extraneous factors or political influence. Any actions taken by the City, its staff, or individual members of Council must respect this independence.

(c) Interactions between Councillors and the Committee

Despite the degree of independence a committee of adjustment has over matters within its statutory mandate, it is inappropriate for individual members of council to appear before the

⁶ Ontario, *The Ontario Municipal Councillor's Guide*, 2018, Part 1. "Role of council, councillor and staff"; online: <https://www.ontario.ca/document/ontario-municipal-councillors-guide>

⁷ See Ian MacF. Rogers, *Law of Canadian Municipal Corporations*, 2nd ed, (Toronto, Thomson Reuters: 2019) (loose-leaf release no. 3, March 2022) (online), ch. 5 I. § 5:1.

⁸ See *Planning Act*, s. 44.

⁹ See *Planning Act*, s. 45(1).

¹⁰ See e.g. Donald J.M. Brown and John M. Evans, *Judicial Review of Administrative Action in Canada*, (Toronto, Thomson Reuters, 2013) (loose-leaf release no. 4, December 2021)(online), ch. 11, § 11:16

committee in their capacity as a municipal councillor. Not only must independence be upheld, but must also be seen to be upheld. Written or oral submissions to the Committee may suggest that members of the Committee are in a compromised position, having been subjected to influence or extraneous factors. This poses the risk that decisions are not seen as being made on the objective merits of the case.

There has been recognition in several jurisdictions that politicians should refrain from appearing before administrative decision-makers. For example, in Ontario, it is a parliamentary convention of the Ontario Legislative Assembly that members of cabinet are prohibited from appearing as an advocate or supporter of a decision to be made by a provincial agency, board, commission or tribunal.¹¹

The importance of independence of adjudicative bodies was also discussed by the City of Toronto's Integrity Commissioner in an advisory report to its City Council on the then-proposed creation of the Toronto Local Appeal Body, an independent tribunal with the same powers and function as the Ontario Land Tribunal under the *Planning Act*.¹² In that report, Toronto's Integrity Commissioner provided the following guidance to members of City Council:

5. Members of City Council and their staff should not appear before or make representations of any kind to the TLAB in relation to a specific matter.

The Toronto Integrity Commissioner did recognize that in some circumstances, it may be appropriate that members of council seek a decision of council to take a particular position on an appeal proceeding. However, the important distinction is that such action necessitates a decision by the majority of members of council to mobilize municipal resources accordingly. This would not entail an individual member unilaterally taking action.

Similarly, the City of Ottawa's Integrity Commissioner has also advised against a member of council's direct participation in matters before the committee of adjustment, citing the risk that the perception of improper use of influence on a quasi-judicial body could undermine public trust in that process.¹³

(d) Councillor's Actions at the Hearing

Based on our review of the record, it is our opinion that the Councillor's attendance at and participation in the Hearing contravened Section 10.1 of the Code.

The evidence in our investigation supports the conclusion that the Councillor attended the Hearing in her capacity as a member of Council. She was identified on the virtual hearing platform as

¹¹ Ontario, Office of the Integrity Commissioner, *2012-2013 Annual Report* (June 2013), p. 9; online: <https://oico.on.ca/web/default/files/public/Annual%20Reports/Annual%20Reports%20Archive/annual-report-2012---2013.pdf>

¹² See City of Toronto Integrity Commissioner, *Report for Action – Councillor Conduct in Relation to the Toronto Local Appeal Body* (September 28, 2016); online: <https://www.toronto.ca/legdocs/mmis/2016/cc/bgrd/backgroundfile-96910.pdf>

¹³ See City of Ottawa Integrity Commissioner, *2020 Annual Report of the Integrity Commissioner*, pp. 14-15; online: <https://documents.ottawa.ca/sites/documents/files/2020%20Annual%20Report%20of%20the%20Integrity%20Commissioner.pdf>

“Councillor Dawn Dodge,” and stated that she was asked to attend by her constituents to represent their views in opposition to the Application. It is clear that the Councillor did not attend the Hearing solely as an interested observer.

By contrast, and for example, the Councillor was not in attendance in support of her own minor variance application, filed in her personal capacity, where she was a development proponent.

Furthermore, the Councillor made oral submissions to the Committee in opposition to the Applications. In so doing, she took on the role of “advocate” for specific individuals. These actions go far beyond the “representative” role of a municipal councillor.

We acknowledge that much of the Councillor’s comments and submissions to the Committee reiterate the reasons of other members of the public. However, they became her own statements when she made the deliberate choice to attend the Hearing and make those representations, ultimately taking a position on the matter.

We do not accept the argument that the Councillor was merely repeating what others had already said. It is acceptable and common place for residents to take a position of matters of concern in their neighbourhoods. When those concerns are repeated by a member of Council, they undoubtedly carry more significance and clout.

Any reasonable person attending the Hearing would perceive that a member of Council’s attendance at and opposition to an application would have greater weight or influence with the members of the Committee whose appointments are, in part, due to the Councillor’s position on Council. The Councillor is not precluded from wielding some authority with respect to matters at the Committee but she must do so in the proper context. The Councillor could have her say on the matter before Council and seek to influence Council’s decision with respect to the role of the City and its staff (if any) in any appeal hearing at the Ontario Land Tribunal arising from a decision of the Committee.

Lastly, we conclude that the content of the Councillor’s statements constituted an attempt to influence the decision of the Committee. The Councillor’s statements were far from neutral. The Councillor was not providing an objective planning opinion or advice on the matter (nor is that within her role). Her statements can only be understood in this context as an attempt to persuade the Committee to refuse the Application. Regardless of what the Committee’s ultimate decision was in this case, such actions by a member of Council are inappropriate.

In summary, we conclude that the Councillor contravened the Code by attending and making submissions to the Committee at its Hearing.

2. Discriminatory Comments Regarding “Students”

It is our finding that the Councillor’s statements at the Hearing did not contravene Sections 4.1(e) and 9.2 of the Code.

Sections 4.1(e) and 9.2 of the Code work in conjunction to combat discrimination based on enumerated protected grounds, much like other human rights enactments such as the *Ontario Human Rights Code*.¹⁴

“Age” is a particular enumerated ground in the Code and other human rights enactments. “Student status” is not a protected ground under the Code. In human rights law jurisprudence, in order to find discrimination on a non-enumerated ground, the ground of alleged discrimination must be “analogous” to a prohibited ground.¹⁵

Our review of the human rights law jurisprudence indicates that student status is not a specific protected ground, nor is it analogous to a protected ground.¹⁶ While we understand that students tend to be young persons, the courts have rejected student status as a fiat for the protected ground of “age”. Furthermore, the prohibited grounds in human rights legislation (and indeed the Code) all share the feature of being immutable, or changeable only at unacceptable cost to personal identity.¹⁷ Student status, on the other hand, does not share this characteristic. The status of being a student is a temporary and “transient, non-physical state.”¹⁸ As such, there can be no discrimination on the basis of student status.

Notwithstanding this, the comments made by the Councillor were not associated with or intended to perpetuate a stereotype or prejudice about “students”. We recognize that the Councillor made certain comments about student rental housing.¹⁹ However, understood in the context of the Application and the Hearing, the crux of these comments was a concern about the perceived adverse impacts associated with student rental housing. Whether these concerns are supported by any evidence or constitute a valid land use planning objection to the Application is beyond our mandate as Integrity Commissioner.

In summary, we find that the Councillor’s statements did not contravene the Code. That being said, we would encourage the Councillor to consider and reflect on whether her messaging in relation to residents of the City who are students would foster an environment of mutual respect.

¹⁴ *Human Rights Code*, R.S.O. 1990, c. H.19.

¹⁵ See *Corbiere v. Canada (Minister of Indian and Northern Affairs)*, 1999 CanLII 687, at para 13 (S.C.C.).

¹⁶ See e.g. *Fodor v. North Bay (City)* (2018), 76 M.P.L.R. (5th) 37 (Ont. Div. Ct.), wherein the Divisional Court refused to quash a municipal by-law regulating multi-unit rental on the basis that it violated the *Ontario Human Rights Code* and the *Canadian Charter of Rights and Freedoms* as “students” were not a protected or analogous group.

¹⁷ See *Corbiere v. Canada (Minister of Indian and Northern Affairs)*, *supra* note 15, at para 13.

¹⁸ *Allen v. Canada (Canada Human Rights Commission)*, [1992] F.C.J. No. 934 (Fed. Ct. T.D.)

¹⁹ We note that many post-secondary students reside in the City while attending local post-secondary institutions, including Brock University and Niagara College.

CONCLUSIONS

For all of the reasons set out in detail above, we find that the Councillor contravened the Code by attending and making representations at the Committee's Hearing. We also find that the Councillor did not contravene the Code provisions on discrimination on account of her statements about "students."

We understand that at the time of the Hearing, the Councillor was uncertain as to whether she could attend and participating in a Committee hearing. After the Hearing, the Councillor spoke with City Staff on her own initiative to better understand why speaking at such hearings is not recommended. We do note however that she did not consult our office for advice on her ethical obligations.

The Councillor has advised our office that she was prepared to make a public apology at the meeting of Council following the Hearing, but after consulting with City Staff decided to wait to issue that apology. In our view, now is an appropriate time to make such an apology.

RECOMMENDATIONS

In view of our finding that the Councillor has contravened Section 10.1 of the Code, we recommend that Council impose the penalty of a reprimand on the Councillor for her conduct pursuant to subsection 223.4(5) of the *Municipal Act, 2001*.

In addition, pursuant to Section 15.2 of the Code, we recommend that Council take the remedial measure of requesting that the Councillor issue a verbal apology, such apology expressing contrition for her actions and understanding of the importance of independence in the quasi-judicial processes of the City's administrative decision-making bodies. The apology should be provided at a meeting of Council (or a similar public setting), should be prepared by the Councillor herself, and should be delivered within 30 days from Council's decision on the matter.

Pursuant to the *Municipal Conflict of Interest Act*, the Councillor is entitled to make submissions on the Recommendations to Council and can participate in any discussion but she is not to vote on any questions in respect of the matter.

Respectfully submitted,

AIRD & BERLIS LLP



John Mascarin

Integrity Commissioner for the City of St. Catharines

Dated this 14th day of April, 2022

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AIRD BERLIS



Corporate Report City Council

Report from: Financial Management Services, Director

Report Date: April 22, 2022

Meeting Date: May 16, 2022

Report Number: FMS-070-2022

File: 10.12.24

Subject: Update Report – Elected Officials Remuneration

Strategic Pillar:

This report aligns with the following St. Catharines Strategic Plan pillars:



Recommendation

That the update to the remuneration methodology for Members of Council (other than the Mayor) be approved and the percentage of the average earned income of all individuals filing a tax return in the City of St. Catharines, which is used to determine the level of remuneration, increase by 4% annually from 55.5% to 71.5% by 2026 based on the following schedule:

- 2023: 59.5%; (\$27,197 estimated)
- 2024: 63.5%; (\$29,026 estimated)
- 2025: 67.5%; (\$30,855 estimated)
- 2026: 71.5%; (\$32,684 estimated); and

That the remuneration methodology for the Mayor remain the same; and

That the information on the cost of providing group benefits insurance (extended health care and / or healthcare spending account) for Councillors be received; and

That the proposed plan to provide flex / shared office space for Councillors be approved; and

That the information on providing transit passes to Councillors be received, and

Further, that the City Solicitor be directed to prepare the necessary by-law(s).

Summary

Further to the Budget Standing Committee's approval and direction on March 21, 2022, this report includes the additional information on the cost of providing group benefits insurance under different options for Councillors. It also discusses the feasibility and cost of providing flex / shared office space for Councillors and transit passes.

Relationship to Strategic Plan

The recommendations in this report enhance:

- Economic Prosperity Pillar in supporting fiscal responsibility
- Social Well-Being Pillar in providing high quality of life for residents of all ages including City elected officials
- Environmental Stewardship Pillar in encouraging public transit ridership across the City

Background

At its meeting of March 21, 2022, the Budget Standing Committee received Report FMS-B003-2022 (attached as Appendix 1), regarding Elected Official Remuneration, and approved the following motion:

“That the update to the remuneration methodology for Members of Council (other than the Mayor) be approved and the percentage of the average earned income of all individuals filing a tax return in the City of St. Catharines gradually increase from 55.5% to 71.5% by 2026 based on the following schedule:

- 2023: 59.5%
- 2024: 63.5%
- 2025: 67.5%
- 2026: 71.5%; and

That the remuneration methodology for the Mayor remain the same; and

That staff report back on the cost of providing group benefits insurance (extended health care and / or healthcare spending account) for Councillors; and

That staff report back on the feasibility and cost of providing flex / shared office space for Councillors; and

That City Solicitor be directed to prepare the necessary by-law(s).“

The Committee also provided direction to place this report on the Discussion agenda for Council's consideration and requested whether staff could amend the recommendation to more clearly identify the financial impact of the proposed change to remuneration methodology.

On April 11, 2022, Council directed staff to review the option to provide councillors with transit passes in lieu of a parking pass starting with the next term of Council.

Report

Group Benefits

Staff obtained cost estimates from the City's current benefits broker based on the current demographic of the Council in place. Some of these cost estimates are subject to change as demographics change for the incoming Council.

Group Life Insurance

To provide life insurance to Council members under the age of 65, the estimated cost per Councillor would be \$9 per month and \$108 per year, based on the coverage amount of two times annual earnings to include Councillors in the existing City Group Life Insurance Plan which is fully insured. Therefore, the estimated annual cost of the benefit for 12 Councillors would be \$1,296.

Employees over the age of 65 are not eligible for group life insurance. The same would apply to members of Council.

Extended Healthcare Benefits

Staff worked with the Broker and received cost estimates for three different group health insurance options for Council members.

- Healthcare Spending Account
- Stand-Alone Fully Insured Plan
- Self-insured Plan (Existing City Plan)

Option 1: Healthcare Spending Account

A Healthcare Spending Account provides the most flexibility to Councillors in where and how they need to utilize their health benefits. It also provides the most cost certainty to the employer regarding the overall annual cost for certain employee group.

Based on the annual allocation amount of \$1,000 per Councillor and 100% estimated utilization rate, the estimated annual cost for each Councillor is \$1,053 including administrative fee. This would result in a total annual cost amount of \$12,636.

Should Council decide to increase / decrease the annual allocation amount, the annual estimated cost per Councillor would also increase / decrease.

Option 2: Stand-Alone Fully Insured Plan

The estimated insured costs through a stand-alone group insurance policy for the Councillors employee group would be as follows:

- **Family Plan**
 - \$418 per month per Councillor
 - \$5,016 per year per Councillor
- **Single Plan**
 - \$161 per month per Councillor
 - \$1,932 per year per Councillor

The cost estimates outlined above are based on the current demographic of Council and are subject to change as demographics change. Should Council decide to proceed with an insured stand-alone policy a full market research will be conducted to secure coverage and confirm rates.

The health and dental benefits termination age is at 70 or early retirement under the Fully Insured Plan.

This option provides Councillors with defined health and dental benefits with annual cost certainty to the employer for the year. However, each year the annual cost is subject to fluctuation should the insurance provider decide to increase the premiums based on evaluation on actual usage / claims. If Council were to proceed under this option, consideration should be given as to whether the Mayor should be included in the same plan.

Option 3: Self-Insured (Administrative Services Only) Plan (Existing City Plan)

The City's existing health and dental benefits plan for employees and the Mayor is considered self-insured, which means the City as the employers pays for 100% of the actual benefits costs based on the actual usage / claims of the health benefits. This option was selected based on population size of the City's employees and is considered the most cost-effective option for the City while providing comprehensive benefits to its employees.

The estimated insured costs through the City's existing plan (Self-Insured) for the Councillors employee group would be as follows:

- **Family Plan**
 - \$334 per month per Councillor
 - \$4,008 per year per Councillor
- **Single Plan**
 - \$129 per month per Councillor
 - \$1,548 per year per Councillor

The cost estimates outlined above are based on the City's existing Self-Insured Plan for Exempt / Management Group (the Mayor is currently insured under this group) and the current demographic of Council and are subject to change as demographics change.

The City's current Self-Insured health and dental benefits plan provides coverage until age 65, with a modified version from 65 to retirement for employees who are actively working beyond 65.

Considering the small population size of the Council Group, it would likely be required to be included in the existing Exempt group in order to ensure anonymity of data and privacy. This means that Council related costs would be grouped with all exempt staff related costs, and then the costs allocated proportionately. As a result, determining the actual cost of providing benefits to Council by this method may not be possible.

This option provides the least cost certainty to the City and, as a result, staff do not recommend proceeding with this option for a Councillor extended healthcare benefits plan.

Shared Office Space

Upon Council request, staff reviewed the office spaces at City Hall and recommend converting the existing office on the third floor adjacent to Council Chambers and across the hallway from the Mayor's Office into a shared office and meeting space for Councillors and other City staff members.

Currently a staff member in Economic Development and Tourism Department is occupying this office space. Staff have a plan to relocate their office to another location that is appropriate should Council decide to adopt the proposed plan. The estimated relocation costs can be accommodated within the City's approved 2022 Operating Budget.

The shared office space will be available for booking through the existing meeting room booking system at City Hall that the IT team created. The booking system will ensure the space is available for specific user groups (Councillors or City staff) similar to other meeting rooms at City Hall. There will be no associated cost to implement the booking system.

Clarification of the Financial Impact of the Proposed Change to the Council Remuneration Methodology

Should Council approve the update to the remuneration methodology for Members of Council (other than the Mayor) and the percentage of the average earned income of all individuals filing a tax return in the City of St. Catharines gradually increase from 55.5% to 71.5% by 2026 based on the following schedule:

- 2023: 59.5%
- 2024: 63.5%
- 2025: 67.5%
- 2026: 71.5%

Then the estimated financial impacts in the next four years are outlined in Table 1 on next page. The remuneration increase for each Councillor is projected to be approximately \$1,829 annually from 2023 to 2026.

Table 1 – Financial Implications

Year	2022	2023	2024	2025	2026
St. Catharines Average Earned Income Base Year	2019	2020	2021	2022	2023
St. Catharines Average Earned Income*	\$45,709	\$45,709	\$45,709	\$45,709	\$45,709
Percentage Used to Calculate Councillor Annual Remuneration	55.5%	59.5%	63.5%	67.5%	71.5%
Councillor Annual Remuneration	\$25,368	\$27,197	\$29,026	\$30,855	\$32,684
Annual Remuneration Increase (in dollars)		\$1,829	\$1,829	\$1,829	\$1,829

***Note: Using 2019 St. Catharines Average Earned Income as the annual increases for 2020 to 2023 are unknown at this time.**

Transit Passes

At its meeting on April 11, 2022, Council directed staff to look at discounted transit passes in lieu of a parking pass for Councillors for the new term of Council.

Starting in 2023, transit passes will be changed to the new regional transit commission's oversight and the cost of providing such passes is unknown at this time. Based on the current 2022 rate schedule of the St. Catharines Transit Commission, the cost to offer transit passes to City Councillor is estimated at approximately \$100 per month, with an estimated annual cost of \$1,200 per Councillor and for 12 Councillors \$14,400 annually.

Financial Implications

With the update to the remuneration methodology for Members of Council (other than the Mayor) and gradually increasing the percentage of the average earned income of all individuals filing a tax return in the City of St. Catharines from 55.5% to 71.5% by 2026:

- 2023: 59.5%; (\$27,197 estimated)
- 2024: 63.5%; (\$29,026 estimated)
- 2025: 67.5%; (\$30,855 estimated)
- 2026: 71.5%; (\$32,684 estimated)

By 2026, City Council members annual remuneration would increase to \$32,684. This would align compensation to the average remuneration based on the AMCTO March 2018 review for municipalities with populations between 100,000 and 249,999.

The estimated total financial impact for 2023 would be \$21,948 based on the proposed increase for 12 Councillors. Based on the approved 2022 tax rates, the impact on median household would be \$0.31 or 0.02% annually.

Should Council decide to move forward with providing the members of the new term of Council with life insurance, extended health benefits under certain plan as well as annual transit passes, the associated costs will need to be added to the 2023 Operating Budget for Council's deliberation.

Environmental Sustainability Implications

Providing public transit passes to Council members would encourage them and St. Catharines residents to travel the city in an environmentally friendly manner.

Conclusion

This report provides additional information as requested by the Budget Standing Committee and Council on various issues related to Council remuneration and administrative support. Staff are recommending that Council approves revised remuneration for Council members and the proposed plan to provide shared office space for Councillor's use.

Prepared by

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Submitted by

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Approved by

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Director, Financial Management Services / City Treasurer

Appendices

1. Report FMS-B003-2022 - Elected Official Remuneration



Corporate Report Budget Standing Committee

1

Report from: Financial Management Services, Director

Report Date: February 28, 2022

Meeting Date: March 21, 2022

Report Number: FMS-B003-2022

File: 10.12.24

Subject: Elected Officials Remuneration

Recommendation

That the update to the remuneration methodology for Members of Council (other than the Mayor) be approved and the percentage of the average earned income of all individuals filing a tax return in the City of St. Catharines gradually increase from 55.5% to 71.5% by 2026 based on the following schedule:

- 2023: 59.5%
- 2024: 63.5%
- 2025: 67.5%
- 2026: 71.5%; and

That the remuneration methodology for the Mayor remain the same; and

That City Solicitor be directed to prepare the necessary by-law(s).

Summary

This report discusses the City's Mayor and Council members' remuneration levels and the calculation formula. It also provides information on Council remuneration at comparator municipalities.

Background

At the meeting of June 14, 2021, the members of Council approved the following report request regarding Council remuneration:

"That staff report back on the City's current remuneration formula for members of Council, including how and when the formula was developed, as well as the remuneration for Councillors at comparator municipalities. Include in the report information on how chairs of committees are reimbursed at other municipalities and administrative supports provided for Councillors at other municipalities."

The City's current methodology in determining the elected officials' remuneration based on the average earned income of all individuals filing a tax return in the City of St. Catharines has been in place since the mid 1980's.

This is a solid methodology and approach to calculating the compensation amount and annual increase for City Councillors. With aligning the Councillor compensation to the average resident earned income the resident's average income increase, so will the Councillor's compensation. Based on review of municipal comparators and Niagara municipalities, none of these uses a methodology similar to St. Catharines, they either base annual member of council increases on the non-union annual salary increases or an adjustment based on Consumer Price Index (CPI).

Report

St. Catharines Formula

Council Remuneration

On October 16, 2000, City Council approved remuneration for Members of Council (other than the Mayor). The By-law also authorized an automatic adjustment, which was amended at the November 12, 2018, Meeting of Council to read as follows:

“55.5% of the average earned income of all individuals filing a tax return in the City of St. Catharines, as published in the most recent Taxation Statistics.”

The 2022 City Councillor remuneration is \$25,369 (2021: \$24,938).

Mayors Remuneration

On November 12, 2018, City Council approved the By-law setting the remuneration for the Mayor for 2019 and automatic adjustments for following years in accordance with the following formula:

“Mayor – based on the change of the average earned income of all individuals filing a tax return in the City of St. Catharines from the previous year.”

The Acting Mayor is compensated at the Mayor's basic hourly rate when submitted and requested by the Councillor performing duties on behalf of the Mayor.

The 2022 Mayor's remuneration is \$118,420 (2021: \$116,418; the Mayor's actual remuneration received in 2021 was \$112,939 as the Mayor had forgone the salary increase in 2021 due to the financial conditions created by COVID-19 for municipalities and businesses).

St. Catharines Average Earned Income

Statistics Canada (“Statscan”) publishes statistical information on a wide range of topics including data on income. Information is taken from Statscan table 111-0007 which discloses neighbourhood income reported by taxpayers on an annual basis.

There is always a reporting lag of two to three years. The reporting lag is a result of not all taxpayers filing their personal tax returns in a timely manner, thus more time is required for the collection of data for the statistical information to be considered complete.

For example, the 2019 information was used to calculate Council remuneration in 2022 as that was the most recent year published by Statscan at the end of 2021.

Municipal Council Compensation in Ontario

According to the AMCTO report published in March 2018 named “Municipal Council Compensation in Ontario”¹, most municipalities in the province classify their councils as part-time. However, municipalities are slightly more likely to have full-time heads of council than members of council.

For municipalities with population ranging from 100,000 to 249,999, 73% of them have part-time councillors and only 27% have full-time councillors (see Chart 1 below):

Chart 1: Full-time vs. Part-time Members of Council by population

Amounts	Part-Time	Full Time
Less than 4,999	95%	5%
5,000 to 9,999	98%	2%
10,000 to 24,999	100%	0%
25,000 to 49,999	100%	0%
50,000 to 99,999	100%	0%
100,000 to 249,999	73%	27%
More than 250,000	17%	83%

Based on this 2018 report, for south-western Ontario municipalities including St. Catharines, the average annual salary for councillors was \$32,175, for head of council it was \$86,079 (see Chart 2 and 3 below):

Chart 2 – Average Head of Council Honorarium or Salary by Population Size and Region

Region	Less than 4,999	5000 to 9,999	10,000 to 24,999	25,000 to 49,999	50,000 to 99,999	100,000 to 249,000	More than 250,000
Province-wide	\$18,779	\$24,055	\$31,721	\$52,592	\$68,305	\$93,087	\$157,496
Eastern Ontario	\$34,962	\$43,054	\$34,429	\$45,396	\$54,964	-	-
Central Ontario	\$20,129	\$25,341	\$33,344	\$62,826	\$81,550	\$107,290	\$159,777
South-western Ontario	\$19,203	\$19,499	\$29,245	\$48,724	\$61,716	\$86,079	\$154,075
Northern Ontario	\$17,159	\$23,769	\$32,926	-	-	-	-

¹ AMCTO Municipal Council Compensation in Ontario, March 2018 - <https://www.amcto.com/getattachment/a9e4b504-21c2-4378-bfab-ef4e1eb001c2/.aspx>

Chart 3: Average Member of Council Honorarium or Salary by Population Size and Region

Region	Less than 4,999	5000 to 9,999	10,000 to 24,999	25,000 to 49,999	50,000 to 99,999	100,000 to 249,000	More than 250,000
Province-wide	\$12,199	\$13,397	\$17,703	\$24,841	\$26,241	\$35,442	\$75,085
Eastern Ontario	\$18,632	\$20,689	\$18,309	\$16,006	\$22,416	-	-
Central Ontario	\$17,762	\$15,240	\$19,670	\$29,321	\$37,884	\$43,438	\$91,037
South-western Ontario	\$11,208	\$12,357	\$15,945	\$24,791	\$19,755	\$32,175	\$43,182
Northern Ontario	\$10,266	\$11,323	\$16,463	-	-	\$35,788	-

Municipal Comparators

City of St. Catharines has population of 133,113 according to the 2016 Census. Table 1 below outlines how the City's elected officials' compensation compares to the City's comparators.

Table 1 – 2021 Remuneration Comparison

	St. Catharines	Average Municipal Comparators	Average Niagara Municipalities*	Average Niagara Ward Councillors*	Median Niagara Municipalities*
Head of Council (Mayor)	\$116,418	\$125,731	\$55,616	n/a	\$46,962
Member of Council	\$24,938	\$42,394	\$18,714	\$19,186	\$18,515

Note: * Excluding Niagara Region and Township of Wainfleet (outliers) to better align comparisons and obtain more accurate averages.

Table 2 – 2021 Council Remuneration Per Capita Comparison

Council Remuneration Per Capita	St. Catharines	Municipal Comparators	Niagara Municipalities*	Average Niagara Ward Councillors*	Median Niagara Municipalities*
Based on Individual Councillor	\$0.19	\$0.29	\$0.75	\$0.82	\$0.71
Based on total number of Councillors	\$2.25	\$2.95	\$5.62	\$6.01	\$6.00

Note: * Excluding Niagara Region and Township of Wainfleet (outliers) to better align comparisons and obtain more accurate averages.

In Appendix 1 of this report, a detailed comparison is provided to compare City of St. Catharines with its municipal comparators. The City's comparators outside of Niagara provide more comparable data in this review due to the similar population and Council size.

The review indicates that the remuneration level of the Mayor of St. Catharines is in line with the municipal comparators. However, the remuneration level of City Councillors is lower than the average of its comparators based on annual rate amount as well as remuneration per capita. Therefore, staff recommend gradually increasing the Councillors' annual remuneration through a phase-in approach over four years from 2023 to 2026 based on the current methodology.

Committee Chair Compensation

Currently City of St. Catharines Budget Standing Committee Chairs do not receive additional remuneration. Based on review of municipal comparators and Niagara municipalities, only one of them pays additional remuneration for budget committee chair(s). Currently it is not a common practice among the City's comparators to pay additional remuneration to budget committee chair(s). Therefore, staff are not recommending changes to the current methodology or implementing the additional remuneration for Budget Standing Committee Chairs at the City.

St. Catharines currently pays honorariums to members of Committee of Adjustment. Chair receives \$90 per hearing and members received \$70 per hearing. This approach is consistent with the practice at municipal comparators and across Niagara where information is available.

Administrative Supports for Members of Council

According to the AMCTO report², in addition to remuneration, many local governments also now provide employment benefits, office space, telecommunications equipment and reimbursement of other relevant business expenses.

Like many other municipalities, City of St. Catharines provides Mayor (full-time) and Councillors (part-time) with mileage reimbursement, travel, cellphone, tablet expenses, dedicated funding for attending conferences, training, and community events.

Broader research indicates that additional administrative supports are more commonly seen in municipalities with full-time councillors. For example, in City of Toronto, City of Ottawa and City and Hamilton, full-time City councillors would receive supports regarding office space at City Hall, office renovations and office administrative staff support.

² AMCTO Municipal Council Compensation in Ontario, March 2018 - <https://www.amcto.com/getattachment/a9e4b504-21c2-4378-bfab-ef4e1eb001c2/.aspx>

Financial Implications

With the update to the remuneration methodology for Members of Council (other than the Mayor) and gradually increasing the percentage of the average earned income of all individuals filing a tax return in the City of St. Catharines from 55.5% to 71.5% by 2026:

- 2023: 59.5%
- 2024: 63.5%
- 2025: 67.5%
- 2026: 71.5%

The estimated 2023 annual remuneration for City Council members would be \$27,197 which represents \$0.20 per capita for each individual City Councillor, based on 2016 Census results. By 2026, City Council members annual remuneration would increase to \$32,682. This would align compensation to the average based on the AMCTO March 2018 review.

The estimated total financial impact for 2023 would be \$21,948. Based on the proposed 2022 tax rates, the impact on median household would be \$0.31 or 0.02% annually.

Conclusion

Upon reviewing the City's current remuneration level for elected officials, staff recommend updating the City Councillors' remuneration calculations and gradually increase the percentage of the average earned income of all individuals filing a tax return in the City of St. Catharines from 55.5% to 71.5% by 2026 to better align with the City's comparators. The remuneration methodology for the Mayor is recommended to remain the same.

Prepared and Submitted by

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Manager, Budgets and Procurement

Approved by

Kristine Douglas, CPA, CMA
Director, Financial Management Services / City Treasurer

Appendices

Appendix 1 – Elected Official Remuneration Comparison

Elected Official Remuneration Comparison

Table 1-1: Comparator Municipalities

Municipality	Population (2016 Census)	At-large or Ward Election for Members of Council	Council Size	Methodology	2021 Annual Salary					
					Head of Council	Member of Council	Total Cost for all Councillors	Council Remuneration Per Capita (Based on Total Dollars Paid for All Councillors)	Council Remuneration Per Capita (Based on Individual Clr.)	Stipend/Honorarium for Committee Members
Single Tier										
Barrie	141,434	By Ward	Mayor & 10 Members of Council (1 for each ward)	The current Council policy provides for the base rate of compensation associated with the honorarium for the Mayor and members of Council to be increased annually by any economic adjustment provided to non-union staff.	\$ 124,690	\$ 40,484	\$ 404,840	\$ 2.86	\$ 0.29	For boards and committee remuneration, currently the municipality retains the small amount of remuneration received from this participation. Due to the administrative processes that would be required to separate and redistribute this remuneration among Mayor and Council members, the remuneration is addressed as part of the recommended increase to the base salaries.
Guelph	131,794	By Ward	Mayor & 12 Members of Council (2 for each ward)	A Compensation Review Committee reviews Council compensation structure and level every four years; Mayor and Council members receive merit increase annually for the non-union salary increase.	\$ 156,640	\$ 40,721	\$ 488,652	\$ 3.71	\$ 0.31	No additional remuneration for attending regular committee meetings including budget meetings. No childcare support provided while attending Council/committee meetings.
Kingston	123,798	By Ward	Mayor & 12 Members of Council (1 for each district)	Effective December 1, 2003, the remuneration and car allowance for the Mayor, Deputy Mayor and Members of Council be adjusted annually to the cost of living, as established by the Consumer Price Index on the previous October 1st	\$ 116,856	\$ 40,000	\$ 480,000	\$ 3.88	\$ 0.32	\$250 per month serving as Deputy Mayor. No additional remuneration for attending regular committee meetings. Out-of-town conferences, \$60 meal allowance per day.
Thunder Bay	107,909	At Large & By Ward	Mayor & 12 Members of Council (5 Clrs at large; 7 ward Clrs; 1 for each ward)	N/A	\$ 93,816	\$ 30,841	\$ 370,092	\$ 3.43	\$ 0.29	No additional remuneration for attending regular committee meetings.
Windsor	217,188	By Ward	Mayor & 10 Members of Council (1 for each ward)	Determined by a Council Compensation Committee once per term, and adjusted annually for the non-union salary increase.	\$ 199,167	\$ 46,898	\$ 468,980	\$ 2.16	\$ 0.22	
Lower Tier										
Cambridge	129,920	By Ward	Mayor & 8 Members of Council (1 for each ward)	N/A	\$ 107,725	\$ 43,730	\$ 349,840	\$ 2.69	\$ 0.34	
Kitchener	233,222	By Ward	Mayor & 10 Members of Council (1 for each ward)	Mayor and Councillors receive an annual salary adjustment equal to the lesser of the annual adjustment received by City staff classified as M-band or classified as non-union employees, which shall take effect on the same date as the staff adjustment.	\$ 105,382	\$ 54,216	\$ 542,160	\$ 2.32	\$ 0.23	No additional remuneration for attending regular committee meetings.
Oshawa	159,458	By Ward	Mayor & 10 Members of Council (2 for each ward.)	N/A	\$ 122,792	\$ 45,062	\$ 450,620	\$ 2.83	\$ 0.28	

Table 1-1: Comparator Municipalities

Municipality	Population (2016 Census)	At-large or Ward Election for Members of Council	Council Size	Methodology	2021 Annual Salary					
					Head of Council	Member of Council	Total Cost for all Councillors	Council Remuneration Per Capita (Based on Total Dollars Paid for All Councillors)	Council Remuneration Per Capita (Based on Individual Clr.)	Stipend/Honorarium for Committee Members
St. Catharines	133,113	By Ward	Mayor & 12 Members of Council (2 for each ward)	Council - 55.5% of the average earned income of all individuals filing a tax return in the City of St. Catharines, as published in the most recent Taxation Statistics; Mayor - based on the change of the average earned income of all individuals filing a tax return in the City of St. Catharines from the previous year	\$ 116,418	\$ 24,938	\$ 299,256	\$ 2.25	\$ 0.19	
Waterloo	104,986	By Ward	Mayor & 7 Members of Council (1 for each ward)	N/A	\$ 104,514	\$ 39,591	\$ 277,137	\$ 2.64	\$ 0.38	
Average - Total					\$ 125,731	\$ 42,394	\$ 425,813	\$ 2.95	\$ 0.29	
Average - Single Tier					\$ 138,234	\$ 39,789	\$ 442,823	\$ 3.21	\$ 0.28	
Average - Lower Tier					\$ 110,103	\$ 45,650	\$ 385,132	\$ 2.62	\$ 0.31	
Average - Ward Councillor					n/a	\$ 42,394	\$ 425,813	\$ 2.95	\$ 0.29	
Average - At Large Councillor					n/a	\$ 30,841	\$ 370,092	\$ 3.43	\$ 0.29	
Median					\$ 116,856	\$ 40,721	\$ 450,620	\$ 2.83	\$ 0.29	

Table 1-2: Niagara Municipalities

Municipality	Population (2016 Census)	At-large or Ward Election	Council Size	Methodology	2021 Annual Salary					
					Head of Council	Member of Council	Total Cost for all Councillors	Council Remuneration Per Capita (Based on Entire Council)	Council Remuneration Per Capita (Based on Individual Clr.)	Stipend/Honorarium for Budget Standing Committee chairs and Others
Niagara Region	447,888	By Municipality	Regional Chair, 12 LAM mayors; 19 LAM Clrs.	Council remuneration adjusted annually based on the structure increase granted to non-union employees in the same calendar year.	\$ 132,477	\$ 38,748	\$ 1,201,188	\$ 2.68	\$ 0.09	
Welland	52,293	By Ward	Mayor & 12 Members of Council (2 for each ward)	Council remuneration adjusted as approved by the Council. Last adjustment was done for January 1, 2021	\$ 76,208	\$ 27,357	\$ 328,284	\$ 6.28	\$ 0.52	Stipend for Vice-Mayor; Integrated Services Committee Chair and Finance Committee Chair (Budget Review Committee equivalent) annual stipend of \$2,137.
Niagara Falls	88,071	At-large	Mayor & 8 Members of Council	By-law that Council receives percentage salary increases equivalent to annual staff wage increases. Mayor receives travel/mileage allowance	\$ 116,196	\$ 26,470	\$ 211,760	\$ 2.40	\$ 0.30	\$75 for attending Committee meetings in which members were appointed to. \$4,800 annually for vast majority of each Niagara Falls Hydro Holding Corporation members.
St. Catharines	133,113	By Ward	Mayor & 12 Members of Council (2 for each ward)	Council - 55.5% of the average earned income of all individuals filing a tax return in the City of St. Catharines, as published in the most recent Taxation Statistics; Mayor - based on the change of the average earned income of all individuals filing a tax return in the City of St. Catharines from the previous year	\$ 116,418	\$ 24,938	\$ 299,256	\$ 2.25	\$ 0.19	City does not pay stipends for budget standing committee chairs. City pays an honorarium for members of Committee of Adjustment (Chair receives \$90 per hearing and Members received \$70 per hearing).
Grimsby	27,314	By Ward	Mayor & 8 Members of Council (2 for each ward)	Council remuneration adjustments are based on the rate structure provided to staff.	\$ 47,748	\$ 21,560	\$ 172,480	\$ 6.31	\$ 0.79	\$55 per meeting for Committee of Adjustment members
West Lincoln	14,500	By Ward	Mayor & 6 Members of Council (2 for each ward)	Council remuneration adjusted annually based on the structure increase granted to union employees annually on April 1. A remuneration bylaw is approved every four years and establishes a base for compensation. West Lincoln typically looks at the compensation paid to other Niagara area municipalities to establish their base.	\$ 36,632	\$ 21,044	\$ 126,264	\$ 8.71	\$ 1.45	No stipend/honorarium for Budget Standing Committee Chairs or Others
Lincoln	23,787	By Ward	Mayor & 8 Members of Council (2 for each ward)	Does not currently have any policy / procedure for determining Council remuneration. That said, Lincoln is going through an evaluation process which may include Council.	\$ 40,587	\$ 20,724	\$ 165,792	\$ 6.97	\$ 0.87	No stipend for Deputy Mayor or Budget Committee Chair, \$50 per diem for attending external committee meetings
Pelham	17,110	By Ward	Mayor & 6 Members of Council (2 for each ward)	Council increases its rate of compensation yearly at the Consumer Price Index rate of inflation annually.	\$ 35,576	\$ 16,306	\$ 97,836	\$ 5.72	\$ 0.95	
Fort Erie	30,710	By Ward	Mayor & 6 Members of Council (1 for each ward)	N/A	\$ 72,193	\$ 15,819	\$ 94,914	\$ 3.09	\$ 0.52	No stipend for Budget Committee Chair, \$55.97 per hour for Deputy Mayor
Niagara-on-the-Lake	17,511	At-large	Mayor & 8 Members of Council	N/A	\$ 49,160	\$ 15,520	\$ 124,160	\$ 7.09	\$ 0.89	
Wainfleet	6,372	At-large	Mayor & 4 Members of Council	N/A	\$ 23,364	\$ 12,269	\$ 49,076	\$ 7.70	\$ 1.93	

Table 1-2: Niagara Municipalities

Municipality	Population (2016 Census)	At-large or Ward Election	Council Size	Methodology	Head of Council	Member of Council	2021 Annual Salary			
							Total Cost for all Councillors	Council Remuneration Per Capita (Based on Entire Council)	Council Remuneration Per Capita (Based on Individual Clr.)	Stipend/Honorarium for Budget Standing Committee chairs and Others
				Council - 55.5% of the average earned income of all individuals filing a tax return in the City of St. Catharines, as published in the most recent Taxation Statistics						
				Mayor - based on the change of the average earned income of all individuals filing a tax return in the City of St. Catharines from the previous year						
Port Colborne	18,306	By Ward	Mayor & 8 Members of Council (2 for each ward)		\$ 46,175	\$ 11,489	\$ 91,912	\$ 5.02	\$ 0.63	
Thorold	18,801	At-large	Mayor & 8 Members of Council	N/A	\$ 35,686	\$ 10,852	\$ 86,816	\$ 4.62	\$ 0.58	
Average excl. Niagara Region & Wainfleet					\$ 55,616	\$ 18,714		\$ 5.62	\$ 0.75	
Average Ward Councillor					n/a	\$ 19,186		\$ 6.01	\$ 0.82	
Average At Large Councillor					n/a	\$ 16,278		\$ 5.45	\$ 0.92	
Median					\$ 46,962	\$ 18,515		\$ 6.00	\$ 0.71	



Corporate Report City Council

Report from: Office of the Chief Administrative Officer

Report Date: May 13, 2022

Meeting Date: May 16, 2022

Report Number: CAO-083-2022

File: 10.4.99

Subject: Community Risk Management Associated with Social Challenges

Strategic Pillar:

This report aligns with the following St. Catharines Strategic Plan pillars: economic, social, and organizational excellence.



Recommendation

That Report CAO-083-2022, regarding Community Risk Management Associated with Social Challenges, be received for information.

Summary

Societal shifts driven by social challenges have created significant pressures in communities across North America, including St. Catharines.

In many circumstances, these pose serious risks to the community and City staff across all departments. City staff are often put in situations without proper training and resources.

Social challenges include, but are not limited to:

- Mental health
- Addiction
- Increased housing costs
- Lack of affordable housing
- Systemic discrimination
- Lack of support systems

Relationship to Strategic Plan

Economic Prosperity – Living rough is often the result of increased housing costs and rental affordability. These challenges create barriers in economic growth, resilience and the ability to thrive and maintain economic security.

Social Well-being – With lack of affordable housing and support systems, many social issues are more visible in public. The ability for all citizens to enjoy the use of public spaces has been affected by an increase in vandalism, litter and other associated behaviours.

Organizational Excellence – There are significant health and safety concerns associated with staff's involvement in working through social issues. As an example, when staff are dealing with encampment clean-up or needle pick-ups, they are taken away from regular duties, such as gardening, beautification and other operations.

Background

Social challenges have changed the landscape of City operations and response. In response, departments across the corporation are left with trying to find balance between community risk management while also ensuring our most vulnerable population is supported within the existing social support system network.

The purpose of this report is to provide Council with an update on the pressures being placed on the municipality when managing various work programs resulting from the situation. In addition, this report is intended to provide an overview of upcoming initiatives City staff will be bringing forward to help address these challenges.

Report

In recent years, the City of St. Catharines has experienced an increase in individuals living rough throughout the community, both within public spaces as well as derelict and vacant private properties. While the focus of this report remains on St. Catharines, homelessness and living rough is a widespread social concern across Canada and internationally. According to Statistics Canada, more than 235,000 people in Canada experience homelessness in any given year.

A 2021 Point in Time (PIT) count was conducted by the Niagara Region, agency staff, Niagara Assertive Street Outreach (NASO) and staff from Indigenous friendship centres, who surveyed individuals in shelters and unsheltered spaces, such as parks, ravines, outdoors locations, public spaces and transit stations. The 2021 PIT count identified 665 people experiencing homelessness in Niagara. The survey also collected demographic data such as age, gender, ethnicity, education and health status. Full details on the count and data collected are available in Niagara Region Public Health and Social Services Committee Report [COM-17-2021](#)

Living rough and homelessness is often a result of underlying systemic and social challenges such as, but not limited to:

- Mental health
- Addiction
- Increased housing costs
- Lack of affordable housing
- Systemic discrimination
- Lack of support systems

The COVID-19 pandemic has exacerbated these issues, causing impacts on City operations and increased risk throughout our community, resulting in increased complaints to staff and Council.

City staff will be bringing initiatives forward to Council in the near future to address a variety of risks impacting the community across public space and private property.

Supporting those Living Rough

Understanding that living rough has been a growing issue in the community, City staff have been working with Niagara Assertive Street Outreach (NASO) to address the servicing needs of individuals in the city. Staff have confidence in this approach based on results, weekly meetings and best practices.

Outreach services are the first steps involved in connecting with individuals. It allows professional outreach workers to remain focused on the safety of those in encampments and moving individuals sleeping outdoors into safer, indoor spaces through housing and shelter options with supports offered through NASO. In 2021, across Niagara, NASO and its partners were able to support the needs of 180 unique clients through access to housing as outlined in the Niagara Region's Homelessness Services Report [COM-12-2022](#)

While living rough in the city does create community risk and challenges, protecting and providing service to the City's most vulnerable populations remains a priority. City staff meet weekly with external partners to ensure individuals living rough and their unique needs are being addressed.

Impacts on City Staff and Operations

Social challenges have created an environment of increased needs, response, resources and service requests on City operations. Noted below are some of the increased challenges staff face.

Risk Associated with Encampments and Facilities

Encampments have created additional workload on City crews at the expense of other core service functions due to lack of dedicated budgetary resourcing. Staff are often put in the position to work with individuals who are of high-needs, sometimes unstable, and require support. The efforts are undertaken without proper training and falls outside of the scope of their regular duties.

In most situations, there is no legal authority to compel those living rough to accept service. This creates the cycle of moving individuals from one location to another resulting in parks, streets, public spaces and vacant properties becoming popular destination points for encampments, parties, etc.

Facility Use for Vulnerable Population Programs

City staff have made various City facilities available to support programs for those living rough including:

- Warming and cooling centres to provide shelter from extreme weather
- Showering Programs

While these programs are important elements in supporting the City's vulnerable population, they can also result in safety concerns for both staff and patrons at the facilities utilized. Staff are not properly trained or equipped to work through witnessing overdose deaths, living conditions and the mental and physical state of individuals. In many instances, staff are looked upon for security measures when dealing with escalating situations at locations, which poses a safety concern for staff.

Encampment and Living Rough Clean-up Efforts

Staff on various levels, from multiple departments, are often taken away from regular duties to coordinate and clean-up encampments. Encampment clean-up efforts are coordinated through staff with NASO, NRPS and Positive Living. An increase in the number and size of encampments has led to concerns about the safety and well-being of individuals living rough as well as the impact of the surrounding community and City staff.

Clean up efforts pose serious health and safety risks due to:

- Harm reduction waste; human and animal feces; and bodily fluids with the threat of disease transmission
- Mold
- Cross contamination
- Violence (including possible use of weapons)
- Working alone
- Drug exposure
- Explosion / fire risks
- Inadequate training
- Mental health and morale implications

Fire Safety

In 2021 and the first quarter of 2022, St. Catharines Fires Services have experienced an increase in fires associated with mental health, addictions and shelter and drug use in vacant properties.

Fires associated with drug use are unsafe for firefighters and fire investigators due to large volumes of drug paraphernalia and other hazardous conditions.

Increases in illegal open air burning and fuel utilization in encampments have also increased concerns of fire spread, explosion and serious injury or death. It has caused damage to public amenities and put risks on assets.

Fires due to mental health, addiction and vacant properties raise concerns about increased loss of life and / or serious injury to individuals and properties, including the broader community.

Vacant Properties and Absentee Landlords

Staff are seeing an increase in lack of care and concern for vacant properties by absentee landlords, which is posing a risk to neighbouring residents and businesses.

Risks associated with vacant properties include:

- Fire hazards
- Theft and vandalism
- Squatters
- Illegal activity
- Loss of life (including drug overdoses)
- Neighbouring property concerns

Low-income tenants are often the victim to absent landlords and other aggressive tenants. This poses a risk to the vulnerable population losing secured housing.

Initiatives to Manage Community Risk and Social Issues

Social issues have greatly increased the volume of complaints in the City, impacted the intended use of City facilities and increased risks to the community. City staff are actively seeking avenues and opportunities to address issues within the municipal spheres of jurisdiction.

1. Staff in Planning and Building Services are working to bring to Council by-laws to address vacant properties and Administrative Monetary Penalty System (AMPS) by-law for Waste and Long Grass
2. Vacant Building review is being conducted by Fire Services
3. Staff are looking into a contracting service for the boarding and fencing of vacant properties and passing the cost back to owners
4. A report will be brought to council regarding Warming and Cooling Centres
5. Staff continue to explore additional partnership opportunities with external entities on supporting the vulnerable population, social Issues and efforts
6. Staff will continue to advocate to upper levels of government for increased support and programs surrounding social issues in partnership with Niagara Region and other service agencies.
7. During budget deliberations for the 2023 budget, staff plan to request additional resources to support efforts to combat the impacts of social issues and community risk management. This may include staff, equipment, training, and support systems.

Financial Implications

There are no financial implications associated with receiving this report; however, there are a number of costs being incurred by the City to address the cleanup and resources being diverted from other required staff job functions.

Environmental Sustainability Implications

There are no environmental implication associated with this report

Conclusion

An increase in socio-economical challenges has created a variety of public safety concerns in which the City has had to reactively respond and manage at the expense of regular duties and responsibilities.

The intent of this report is to provide a greater understanding of complications City staff and the community are facing, the risks associated, and recommended initiatives intended to address some of these issues.

City staff remain committed to working with community partners and will continue to advocate to upper levels of government to provide additional supports and programs for individuals living rough.

Prepared and Submitted by

Trish Sorrenti
Corporate Executive Administrator

Approved by

David Oakes
Chief Administrative Officer



By-laws to be considered Monday, May 16, 2022

- (a) A By-law to amend By-law No. 2022-045 entitled "A By-law to establish the positions of Screening Officer and Hearing Officer and to appoint persons as Screening Officers and Hearing Officers and to repeal and replace By-law No. 2014-157, as amended." (One reading – with respect to appointment. Delegation of Powers and Duties By-law No. 2020-156.)
- (b) A By-law to amend By-law No. 2002-81 entitled "A By-law to appoint certain employees of the Canadian Corps of Commissionaires (Hamilton) as municipal law enforcement officers." (One reading – with respect to change in personnel. Delegation of Powers and Duties By-law No. 2020-156.)
- (c) A By-law to amend By-Law No. 89-2000 entitled "A By-law regulating traffic and parking on City Roads." (One reading – with respect to addition of a stop sign at Lakeshore Road West. Delegation of Powers and Duties By-law No. 2020-156.)
- (d) A By-law to authorize the acceptance of a conveyance of certain lands from GIANCATERINO, MICHAEL ROBERT and GIANCATERINO, OLIVIA LYNN for road widening along Mountain Street. (One reading – with respect to severance application regarding 37 Mountain Street. Delegation of Powers and Duties By-law No. 2020-156.)
- (e) A By-law to authorize the acceptance of a conveyance of certain lands from 1473941 ONTARIO LIMITED for road widening along Moffatt Street. (One reading – with respect to Marshall Estates Plan of Subdivision - 41 Moffatt Street. Delegation of Powers and Duties By-law No. 2020-156.)
- (f) A By-law to assume and declare certain lands to be a highway and to be known as Berkshire Drive. (One reading – with respect to Berkley Estates Subdivision - 4 Berkley Drive. Delegation of Powers and Duties By-law No. 2020-156.)
- (g) A By-law to close permanently that portion of MCKAY ST TP PL 94 GRANTHAM BTN HILLVIEW RD & SHERINGHAM AVENUE DESIGNATED AS PART 1 ON PLAN 30R-15939; CITY OF ST. CATHARINES, in the former Geographic Township of Grantham, now in the City of St. Catharines, Regional Municipality of Niagara. (One reading – with respect to portion of McKay Street lying East of Hillview Road. Council, October 18, 2021, Item No. 7.1.)
- (h) A By-law to amend By-law No. 2021-101 entitled "A By-law to impose certain rates and fees charged by The Corporation of the City of St. Catharines with respect to certain administrative matters." (One reading – with respect to recovery costs for repairs to damaged municipal property as result of a motor vehicle collision. To be considered by Council, May 16, 2022.)



- (i) A By-law to amend By-law No. 2020-156 entitled “Delegation of Powers and Duties By-law.” (One reading – with respect to agreements with MTO to receive information through the Authorized Requester Information System (ARIS). To be considered by Council, May 16, 2022.)
- (j) A By-law to confirm the proceedings of council at its meeting held on the 16th day of May 2022. (One reading - with respect to confirming the proceedings of the meeting held on May 16, 2022.)